CITY COUNCIL MEETING
Thursday, August 13, 2020
7:30 p.m.

CITY COUNCIL CHAMBERS
680 Park Avenue
Idaho Falls, ID 83402

Thank you for your interest in City Government. In compliance with the Idaho Rebounds Stage 4 guidelines, which discourage public gatherings, the City of Idaho Falls hereby provides reasonable means for citizens to participate in the above-noticed meeting. The City believes strongly in public participation and has therefore identified the following ways to participate in this meeting:

General Meeting Participation.

1. Livestream on the Internet. The public may view the meeting at www.idahofallsidaho.gov. Meetings are also archived for later viewing on the City's website.
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. In-person attendance. The public may view the meeting from the Council Chambers, or, if the Chambers are full, via livestream in a nearby room. To comply with the Centers for Disease Control and Prevention (CDC) social distancing guidelines, appropriate seating will be provided in the Council Chambers and in a nearby overflow room. Such seating is available on a first-come, first-served basis. *Citizens are required to wear face masks for the protection of others.*

Official Public Hearing Participation. Members of the public wishing to participate in a public hearing noticed on this agenda may do so. Public testimony on an agenda item will be taken only for public hearings indicated on this agenda. Please note that not all meeting agenda items include a public hearing or the opportunity for public comment.

1. Written Public Hearing Testimony. The public may provide written comments via postal mail sent to City Hall or via email sent to the City Clerk at IFClerk@idahofallsidaho.gov. Comments will be distributed to the members of the Council and become a part of the official public hearing record. Written testimony must be received **no later than 4:00 p.m.** the date of the hearing.
2. Remote Public Hearing Testimony. The public may provide live testimony 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 JNilsson@idahofallsidaho.gov no later than 4:00 p.m. the day of the hearing so log-in information can be sent to you prior to the meeting. Please indicate for which public hearing you wish to offer testimony.
3. In-person Testimony. Live testimony will be received in the Council Chambers at the appropriate time throughout the meeting. To comply with the Centers for Disease Control and Prevention (CDC) social distancing guidelines, appropriate seating will be provided in the Council Chambers and in a nearby overflow room. Such seating is available on a first-come, first-served basis. *Citizens are required to wear face masks for the protection of others.*

Please be aware that an amendment to this agenda may be made in the meeting upon passage of a motion that states the reason for the amendment and the good faith reason why the desired change was not included in the original agenda posting. All regularly scheduled City Council Meetings are live-streamed and then archived on the city website (barring electronic failure). 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.** *Members of the public may address the City Council regarding matters that are **not** on this agenda or already noticed for a public hearing. When you address the Council, please state your name and city for the record and please limit your remarks to three (3) minutes. Please note that matters currently pending before the*

Planning Commission or Board of Adjustment, which may be the subject of a pending enforcement action or which are relative to a City personnel matter, are not suitable for public comment.

4. **Coronavirus (COVID-19) Update. (as needed)**

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 the Airport:

1) Minutes from the June 20, 2020 Airport Leadership Workshop

B. Item from Public Works:

1) Minutes from the June 24, 2020 Public Works Utility Meeting

C. Items from Municipal Services:

1) Treasurer's Report for June, 2020
2) Minutes from the July 22, 2020 City Council Special Session; July 22, 2020 City Council Budget Session; July 23, 2020 City Council Budget Session; July 27, 2020 City Council Work Session; July 28, 2020 City Council Budget Session; and, July 30, 2020 City Council Meeting
3) 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. Idaho Falls Police Department

1) Police Personnel Manual: The changes to the Police Personnel Manual were brought to the Council on May 11. The changes were then published to the entire Police Department on May 12 so employees could review the changes and make comments. That required 30-day comment period has expired and the changes are ready to be acted upon by the Council. The changes include changing section VI-6 regarding compensation for court/administrative proceedings. It also changed section VII-4 Hold days.

RECOMMENDED ACTION: Approve the Resolution to amend the Police Department Personnel Manual as presented, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

B. Municipal Services

1) Quote 20-035, Phase II - Construction of Fiber Huts for Idaho Falls Power: This contract will provide construction for additional fiber huts to house residential fiber. *Additional Background:* On 23 July, Idaho Falls Power received notification from DePatco that they had entered into an agreement for the sale of DePatco to Sunroc Corporation. That sale became effective as of 7 August.

RECOMMENDED ACTION: Accept and approve the lowest quote received from DePatco for a total of $67,292.15 (or take other action deemed appropriate).

2) Public Hearing for the Proposed Fees for Fiscal Year 2020/21: Municipal Services respectfully requests that the Mayor and Council conduct a public hearing for the proposed 2020/21 fee schedule and approve the corresponding resolution.

RECOMMENDED ACTION: Approve the Resolution adopting the Fiscal Year 2020/21 fee schedule and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

C. Community Development Services

1) Request to Extend Deadline to Record a Final Plat, Linden Trails Addition, Division No. 4: For consideration is a request to extend the deadline to record a plat by an additional three months. The final plat was approved February 27, 2020. The Subdivision Ordinance requires plats to be recorded within 180 days of approval, which would be August 27, 2020. Due to delays with Bonneville County review and recording process, the applicant is concerned the deadline will pass before the County is able to sign the plat for recording. Staff recommends the deadline to record be extended to November 27, 2020.

RECOMMENDED ACTION: Approve the request to extend the deadline to record the plat for Linden Trails Addition, Division No. 4 to November 27, 2020 (or take other action deemed appropriate).

2) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Snake River Landing, Division No. 15: For consideration is the Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Snake River Landing, Division No. 15. The Planning and Zoning Commission considered this item at its March 3, 2020, meeting and recommended approval by unanimous vote. Staff concurs with the recommendation and recommends approval of the plat.

RECOMMENDED ACTIONS (in sequential order):

a. Approve the Development Agreement for Snake River Landing, Division No. 15, and give authorization for the Mayor and City Clerk to execute the necessary documents.

b. Approve the Final Plat for Snake River Landing, Division No. 15, 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 Snake River Landing, Division No. 15, and give authorization for the Mayor to execute the necessary documents.

3) Public Hearing - Rezone from RE to LC, Zoning Ordinance, Reasoned Statement of Relevant Criteria and Standards, M&B: 1.48 Acres, E1/2 NE1/4 SE1/4, Section 25, T2N, R37: For consideration is the application for rezone from RE to LC, Zoning Ordinance, Reasoned Statement of Relevant Criteria and Standards, M&B: 1.48 Acres, E1/2 NE1/4 SE1/4, Section 25, T2N, R37. The Planning and Zoning Commission considered this item at its July 21, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

a. Approve the Ordinance Rezoning M&B: 1.48 Acres, E1/2 NE1/4 SE1/4, Sec 25, T2N, R37 under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the ordinance on the first reading and that it be read by title, reject the ordinance, or take other action deemed appropriate).

b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from RE to LC of M&B: 1.48 Acres, E1/2 NE1/4 SE1/4, Sec 25, T2N, R37, and give authorization for the Mayor to execute the necessary documents.

4) Public Hearing - Amendment of Sections Comprehensive Zoning Ordinance: For consideration is an Ordinance amending Sections 11-4-5.E.1, Parking Location in Residential Zones, Section 11-7-1, Definitions, Tables 11-2-1 and 11-2-2, Allowed Uses, and Section 11-2-6(Q) Standards for Attached Dwellings of the Comprehensive Zoning Ordinance. The Planning and Zoning Commission considered this item at its July 21, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTION: Approve the Ordinance amending the Comprehensive Zoning Ordinance, Section 11-4-5.E.1, Parking Location in Residential Zones, Section 11-7-1, Definitions, Tables 11-2-1 and 11-2-2, Allowed Uses, and Section 11-2-6(Q) Standards for Attached Dwellings, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the ordinance on the first reading and that it be read by title, reject the ordinance, or take other action deemed appropriate).

7. **Announcements.**

8. **Adjournment.**

June 20, 2020 Airport Leadership Workshop - Unapproved

The City Council of the City of Idaho Falls met in Airport Leadership Workshop, Saturday, June 20, 2020, at the Skyline Activity Center, 1575 N. Skyline Dr. in Idaho Falls, Idaho at 8:00 a.m.

Call to Order and Roll Call:
There were present:
Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember Jim Francis
Councilmember Shelly Smede
Councilmember Michelle Ziel-Dingman

Phone:
Councilmember John Radford
Councilmember Jim Freeman

Also present:
Rick Cloutier, Airport Director
Jayme Verish, Airport Assistant Director Operations & Maintenance
Brent Davis, Airport Administration Manager
Brook Edwards, Airport Administrative Assistant
Randy Fife, City Attorney
Jack Penning, Volaire Aviation Consultant

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

Announcements:
Mayor Casper reminds anyone that would like to join the rally at 3:00 today 6/20/2020.

Airport Updates/Grants/Terminal Expansion:

Director Cloutier reviewed the following with general discussion throughout:

Budget update: Contracts and grants have been executed and will be presented at an upcoming city council presentation. Terminal construction going forward has started this week. Part of the CARES Act, Federal Funding provided us with one hundered percent (100%) saving us from our seven and a half percent (7.5%) share that we normally pay.

Director Cloutier mentioned that the full-scale training that was scheduled for June has been pushed back to later in the year. All Federal Aviation Administration (FAA) inspections have been delayed or canceled. Master Plan Update, a blueprint of the next ten (10) years is scheduled for August with lots of public meetings and public input.

Financial Update:

Mr. Brent Davis give a summary of the FY 2020 Budget
Current operating revenue $2,167,619
Total operating expenditures: $2,410,293
Net deficit: ($242,674) as of June 15, 2020

Given the unprecedented times that we are in Mr. Davis transitioned into what 2020 will look like.

Budget Summary for FY 2021

With revenue accounts being cleaned up by specific individuals the lines from previous years to this year's budget will look different. From thirty-six (36) accounts to seventeen (17) accounts. This will better align where we're taking in the revenue and where the expenses are occurring. Mr. Davis stated that when we go to the airlines to build different scenarios it's a lot easier to do so.

Mr. Davis mentioned that the top line is the airports Airport Improvement Program (AIP) money and it's always an ever-changing moving target until we actually get the budget finalized. There are significant changes in the budget and you can see our revenues are down one point one million dollars ($1.1 million) in operating revenue.

Administration – ($36,000) Salary & Wages
Building Maintenance – ($289,000) Salary & Wages
Ground Maintenance – There are take-aways (Salary & Wages) and adding back between the cost of material for the runway. This also include 15% a year increase with ice melt & chemical.
Airport Security – ($100,000) Public Safety Contract (Police Services) due to decreased operations.
Fire Protection – No changes in service level.

Total Appropriation Request:
Revenue: $14,881,175
Expenditure: $15,408,285
Deficit ($527,110)

Operating Revenue:
Deficit ($762,935) due to Passenger Facility Charge (PFC's), Rental Car, & Airline (Landing Fees)

Expenditures:
Salaries & Wages ($167,449) -15.5%
Benefits ($60,921) – 12.6%
Current Operating Expense ($215,190) -9.2%
MERF $2,700 – 7.7%

Budget Notes:
Reduced revenue accounts from 36 to 17
Cut Personnel Expense $228,370, 14.6%
- 3 filled positions
- 1 vacant position
- Reduced non-exempt staff hours to 35 hours

Cut Operating Expense $215,190, 9.2%
- $50k cut in Professional Services
- $82k cut in Repair & Maintenance
- $83k cut in Police Services (estimated change in service level)

Total Operations (Exclude FAA Capital)
- Cut budget $527,110, 13.3%

Budget Built on reduced activity
- 50% of 2019 calendar year enplanements

Mr. Davis noted that this is not the worst-case scenario budget, that the worst-case scenario exists and could greatly alter the budget as currently constructed. i.e. Airline bankruptcy/non-payment and/or pandemic setback.

Airport Construction Update:

Ms. Verish announces that the $12M Terminal Construction Project has started and is 100% funded by the FAA, saving us from our 7.5% share that we normally pay. The project is expected to last approximately 18 months. By taking advantage of these changes to due COVID -19 to speed up the phasing and decrease that construction time, saving us time and money.

An additional 38,000 square feet of space for passenger hold rooms, concession areas, Transportation Security Administration (TSA) screening space, and passenger flow. We will be expanding our passenger gates from three (3) to five (5). Currently there are two (2) on the upper-level and (1) on the lower-level ground boarding. In the end we will have three (3) on the upper-level and (2) on the lower-level, giving us six (6) aircraft positions on the ramp. Giving us more opportunities to support more operations at any given time.

New covered ground boarding positions allowing passengers to not have to walk on the open ground – similar airport design as the "E" gate at Salt Lake City Airport.

Concession spaces are expanding on the second level, a full-service kitchen will be added along with a dining area.

TSA screening check-point with a dedicated pre-check lane.

American Disability Act (ADA) compliant service animal/pet relief area, post screening.

Updated finishes throughout the terminal; i.e. furniture, flooring, wall finishes, lighting, etc.

New Heating and Cooling elements with HEPA filters.

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Air Service Development

Mr. Penning gives a post-pandemic outlook:

Comparisons to previous downturns:

COVID-19 Vulnerability Index – Demand has not been hit as hard as it has been in very large markets. Gross Domestic Product (GDP) is not looking good with COVID-19. Mr. Penning states that Idaho Falls does not follow national trend and is difficult to forecast. We don't know what to expect after this pandemic after seeing trends from 9/11 and Great Recession. Idaho Falls is tied for the ninth-lowest April unemployment rate. Our national average is 13%. We have a strong underlying local economy; Bonneville County should be near average in terms of the impact of COVID-19. Idaho Falls metro area is 9% better than the national average, 80th at best of 380 metro areas in United States.

How Airlines are serving the region:

Capacity Reductions – Idaho's scheduled and forecasted airline seats at Idaho Airports with scheduled service will lose about ~35% capacity of passengers, which is better than the 48% national average. It is a loss of 2,900 departing seats per day. Last year Idaho Airports had 6 million available seats this year ~4 million will be expected this year. Status of Idaho Falls service in the month of June: Denver has two flights/day. United on Denver most

markets in the Northwest have only five flights a week, and Idaho Falls Airport have maintained two flights per day throughout the summer. Mr. Penning states that it shows that our demand is better than our peer market. Our flight to Salt Lake City has two flights/day, Minneapolis was suspended for this summer. As of August 1, 2020, the Salt Lake City Flight will go to three flights/day. Allegiant is operating at full and is the only airline not requiring a mask at this time. The Phoenix/Mesa Arizona flight is at 90% full at two flights/week; Las Vegas at two flights/week; San Diego is two flights/week; Oakland is at two flights/week; Los Angeles is suspended entirely due to complete lock-down. By the end of this year Idaho Falls is forecasting to be down only 20%, by November & December it is looking like the same number of seats as last year at that time.

Mr. Penning makes note that Boise has lost Eight non-stop routes, Idaho is not as well connected as it had once been. Boise will take a bigger hit than any other market, a loss of ~3,000 departing seats per day. Pocatello has a loss of 85 departing seats per day, five flights a week to Salt Lake City on a 50-seat plane. As of October 1, 2020, Delta/SkyWest is free to leave Pocatello – they filed an exemption to leave Pocatello immediately, that exemption was not granted by the Department of Transportation. Since they filed that exemption the City of Pocatello made an agreement with SkyWest on behalf of Delta to charge SkyWest only one-dollar ($1.00) a year for all services at the airport if they would maintain service. That will save SkyWest a half-million dollars a year that is being subsidized by the City of Pocatello.

Idaho Falls Market Fundamentals:

Updated Passenger Market – 54% that live here use ID; 38% that live here drove and flew Salt Lake City. An average of 1300 passengers per day in and out of our market that travel. That is up 30% since 2017, we added 300 passengers per day in the last three years, Idaho Falls passenger were up 40%. Idaho Falls Regional Airport retention is up from 40% to 54%. Salt Lake City retention is down from 50% to 38% from 2017. Pocatello was capturing only 4% down to 2%, fewer and fewer people are driving to Pocatello. If every person flew out of Idaho Falls Airport generates enough passengers to fill seventeen departures each day on a 76-seat airplane.

Service Profitability – All service is highly profitable in 2019, United/Denver and Delta/Salt Lake City operated at margins around 25%. Mr. Penning stated that we have doubled Delta and almost tripled United's margin from 2017, Delta's margin last year was at 13% and United's margin was around 9%. Allegiant services were also very profitable, although a little tighter in Vegas and Los Angeles. Minneapolis (MSP) and Las Angeles (LAX) are the most in danger as MSP "overflies" Salt Lake City – it is more efficient to connect at Salt Lake City.

Leveraging Airline Strategy:

Airline Consolidation – Out of 47 airlines in the 1980's, five major airlines in the United States are left: American Airlines, Alaska, Delta, United, and Southwest. Not a lot of airlines to choose from so we have to be strategic.

Network Airline Hub Structure – We work with Delta and United, and are currently working on Alaska and American.

Delta: Salt Lake City and Minneapolis are safe; Seattle and Boston would be at risk, Delta has done a big build up in Seattle that is all Asian fee and that market has absolutely crashed, so the Seattle market is out of the cards.

United: Denver is safe; We have serviced to San Francisco in the past and that is certainly an option in the future.

Alaska: Bought Virgin American and have built hubs in California. Portland and Seattle are safe and we need service to the Pacific Northwest, as it is our most requested for service.

American: Their core is Charlotte, Dallas & D.C. and is safe.

Target Markets – SkyWest can currently fly "At-Risk" for American Airlines, Delta and United. SkyWest is working with an agreement with Alaska. At least fifty-five (55) available aircraft in 2021. Beginning January 1, 2020, SkyWest is looking to put planes. Idaho Falls Air Service is targeting Seattle flown by American Airlines, but serviced by SkyWest. For the low-cost carrier with Allegiant to Palm Springs, Tucson, Minneapolis, Dallas-Fort Worth.

Consideration in Planning – An Airline is trying to find the best use of an aircraft and crew resources. Do I have the right aircraft? Do I have room in the schedule? Does the market make sense? What are the unique costs? (airport costs and fuel). Are extra costs worth it? (high fares). Is there a market with less risk?

Securing Service - Mr. Penning stated that we need to understand when they (business traveler) will travel and what demand will be relative to 2019. Where they go and who they fly. This is to communicate to our current airlines that when business travel is back, we can help guide them to getting frequencies back into the market. We are monitoring the return of demand and seeing signs of life on our low-cost carrier, Allegiant. We will be applying for a small community grant application to help with that demand. Rick Cloutier and Jack Penning will be meeting with network planners at the headquarters, SkyWest, Alaska and American as soon as available.

Mitigating Risk – Mr. Penning stated that we do, as an airport provide direct cash for marketing for new service to raise awareness, we provide fee waivers for new service for a short period of time (landing fee, terminal rent, start-up cost offsets, ground handling support, etc.) and Idaho Falls Regional Airport is not the only airport that does this. All airports provide this, this is not a new thing. The big thing to remember is the Minimum Revenue Guarantee (MRG), and this is where the grant comes into play but also a lot of communities are doing this on their own. When we are getting a new service and we remove risk of the airline starting service and losing money by agreeing to a target revenue amount per flight (i.e. Below target: direct loss payment; above target: no payment) it is the best way to remove risk. With a ($500,000) potential budget shortfall – how do we overcome budget shortfalls? We get more people traveling, increase our parking revenue and our rental car revenue. With a new flight we will most likely bring in ~$250,000 new revenue.

The meeting adjourned at 10:22 a.m.

Brook Edwards, Airport Administration	Rebecca Casper, Mayor

June 24, 2020 Public Works Utility Meeting - Unapproved

Public Works Utility Update and Rate Discussion

The City Council of the City of Idaho Falls met in Special Meeting (Annual Public Works Department Utility Meeting), Wednesday, June 24, 2020, at the Wastewater Administration Office located at 4075 Glen Koester Lane, Idaho Falls, Idaho at 5:30 p.m.

Call to Order and Roll Call:
There were present:
Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember Shelly Smede
Councilmember Jim Freeman
Councilmember Jim Francis
Councilmember John Radford
Councilmember Michelle Ziel-Dingman via telephone

Also present:
Chris Fredericksen, Public Works Director
Chris Canfield, Assistant Public Works Director
Kent Fugal, City Engineer
Jordan Rechenmacher, Sanitation Superintendent
Carl Utter, Wastewater Superintendent
David Richards, Water Superintendent
Janet Kopplow, Administrative Assistant
Megan Ricks, Financial Advisor
Kerry Hammond, Public Information Officer

Mayor Casper called the meeting to order at 5:35 p.m. with the following:

Director Fredericksen hosted the attendees on a short tour of the new vehicles in the adjacent shop.

Director Fredericksen opened the presentation by thanking his staff for their dedication and cooperation during the Covid 19 pandemic. He also noted his support for the Enterprise accounts to administer the MERF funds and the sub-allocated amount within each Enterprise Fund (30%). The action will require an ordinance change and ideally, the proposal can be implemented the beginning of upcoming Fiscal Year.

Sanitation:

Background:

- Employees – 23 FTE (Full Time Employee) seasonal employees as needed, one employee increase due to a downsizing overestimate
- Assets
    - 317 - 1.5 cubic yard containers;
    - 2,068 - 3 cubic yard containers;
    - 230 - 30 cubic yard containers;
    - 22 cubic yard recycling containers;
    - 18,504 - 95-gallon residential carts

Director Fredericksen noted the national recognition of Jordan Rechenmacher for outstanding performance for sanitation professionals under the age of 40. The crew also included the City's first female CDL sanitation driver.

The Sanitation Division has shown a major reduction in injury claims, as compared to other departments over the last three years.

- Fleet
  - 8 commercial container trucks ($170k)
  - 4 tilt frame container trucks ($150k)
  - 6 residential side load trucks ($275k)
  - 2 hand load trucks ($145k)
  - 1 boom truck ($120k)
  - 1 front end loader ($140k)
  - 4 pickups ($40k)
  - Mulcher ($35k)
- $4,435,000 purchase cost of equipment
- MERF balance: $1,081,800 (24%) – 30%+

Expenditures through mid-June, 2020 (79%)

- Budget: $5,775,200
- Expenditures: $4,006,500
- 69% of budget expended (committed)
- Average monthly expenditures: $421,700

Revenues through May, 2020

- Average monthly revenue: $439,500 (Increase 4.2.% & anticipate exceeding revenue projection)

Sanitation Division Summary

- Fund balance mid-June – $3,438,400
- Fund balance goal is at 25% of budget – $1,444,000
- Last rate increase in 2014 – 5% increase ($9.00-$9.45)
- 2020 - 2021 no change to existing rates, new fees proposed

Director Fredericksen explained that the recycling program has been very successful. The 13 existing free recycling locations cost $4,800/month vs $1,600/month revenue. Glass recycling cost of service is $1,100 per month. Total recycling cost to Sanitation Division is $4,300/month. Approximately 850 tons of refuse have been removed from the waste stream. Since inception, 267 tons of glass have been collected.

Wastewater:
Background

- Employees – 36 FTE (2 administration, 23 treatment and 11 collection)
- Assets
  - 30 – Sanitary lift stations & 9 for IBSD
  - 278 - Miles of gravity sewer Line & 6.7 - Miles of pressure sewer lines
  - 46 - Storm lift stations
  - 162 - Miles of storm line
  - WWTP
    - Capacity of 17 MG/D
    - Average Daily Flow of 9.6 MG/D
    - 56% of Capacity – Room to grow
- Fleet
  - Pumps ($35k)
  - Generators ($40k)
  - Dump trucks, sludge trucks, flusher/vacuum truck ($85k - $440K)
  - Camera vans ($170k)
  - Backhoe ($95k)
  - Misc. Equip.
- $4,304,800 Purchase cost of equipment
- MERF Balance: $2,196,700 (51%)

Director Fredericksen reviewed the WWTP Facilities Plan, which began in August 2010. The plan included a 20- year evaluation which identified $59,620,000 WWTP upgrades. Approximately $31,990,000 in projects have been completed in the last ten (10) years – 54%. Director Fredericksen stated $500,000 is proposed in the annual budget for line replacement (the goal is 1% replacement). The next major focus is the Dewatering project of $10,000,000. The design is ongoing and currently, 51,000 gallons to the lagoon daily is land applied. The dewatering project will cut the hauling costs.

Expenditures through mid-June, 2020 (69%)

- *Budget: $12,821,505*
- *Expenditures: $6,596,000*
- *51% of budget expended (Committed)*
- *Average monthly expenditures: $694,300*
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Revenues through May, 2020

- *Average Monthly Revenue: $912,700 (Increase of 4.1% and we anticipate exceeding revenue projection)*

Wastewater Division Summary

- *Fund balance mid-July: $18,701,600*
- *Fund balance goal is $5,000,000+*
- *Last rate increase 2019 – 2020 -1.3% Increase ($23.10 - $23.40)*
- *2020 – 2021 Proposed Rates – 1.3% (Industrial, special customers vary)*
- *Sanitary Sewer connection fee increase – 1%*
    - *Graduated connection fee dependent on water meter size*
- *DEQ Fee $1.74/ERU (Equivalent Residential Unit) – $0.15/Connection ($57,748.86)*

Iona Bonneville Sewer District (IBSD)
The entity has the following options:

- 1) Evaluated becoming part of, or owner of, Eastern Idaho Regional Wastewater Authority (EIRWWA)
- 2) Constructing a new wastewater treatment facility
- 3) Continuing the contract with Idaho Falls

The decision was to remain in the contract with Idaho Falls.

Five-Year Service Agreement expires end of 2020

- Actively pursuing contract renewal
    - Considering new connection fees
    - Participation in Sunnyside Trunk Line Rehabilitation ($1,500,000 – 60%)
    - Service area expansion vs actual flowrate within trunk line
    - Average monthly billing $96,900 ($1,162,800 annually)

Wastewater/Water Division Bridge

- Wastewater Reuse (9.6 MGD = 29.5 Acre-Feet Daily = 10,700 Acre-Feet annually)
- Mitigation (Groundwater Recharge or potable water standards)
- Second and third recharge site
- Wash bay for City vehicles
- Landscape water (Seasonal)

Water:
Background

- Employees – 19 FTE (2 administration, 4 supply and 13 distribution)

- Assets
    - 21 wells (Well 19 operational November 2019)
    - 341 miles of water main line (2% increase
    - 2,467 fire hydrants (3% increase)
    - 8,636 main line valves (2% increase)
    - 3,517 meter locations (17% increase)
        - 594 with meters installed (7% increase)
        - 2,923 without meters installed (19% increase)

- Production in Million Gallons Per Day & Gallons Per Minute
    - 2019 Average day demand: 21.8 MGD or 15,140 GPM (7% decrease)
    - 2019 Peak day demand: 56.8 MGD or 39,445 GPM (2% increase)
    - 2019 Peak hour demand: 93.4 MGD or 64,860 GPM (11% increase)
    - System capacity (Wells): 97.9 MGD or 68,000 GPM (4% increase)
        - Well 19 is in service as a backup well at this time.

When comparing water use locally and nationally, Eastern Idaho consumes a considerable amount of water. Clean water is very precious and we take that for granted.

- Fleet
    - Trash pump ($10k)
    - Dump Trucks, service truck, flusher/vacuum truck ($45k - $200k)
    - Backhoes ($135K)
    - Valve Exerciser ($85k)
    - Telehandler ($75k)
    - Misc. Equip.
- $1,394,600 Purchase cost of equipment
- MERF Balance: $732,800 (53%)

Water Facility Plan

- Identified five-year and 20-year Capital Plan
- Suggested dedication of $250,000 towards metering the largest users
- Emphasized continued management of water rights
- Evaluated connection fees with a significant increase (20% increase annually for 5-Years) ($1,312 - $2,923)
- Developed a water rate structure
    - 20%-5%-5%-5%-5% (Implemented 2016-2019)
- Recommended developing a 100-Year Line Replacement Program, 1%
    - 3.2 Miles of replacement annually (2020 – 2.1 miles)

Director Fredericksen reviewed the Surface Water Coalition (SWC) Mitigation Term Sheet in order to plan for growth

City Mitigation Measures

- City Obligation = 3,191 Acre-Feet per year based on actual pumping recharge
- Mitigation Agreement with Snake River Plain cities with 22 communities and comparison of water production. We use 38% of the municipal water pumped for municipal application in Eastern Idaho.
- Sand Creek Recharge Station 1,516.50 acre-feet
- +2,400.00 Acre-Feet (Pocatello Water Right Lease)
- **3,916.50 Acre-Feet Total City Recharge**
- We have an excess recharge carry-over for 2020 of 725.60 Acre-feet

Water Use and Assessment Agreements

- City paid new subdivision assessments of surface water for future mitigation and we transferred those surface water rights to locations within the city that previously had no water rights.
- 371 lots totaling $37,000 in 2018 ($75,000 budgeted in 2019)
- Cost increased 25%, from $80 to $100 per lot
- Water rights limited in time of availability
- City subject to Last-to-Fill Provision if reservoirs didn't fill

City of Pocatello Water Right Lease
2019 – Purchased 2,400 Acre-Feet ($31.30/acre) $75,120

- 2020 – Purchase 500 Acre-Feet from Idaho Irrigation ($28.80/Acre-Feet), $14,400
- 2020 – Purchase 1,150 Acre-Feet from Pocatello ($31.30/Acre-Feet), $35,995
- 2020 – 450 High Flows, 1080 Palisades shares, 500 from Idaho Irrigation & 1,150 from Pocatello

- Water Division Residential Metering Pilot Project – 2020-2022
  - Project Description
    - Install 100 Residential Meters; Customers Request to Sign Up
    - Ensure a Variety of Customers (Home Age, Parcel Size, Landscape Water Type, Etc.)
    - Monitor for 1st Year to Collect Usage Data
    - Offer Incentives to Replace Non-Efficient Water Fixtures (Toilets, Faucets, Sprinkler Timers, Etc.)
    - Monitor for 2nd Year to Collect New Usage Data to Determine Effectiveness
  - Project Goals
    - Compare 2 Separate Automated Meter Infrastructure (AMI) Technologies
      - Mesh Network (Elster/Honeywell) and Cellular (Badger)
    - Gather Residential Non-Metered Usage Data for Modeling
    - Develop a Future Rebate Program for Water Fixture Replacements

Expenditures thru mid-June 2020 (69%)

- *Budget: $12,250,400*
- *Expenditures: $7,190,200*
- *59% of Budget Expended (Committed)*
- *Average Monthly Expenditures: $756,859*

Revenues thru May 2020

- *Average Monthly Revenue: $880,600 (2.6% Increase & Anticipate Exceeding Projected Revenue)*

Water Division Summary

- *Fund balance mid-July: $6,901,100*
- *Fund balance goal $4,000,000+*
- *Last rate increase 2018 – 2019 – 5% increase*
- *New employee to help with meter installation*
- *Water Tower removal/replacement*
- *2019 – 2020 proposed rates – 5%*
- *Water Service Connection Fee Increases – 20%*
  - *Study suggested 1" service connection increase from $1,312 to $2,932*
  - *Proposal to increase 20% annually until required fee is achieved - $2,268 for 2019*

Water Tower

- Park Usage – Conference Call August 29th with National Park Service
- 3 City Owned Sites – Narrowed to 1 (S Capital Park)
- Water Tower Discussions
- Council Work Sessions (April 15, 2019 & **May 18, 2020**)
- Budget Watch (May 7, 2019)
- Rotary Club (June 26, 2019)
- Civitans Club (June 20, 2019)
- Idaho Falls Historic Preservation Commission (May 2, 2019)
- Downtown Development Corporation (Jan 27, 2020)
- Public Open House (February 19, 2020)
- Social Media Blasts

Public Works Utility Payment in Lieu of Taxes (PILOT)

• Sanitation Division – 5%	= $235,200
• Wastewater Division – 5%	= $563,300
• Water Division – 5%	= $529,800
	$1,328,300

Director Fredericksen displayed a chart called Public Works Utility Contributions to the General Fund. The chart compared the former fiscal year at 11.7% contributions with this fiscal year at 9.5% contributions to the City resources.

Director Fredericksen distributed the first Public Works Annual Report. There being no further business, the meeting was adjourned at 7:48 p.m.

Janet Kopplow
Administrative Assistant

Rebecca L. Noah Casper
Mayor

IDAHO FALLS

MEMORANDUM

FROM: Josh Roos, City Treasurer
DATE: Monday, August 3, 2020
RE: Treasurer's Report for June 2020

Council Action Desired

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

Accept and approve the Treasurer's Report for the month-ending June 2020 (or take other action deemed appropriate).

Description, Background Information & Purpose

A monthly Treasurer's Report is required pursuant to Resolution 2018-06 for City Council review and approval. For the month-ending June 2020, total cash and investments total $131.7M. Total receipts received and reconciled to the general ledger were reported at $15.8M, which includes revenues of $14.2M and interdepartmental transfers of $1.6M. Total disbursements reconciled to the general ledger were reported at $13.1M, which includes salary and benefits of $5.4M, operating costs of $6.1M and interdepartmental transfers of $1.6M. As reported in the attached investment report, the total investments reconciled to the general ledger were reported at $120.7M.

Relevant PBB Results & Department Strategic Plan

☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐

The monthly Treasurer's Report supports the Good Governance result by providing sound fiscal management and enable trust and transparency.

Interdepartmental Coordination

Not applicable.

Fiscal Impact

Not applicable.

Legal Review

Not applicable.

CITY OF IDAHO FALLS MONTHLY TREASURER'S REPORT
June, 2020

FUND	BEGINNING CASH & INVESTMENTS	TOTAL RECEIPTS	TOTAL DISBURSEMENTS	ENDING BALANCE CASH & INVESTMENTS
GENERAL	$6,814,869.94	$3,518,393.90	$4,470,900.07	$5,862,363.77
STREET	$3,192,809.16	$170,297.93	$364,425.97	$2,998,681.12
RECREATION	($248,765.61)	$88,681.38	$90,573.01	($250,657.24)
LIBRARY	$2,912,538.54	$351,489.32	$250,095.68	$3,013,932.18
AIRPORT PFC FUND	$0.00	$14,682.00	$14,682.00	$0.00
MUNICIPAL EQUIP. REPLCMT.	$13,578,562.44	$325,572.92	$29,866.28	$13,874,269.08
EL. LT. WEATHERIZATION FD	$3,273,180.05	$31,668.19	$11,010.59	$3,293,837.65
BUSINESS IMPRV. DISTRICT	$86,725.14	$5,915.04	$25,013.20	$67,626.98
GOLF	($464,077.98)	$521,265.93	$338,730.72	($281,542.77)
SELF-INSURANCE FD.	$3,015,276.94	$197,799.57	$142,413.15	$3,070,663.36
HEALTH & ACCIDENT INSUR.	$4,639,545.52	$5,426.33	$706.37	$4,644,265.48
WILDLAND	$204,890.81	$239.64	$12,473.76	$192,656.69
SANITARY SEWER CAP IMP.	$2,825,048.67	$40,128.13	$430.11	$2,864,746.69
MUNICIPAL CAPITAL IMP.	$1,656,287.89	$25,267.35	$15,992.17	$1,665,563.07
STREET CAPITAL IMPROVEMENT	$912,020.40	$18,164.16	$50,617.26	$879,567.30
BRIDGE & ARTERIAL STREET	$880,147.24	$18,977.28	$134.00	$898,990.52
WATER CAPITAL IMPROVEMENT	$4,873,863.58	$89,616.39	$12,616.03	$4,950,863.94
SURFACE DRAINAGE	$208,599.00	$4,000.17	$31.76	$212,567.41
TRAFFIC LIGHT CAPITAL IMPRV.	$1,108,447.57	$37,092.25	$24,848.76	$1,120,691.06
PARKS CAPITAL IMPROVEMENT	$180,473.26	$40,211.08	$85,914.63	$134,769.71
FIRE CAPITAL IMPROVEMENT	($2,618,584.59)	$11,959.86	$0.00	($2,606,624.73)
ZOO CAPITAL IMPROVEMENT	$115,660.84	$26,341.27	$47.12	$141,954.99
CIVIC AUDITORIUM CAPITAL IMP.	$203,603.95	$238.13	$31.00	$203,811.08
GOLF CAPITAL IMP.	$165,263.75	$35,187.34	$25.16	$200,425.93
POLICE CAPITAL IMPROVEMENT	($667,059.95)	$0.00	$0.00	($667,059.95)
AIRPORT	$667,612.07	$385,043.83	$243,410.34	$809,245.56
WATER	$6,963,126.68	$975,769.76	$564,441.68	$7,374,454.76
SANITATION	$3,582,109.32	$454,921.37	$364,189.25	$3,672,841.44
AMBULANCE	($1,434,778.11)	$378,918.72	$493,153.86	($1,549,013.25)
IDAHO FALLS POWER	$52,358,223.34	$6,902,995.64	$4,320,351.86	$54,940,867.12
FIBER	($52,538.73)	$89,659.41	$483,078.31	($445,957.63)
WASTEWATER	$20,115,886.26	$997,066.98	$729,260.94	$20,383,692.30
TOTAL ALL FUNDS	**$129,048,967.39**	**$15,762,991.27**	**$13,139,465.04**	**$131,672,493.62**

CITY OF IDAHO FALLS
INVESTMENT RECONCILIATION
Jun-20

	BOND	AGENCY	TREASURY	CERTIFICATES	MONEY MARKET	CASH/EQUIVALENT	TOTAL
LPL				$1,263,212.37		$8,124.41	$1,271,336.78
LGIP					$20,214,460.38		$20,214,460.38
WELLS FARGO	$42,430,397.50	$15,164,466.11	$9,385,238.31	$6,002,564.56	$5,837,661.01		$78,820,327.49
DA DAVIDSON				$1,029,572.50		$256,536.18	$1,286,108.68
WASHINGTON FEDERAL				$257,204.26			$257,204.26
ISU				$266,077.74			$266,077.74
KEY BANK	$1,333,787.05	$1,517,641.15	$2,542,030.80			$332,737.98	$5,726,196.98
IDAHO CENTRAL				$4,252,983.99			$4,252,983.99
BANK OF IDAHO				$6,621,074.91			$6,621,074.91
BANK OF COMMERCE				$2,009,836.06			$2,009,836.06
	$43,764,184.55	$16,682,107.26	$11,927,269.11	$21,702,526.39	$26,052,121.39	$597,398.57	**$120,725,607.27**

July 22, 2020 Special Session - Unapproved

The City Council of the City of Idaho Falls met in Council Special Session, Wednesday, July 22, 2020, at the City Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 8:30 a.m.

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

Also present:
Geri Rackow, Eastern Idaho Public Health (EIPH) Executive Director
James Corbett, EIPH Community Health Administrator
Bryon Reed, Bonneville County Commissioner, EIPH Board Chair (by WebEx)
Duane Nelson, Fire Chief (by WebEx)
Bryce Johnson, Police Chief
Pamela Alexander, Municipal Services Director
Ed Morgan, Civic Center for the Performing Arts Manager
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 8:34 a.m. with the following:

Opening Remarks, Announcements:
Mayor Casper stated this topic has been discussed since the July 9 City Council Meeting. Since that time the EIPH Board has met several times and have passed a plan that contains metrics and measures which triggers strategies. An order has been issued under this plan as of July 21 for Bonneville County. This order makes it unnecessary for the City to take action. Mayor Casper stated EIPH has a director, an epidemiologist, and, access to medical professionals which provides an expertise level. She noted cities and counties do not have public health officials on staff therefore, cities rely heavily on the guidance and leadership from these expertise professionals to manage best practices within the City. She also noted public health is geared to communities, healthcare is geared to individuals. She believes the community is safer because of public health. She expressed her appreciation to these public health professionals. She acknowledged Commissioner Reed, Ms. Rackow, and Mr. Corbett. She indicated she is not intending to take formal action pending Council discussion.

Presentation and Discussion, Coronavirus (COVID-19) Regional Response Plan:
Ms. Rackow iterated the EIPH Board met on July 14 and voted to adopt the current plan. EIPH Board determined it was time to action several weeks ago when the governor delegated response efforts to the local health districts. Ms. Rackow stated the ultimate goal of public health is to prevent illness, protect lives, and prevent death and disability from communicable diseases. She also stated the goal is to maintain healthcare capacity through the State, this is not just for COVID patients, as resources are being stretched at this time. Ms. Rackow stated EIPH has tried to be very conservative in this plan as the goal is not to stop the illness, the goal is keep the illness manageable, and to ensure the economy can continue running. Simple measures now would prevent future action. A key part of these efforts is to ensure schools can be attended in the fall.

Ms. Rackow stated in addition to metrics, EIPH is also monitoring other factors on a daily basis, including input from healthcare providers. The preventive measures (washing hands, staying home when sick, physical distancing, and wearing a face covering when physical distance cannot be maintained) will help slow the pandemic and, testing for COVID is a key element to help slow the spread. The critical challenges in the region include testing and contact tracing. Ms. Rackow stated testing in this region has been limited from day one (1). The testing capacity gradually

increased, however, as the illness has increased and more individuals are seeking testing, tests are not available. All health care facilities have seen an uptick in testing. Due to shortages in testing supplies, the majority of test samples must be sent to labs outside of Idaho. Therefore, the turn-around results have greatly increased, with some up to 14 days. Ms. Rackow believes due to this delay, a quicker growth rate of cases will be expected. She indicated another laboratory has been utilized, although there is still a backlog of several hundred tests. Ms. Rackow reviewed the contact tracing process, stating it could be 48 hours before an individual becomes systematic and, 14 days is the incubation period of the virus. She stated tracing is performed by EIPH staff and is based on individual information. She noted more challenge is created to identify the cause when EIPH does not receive responses from tracing. She also noted some individuals are still being required to work by their employers, which is very concerning. She believes it's important for the preventive measures to be in place to collectively, as a community, slow the spread. Unfortunately, there have been two (2) deaths in this area although, fortunately, there have been no outbreaks in assisted living facilities. Ms. Rackow reviewed the number of regional hospitalization cases, stating these are increasing. To the response of Councilor Radford, Ms. Rackow stated masks are not required for outside activities as long as social distancing can be obtained.

Mr. Corbett reiterated the preventative measures requested by EIPH. He stated, per the Moderate Risk level, the metrics that trigger/activate this level are a rate of active cases that are greater than ten (10) per 10,000 population and sustained for three (3) days. EIPH will reevaluate a location or an order for a geographic location after 14 days to prevent the bouncing in and out of the risk phase. Mr. Corbett stated EIPH tried not to use too many metrics. He noted the 'active' definition is the total number of cases that are currently under monitoring of EIPH (still in the contagious period). This rate is based off Idaho Intensive Care Unit (ICU) admissions rate, not local data. This could yield four (4) ICU cases every ten (10) days. A second metric is the hospital ICU bed occupancy reaching 90% 2-3 times per week (surge bed capacity could still be available). This is usually a short-term move.

Mr. Corbett reviewed mitigation strategies including mandatory face coverings when in public, limit events/gatherings to less than 150 people, extra precautions for vulnerable populations, telework where possible, minimize non-essential travel, implement strict health policies for congregate living facilities, and implement school strategies. He stated the goal with this plan is to make sure business and the economy are moving forward and to get kids back in school this fall. Councilor Freeman questioned outdoor activities that may exceed 150 individuals. Mr. Corbett stated the physical distancing is more of the concern than the exact number. Mr. Corbett reviewed High Risk metrics which is 20 active cases per 10,000. He noted the smaller counties will be reviewed on a case-by-case basis. Other metrics include outbreaks occurring at healthcare facilities, critical infrastructure services, congregate living facilities, schools, and mass gatherings/events or hospitals' total bed occupancy reaching 90% 2-3 times per week (surge bed capacity could still be available). Councilor Freeman noted the skill set of ICU nurses is very high, moving staff may take time to get up to speed. Mr. Corbett also noted staff-sharing within hospitals is not easily accomplished due to different policies and equipment. He stated hospitals have plans in place for a surge factor although the limiting factor is staffing. Mayor Casper stated 'outbreak' is not defined, therefore, she believes this plan allows flexibility. Mr. Corbett agreed. Mr. Corbett reviewed the mitigation strategies in the High Risk level, which is continued from the lower-risk levels. He stated any of the preventative strategies in each level will prevent moving on to the next level. Mr. Corbett stated EIPH is trying a systematic approach (the four (4) levels) instead of all at one (1) approach to avoid an economic shutdown. To the response of Councilor Hally, Mr. Corbett stated EIPH does not track individual traveling. To the response of Councilor Radford, Mr. Corbett stated Ada County required a mask order on July 14, it is too early to determine the response. He also stated mask wearing can and does limit the spread of this virus, is the most cost-effective way to stop the spread, and is a source-control measure. Mr. Corbett reviewed the Critical Risk level (trying hard to avoid this level). Metrics include hospital capacity, including ICU, consistently at or above 100% and surge capacity cannot be maintained, or crisis standards of care implemented. Mitigation strategies include stay-at-home order issued and schools implementing strategies. Mr. Corbett encouraged all individuals to take the measures to keep themselves, their families, and the community safe.

Mr. Corbett reviewed the number of COVID cases and the data dashboard link/information from the EIPH website. He noted this information is updated as soon as available. Councilor Hally questioned individuals who may be required to work but may not feel well. Mr. Corbett stated EIPH does not perform testing, he recommended any

symptomatic individuals be tested. To the response of Councilor Francis, Mr. Corbett stated hospital capacity may have to be reviewed on a regional level. To the response of Councilor Freemen, Mr. Corbett confirmed EIPH has no enforcement. Ms. Rackow reiterated this, she stated EIPH does their best to educate so the recommendations are followed. Commissioner Reed highly commended Ms. Rackow and Mr. Corbett. He also stated it is unreasonable to expect the City and County to enforce. He requested the public to self-enforce for the right reason and not to overwhelm emergency services with reports of non-compliance. The reason for this order is to protect individuals' rights so they can continue to live as normal as possible, keep stores open, do smaller events, and prevent a strain on the health system. Mayor Casper requested businesses self-enforce as well as she believes this would be in their best interest. This would allow businesses to stay open as long as possible. Chief Johnson stated this enforcement would be similar to the stay-home order. He believes any infraction would be a misdemeanor, however, the Idaho Falls Police Department (IFPD) would not be taking individuals to jail although a citation could be issued in egregious situations. He stated the message, as similar to EIPH, would be education. There will be a coordinated response with dispatch as dispatch serves City and County residents. Chief Johnson requested individuals not to call dispatch for failure to wear a mask as this could tie up the phones for other priority emergencies. He noted there would be assistance with private property owners with any trespass issues. He requested the public to maintain the social distancing. To the response of Councilor Francis, Chief Johnson stated he prefers any business out of compliance be referred to EIPH. Councilor Francis questioned any liquor license establishment not in compliance. Mr. Fife stated the specific authority would need to review. Chief Johnson noted in the previous order, this information was given to the State. Council President Dingman believes organizations and individuals who were skeptical of wearing a mask may be moving in this direction to preserve the life and liberty of the residents. She also believes the ability to go to school, to function as normal as possible, and to go to a business is vital. Councilor Radford believes there needs to be some risk that individuals may need to be cited although he will defer to Chief Johnson. He also believes this is a serious issue. Councilor Freeman is flabbergasted there is so much push back for mask wearing as he believes this is a simple thing to do. Mayor Casper believes mask wearing will prevent an economy shutdown, however, she stated individuals will find a study to counter this point of view. She expressed her appreciation to the professionals who supply the data. Mr. Corbett stated certain studies are more valuable than others and this is a problem with researchers. He suggested individuals pay attention to the limitations and the organization that supplied the study. Councilor Smede referred to the 9/11 events that brought individuals together and kept them safe. She believes this situation is similar. She stated she would back friends, community members, and neighbors in a peaceful way. She requested business owners not be abused. Ms. Rackow stated EIPH's next step is an education campaign. She requested City assistance to share this education. Councilor Hally believes education with compassion is the best resort. He also believes mandates create fear. He requested individuals take the time to express their appreciation to the businesses. Mayor Casper believes there is frustration for the notion of orders. She stated, as elected officials, they have taken an oath to uphold laws although measures can be taken by individuals to change the law and/or constitution. She encouraged individuals to take the steps for their desired permanent change. Councilor Francis believes there should be respect for law.

There being no further business, the meeting adjourned at 10:00 a.m.

CITY CLERK	MAYOR

July 22, 2020 Budget Session - Unapproved

The City Council of the City of Idaho Falls met in Council Budget Session, Wednesday, July 22, 2020, at the City Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 10:00 a.m.

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

Also present:
Pamela Alexander, Municipal Services Director
Mark Hagedorn, Controller
Josh Roos, Treasurer
PJ Holm, Parks and Recreation Director
Ed Morgan, Civic Center for the Performing Arts Manager
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 10:12 a.m. with the following:

Opening Remarks, Announcements:
Mayor Casper reminded the Council that the preliminary budget adopted on July 30 is the not-to-exceed amount. This would allow additional discussion prior to the formal adoption of the budget. She reviewed the upcoming budget session calendar.

Introductory Remarks as Needed:
Director Alexander commended the finance team.

Preliminary Review and Discussion of Council Unfunded Priorities; Presentation and Discussion of Funding Options; Presentation and Discussion of Various Levy Proposals, including an Airport Levy and the Recreation Levy:

Mr. Hagedorn reviewed the unfunded requests:

- Recreation Fund –
  - Recreation (Rec) Levy $400,000*
  - Aquatics Dehumidification (dehyde) System $750,000 (discussion followed including placing this item within the Municipal Equipment Replacement Fund (MERF). Mayor Casper stated the previous Parks and Recreation (P&R) Director believed the priority was a new Recreation Center, which would have included a pool. Therefore, the Aquatic Center was not considered a priority.)
- General Fund
  - Idaho Falls Redevelopment Agency (IFRdA) $300,000
  - Police Crisis Intervention Team (CIT) Officer $100,000*
  - Police station payment (estimate) $1.5M*
  - Funland renovation $100,000
  - Splashpad $100,000
  - Aerator $35,000 (this item was listed in the P&R budget although not specifically addressed during the presentation)

Total $3,285,000

Ongoing costs *

Mr. Hagedorn stated there was some miscommunication with County staff regarding the annexation numbers. The annexation was previously noted as approximately $16M, which has been corrected to approximately $43M. This changed the City amount from $148,000 to $378,000.
Mr. Hagedorn reviewed funding options:

• IFRdA District close-out	$600,000
• New construction	$977,906
• Annexations	$378,302
Subtotal	$1,956,208

- Statutory increases
  - 1% = $374,488
  - 2% = $748,975
  - 3% = $1,123,463

Mr. Hagedorn reviewed levy allocation scenarios for $150,000, $200,000, $250,000, $300,000, and, $350,000 residential and $500,000, $2M, and, $10M commercial.

Mr. Hagedorn stated valuations are not set until November, these numbers could slightly change. He reminded the Council that the statutory amounts would not apply if the City opted in to the Property Tax Relief Program. Councilor Francis believes some of the 3% would need to be taken as most funding would go toward the Law Enforcement Complex (LEC). Mr. Hagedorn is unsure of the actual LEC amount, the bond information, or when a first payment would be required. Additional information would be required. To the response of Councilor Radford, Mr. Hagedorn stated a bond is considered ongoing revenue, a Certificate of Participation (COP) is not. He believes there must be a means to budget for a COP. Councilor Radford believes forgone, as a pot of money, would be the only solution for Certificates of Deposit.

Mr. Hagedorn reviewed Idaho cities that have a Rec Levy with $100,000 or more. He stated most cities of similar size of Idaho Falls do not have Rec Levies. He noted Idaho Falls is on the lower side. To the response of Mayor Casper, Mr. Hagedorn stated every City sets the dollar amount, the County sets the levy rate. He also stated a Rec Levy is a mixture of potential operational and capital expenses. Per discussion with Director Holm, P&R needs a dedicated revenue source for repairs and maintenance of existing capital items. This could be in the MERF or a dedicated property tax, although MERF would take 7-10 years. Councilor Hally recommended taking a minor step toward the Rec Levy. Mr. Hagedorn stated Director Holm requested an increase of the levy to $1M, which would be $275,000. Mr. Hagedorn added an additional $125,000 for future ongoing capital savings. This is a separate request from the dehyde replacement. Councilor Francis questioned the growing negative number in the Rec Fund. Director Holm stated he is trying to keep the program at a level that is obtainable and equitable as best as possible. He has struggled for at least six (6) years to have this balance. $2M has been budgeted although hitting the revenue projections have been difficult. The Aquatic Center is about a 50% subsidized facility. The largest chunk of the Rec Levy goes to this facility. To the response of Councilor Francis, Mr. Hagedorn stated this amount would temporarily keep the Rec Fund out of the red. The levy or fees would need to be increased each year as the levy rate is not stagnant and must be re-done each year. Mr. Hagedorn reiterated the levy rate is set by the County and, valuation is the biggest driver. To the response of Mayor Casper, Mr. Hagedorn stated the $1.9M (subtotal amount) is the ability to levy and, it has not been assigned to a specific fund. He also stated the Rec Levy is a revenue account. An allocation of $750,000 to the Rec Levy would zero out the $750,000 dehumidification system, although this would also mean an additional $750,000 each year for the Rec Levy which is currently $723,000. Councilor Francis believes the amount for the dehumidification system should be taken from the General Fund. Council President Dingman stated she is struggling taking any levy increase at this time due the higher amount of annexation and new construction. She noted as of May 2020, the Bonneville County unemployment rate is 6.1%, she believes an unstable economy and pandemic could stretch out, and, another shut down could permanently close businesses. She stated the Council has been presented with a flat budget and options which communicates priorities to the taxpayers. She also stated the decision was made in the previous year to support public safety. Council President Dingman supports increasing the Rec Levy by $200,000, purchasing the dehumidification system at $750,000, and allocating the remaining amount for a down

payment to the LEC. She emphasized the LEC is her top priority. Councilor Hally concurred with only taking the County allocation amount. He believes it's better to build the LEC all at once although a future date may need to be considered for the LEC. Council President Dingman indicated prices are changing daily due to the Coronavirus (COVID-19), the LEC will only cost more in the future. To the response of Councilor Smede, Director Holm stated the Rec Levy would help offset operations and maintenance. Councilor Freeman stated he is unwilling to take any levy increase, he believes the tax relief program would be a big savings to businesses. Councilor Francis believes there is an obligation to future Council and future budgets to take some levy increase as taxes are increasing due to increasing assessments. He stated he is a strong advocate of the CIT officer, he would give less to Rec Fund to fund the CIT. Director Holm noted a $50,000 match-money pledge from the City for Funland, in the event of a capital campaign, would allow spending authority of $100,000, he believes the $100,00 for the splashpad would give additional amenities although these additional amenities could be accomplished in the next 2-3 years, and P&R has the ability to loan the aerator equipment from other divisions. This could reduce unfunded requests by $135,000. Councilor Smede believes the citizens should receive the tax rebate. She is in favor of the dehyde system and the LEC. Brief discussion followed regarding the tax relief program. Mayor Casper stated the $1.9M (subtotal amount) is partially driven by economic development. She believes allocating some money to IFRdA is putting money into new growth. She also stated, per Chief Johnson, the Idaho Falls Police Department (IFPD) could function without the CIT (Chief Johnson stated CIT principles are not being ignored, there is a very robust CIT program and, he reiterated the difficulty of filling positions. He does not believe he could fill the CIT position by October 1) and, future LEC discussion may not include an actual amount (Chief Johnson believes the cost for the LEC will be higher based on the inability for a one-story building). Mayor Casper believes the not-to-exceed amount may need to be higher. She noted the Airport (IDA) is unsure of pandemic money, if additional funds become available to IDA, the $541,000 IDA request could possibly be used to for allocations. To the response of Councilor Radford, Director Holm stated there has been no dehumidification system from September to March and only one (1) dehyde system is currently running. The exact amount of the dehyde system is unknown at this time pending the assessment report. Director Holm believes this facility should remain in operation even with any additional community facility therefore, the dehyde system would remain at this location. Councilor Radford agrees with Councilors Freeman and Dingman not to increase the taxpayer burden or raising the levy. He believes these situations hurt governments later on and, it will not get any easier. Councilor Radford noted, per recent American Public Power Association (APPA) Policy Council, he believes additional monies will be received from the Federal government. Brief discussion followed regarding the not-to-exceed amount and the timeline. Councilor Freeman noted any of the statutory 3% could be included in forgone. Director Alexander confirmed a public hearing must be held for forgone. To the response of Councilor Radford, Mayor Casper stated the Pinecrest Golf Course grant is included in the P&R budget, the contract is being reviewed by legal. Mr. Hagedorn stated even though payments are being budgeted, the overall project must be budgeted and the contingency would need to be increased to approximately $53M to allow the budget authority. Mayor Casper noted the delays of the P&R and the LEC information has been due to multiple reasons. Following brief comments, there was consensus to proceed with the July 23 Budget Session.

There being no further business, the meeting adjourned at 12:13 p.m.

CITY CLERK	MAYOR

July 23, 2020 Budget Session – Unapproved

The City Council of the City of Idaho Falls met in Council Budget Session, Tuesday, July 23, 2020, at the City Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 8:30 a.m.

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

Also present:
Pamela Alexander, Municipal Services Director
Mark Hagedorn, Controller
Dana Briggs, Economic Development Coordinator (by WebEx)
PJ Holm, Parks and Recreation Director (by WebEx)
Bryce Johnson, Police Chief
Ed Morgan, Civic Center for the Performing Arts Manager
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 8:30 a.m. with the following:

Opening Remarks, Announcements:
Mayor Casper recognized the recent multiple meetings and events the Councilmembers have attended and expressed her appreciation for their amazing level of commitment.

Coronavirus (COVID-19) Update:
There was no update.

Follow-up Budget Discussions Regarding 2020-21 / Budget including possible funding options for Law Enforcement Complex (LEC):
Mr. Hagedorn stated the unbudgeted revenues have been listed by priority based off the Council's conversation, initial estimates, funded amount, and the remaining amount. Mayor Casper clarified the possible funding options including Airport federal funding, the Governor's Property Tax Relief Program, or other budget modification. Council President Dingman believes the list is well prioritized. She suggested, if more funds become available, $550,000 go to the dehumidification (dehyde) system and keep the $200,000 for the Rec Levy. This would free up $250,000 for other items. Councilor Francis requested moving the $130,000 from Community Partnership Grants to the unbudgeted revenues. Councilor Smede agrees as she believes Coronavirus Aid, Relief, and Economic Security Act (CARES) money will assist with these organizations. Ms. Briggs stated it is unknown which organizations may receive CARES money. She also stated any amount less than $130,000 would not be worth the staff time and effort for these grants. This amount was included in 'possible options'. Councilor Radford questioned the timing of the LEC down payment. He does not believe this payment would occur in the upcoming fiscal year budget. Mr. Hagedorn stated the payment would be dependent on the avenue that the Council chooses to fund the program but ultimately a payment prior to October 2022 could be possible. Councilor Hally stated the discussion of the LEC has been ongoing for decades. He believes the larger down payment will decrease the interest rate. This could affect millions of dollars of savings. He stated he is against not including this amount in the budget. Councilors Dingman and Smede agreed. To the response of Council President Dingman, Mr. Hagedorn stated some form of payment would be required for a Certificate of Deposit/Participation. He believes it would be better to budget the amount and not need to use the money. Councilor Francis recommended $1.1M to the LEC, $750,000 to the Aquatic Center rather than the dehyde as the cost may be less, $175,000 to the Rec Levy, and $60,000 to the Crisis Intervention Team (CIT) officer. He also believes Parks and Recreation (P&R) may need to slightly increase fees to help the

Rec Levy. He believes the items in the red need to have a plan to be addressed. He stated it is awkward to say there is a savings account when knowingly running things in the red. He believes the first step for savings is to get things right-sized. Councilor Hally stated the Idaho Falls Redevelopment Agency (IFRdA) has plans that will not be viable if the funding is not provided. He noted they have increased budgets and valuations for numerous years. He strongly recommends money be allocated to the IFRdA. Discussion followed regarding the dehumidification system and funding. Mr. Hagedorn noted the Rec Fund has been running in the negative cash for the previous three (3) years. He stated this was an issue with the auditors and is being monitored and discussed. Director Alexander believes, per discussion with department directors, all departments should live with their budget within their means. Councilor Hally stated growth impacts P&R. He believes cuts that have been made have been reflective in the City and some areas do not look good. He stated having a consistency in the budget is a good mind set going forward. To the response of Mayor Casper, Mr. Hagedorn noted the Rec Levy was flat from 2017-2019. Discussion followed regarding the levys' time frame and negative funds. Councilor Freeman questioned a fee increase. Mr. Hagedorn believes the current fees are comparable to the surrounding communities and the City wants to be competitive with those communities. To the response of Mayor Casper, Mr. Hagedorn stated the deficit is approximately $250,000 and the revenue to expenditures is -$400,000. Director Holm stated he would be in favor of one (1) dehyde. He noted payroll and benefits have been the largest expense in the Rec Fund. He believes fees need to be increased over the course of time as the user groups have expressed their concern for fee increases. He is reviewing resident and non-resident fees. He also believes the $175,000 allocation to the Rec Levy would only amount to approximately $50,000 due to the inter-fund transfers. He stated he is working on a plan to get the Rec Fund from the red to the black. Mayor Casper stated she would like a plan in twelve (12) months showing where the funds were allocated and the steps to get out of the red. To the response of Councilor Francis, Director Holm would prefer to see a higher amount to the dehyde system and less amount to the Rec Levy. Mayor Casper recommended $550,000 be budgeted for the dehyde system with any shortage taken from the Rec Levy and any excess amount applied to the Municipal Equipment Replacement Fund (MERF). Brief discussion followed regarding drainage/retention ponds and impact fees and the effect this has on P&R. Councilor Freeman recommended the funds for the CIT officer be allocated to IFRdA funding. It was noted the CIT was not a priority for Chief Johnson as there are currently eight (8) Idaho Falls Police Department (IFPD) vacancies. General comments followed including work performed at mental health facilities, the process of adding the CIT detective position, and grant money. Councilor Radford noted Community Development Services Director Brad Cramer has been utilizing outside contractors, he questioned if this could be similar for a CIT detective. Chief Johnson gave details of the CIT detective's role and stated he does not believe the contractor process would be possible. To the response of Council President Dingman, Chief Johnson stated the CIT detective was an additional position and there is no capacity to convert a current position to the CIT detective. He also stated a CIT detective will be needed, however, he indicated this position can be delayed and was removed from the IFPD budget. Councilor Radford questioned the funding for open positions. Mr. Hagedorn stated when hiring is down, the overtime budget goes up. It is the offset to the budgeted vacancies. To the response of Mayor Casper, Chief Johnson believes more policing grants will become available in the future. Councilor Francis still believes the CIT detective should be partially funded for the service of the community. To the response of Mayor Casper, Chief Johnson stated a half year funding would be the best case for the CIT detective including equipment. It was noted the position count of 143 for the IFPD will not change. Additional Discussion followed regarding the governor's Property Tax Relief Program, airport federal funding (and possibly allocating this amount to the LEC), and contingency.

Requests for Additional Data, Discussion of Future Budget Meetings and Schedule:
Mayor Casper reviewed the upcoming meeting schedule.

There being no further business, the meeting adjourned at 10:46 a.m.

CITY CLERK	MAYOR

July 27, 2020 Work Session - Unapproved

The City Council of the City of Idaho Falls met in Council Work Session, Monday, July 27, 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
Councilmember John Radford (by WebEx at 3:09 p.m.)
Councilmember Thomas Hally
Councilmember Jim Freeman
Councilmember Jim Francis
Councilmember Shelly Smede

Also present:
Brad Cramer, Community Development Services Director
Pamela Alexander, Municipal Services Director
Mark Hagedorn, Controller
PJ Holm, Parks and Recreation Director
Randy Fife, City Attorney
Michael Kirkham, Assistant City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:02 p.m. with the following items:

Acceptance and/or Receipt of Minutes:
It was moved by Councilor Francis, seconded by Councilor Freeman, to receive the recommendations from the Planning and Zoning Commission meetings for July 7, 2020 and July 21, 2020 pursuant to the Local Land Use Planning Act (LLUPA). Roll call as follows: Aye – Councilors Hally, Francis, Dingman, Smede, Freeman. Nay – none. Motion carried.

Calendars, Announcements and Reports
Mayor Casper stated the Idaho Falls Police Department (IFPD) will participate in the annual seat belt campaign August 1 through August 7.

July 28, Budget Session
July 29, Utah Associated Municipal Power Systems (UAMPS) Virtual Tour; and, Governor's Elected Officials Call
July 30, City Council Meeting
August 10, City Council Work Session
August 13, Power Board Meeting; and, City Council Meeting including budget-related hearings
August 14, Costco Ribbon Cutting
August 15, CSP Run Walk
August 17-18, UAMPS Virtual Annual Meeting
August 21, Council-directed Post-hearing Budget Session (tentative, this date could be changed due to virtual UAMPS Annual Meeting)
August 24, City Council Work Session
August 27, City Council Meeting
September 4, Deadline to submit items for November ballot
September 7, Labor Day
September 8, City Council Work Session
September 10, Northwest Public Power Association (NWPPA) Annual Meeting; and, City Council Meeting

Mayor Casper briefly reviewed the upcoming budget calendar. Future discussion will need to occur regarding potential November ballot items.

Coronavirus (COVID-19) Update:
Mayor Casper stated the infection rate as of July 25 is 11.5. She briefly reviewed data since the mask-wearing order went into effect, noting some days were below the required cases. However, the mask-wearing order is in effect for 14 days and the City does not have the jurisdiction to un-do any order.

Liaison Reports and Council Concerns:
Council President Dingman had no items to report.
Councilor Francis stated the Parks and Recreation (P&R) Department has received the analysis report for the Aquatic Center. He also stated the Sister Cities display project is moving forward at the Library with cooperation of the Library, the Airport, and the Museum of Idaho. He noted there are 40 years of gifts. He also noted the goal of the project is to be completed by June of 2021, with the anticipated delegation arrival on July 1, 2021.
Councilor Hally recommended individuals review the history of John Lewis especially regarding the extension of voting rights in the south. He noted the name of a high school in Washington DC is being changed from Robert E. Lee High School to John Lewis High School.
Councilor Smede had no items to report.
Councilor Freeman stated construction season is underway which is affecting several streets and areas.
Councilor Radford had no items to report.

Public Hearing Format Training:
Mayor Casper stated the Association of Idaho Cities (AIC) has recommended the order of presentations for public hearings be the applicant, staff, and then members of the public. The order of presentations for the City has typically been staff, the applicant, and then members of the public. Mayor Casper indicated Director Cramer has tried this switch at two (2) Planning and Zoning (P&Z) Commission public hearings and believes the City should try this switch as well. Director Cramer believes by staff presenting first it appears the City is the applicant or it appears the City is advocating for the applicant. He also believes the applicant should be explaining the project with any follow-up from staff. He noted the applicant may present items that may not be relevant. This new process will occur at the July 30 Council Meeting with follow-up discussion. Mayor Casper stated follow-up discussion will occur at the August 10 Work Session. She requested staff presentation ensure the relevant information is presented. Mr. Fife stated per the LLUPA, procedures must be stated so individuals know what to expect. Director Cramer stated a resolution had previously been adopted for general public hearing procedures. He will review the resolution for specific language.

City Bus Stop Bench Program Discussion:
Mayor Casper stated an organization has held a contract for several years for bus benches. Mr. Fife believes the bus bench program has not been in compliance since 2013. He expressed his concern with the allowance of advertising on the City's Right-of-Way (ROW), the licensing process, and commercial and classic free speech. He also expressed concern with the use of these benches and Targhee Regional Public Transit Authority (TRPTA). He does not believe the bus benches support or are relevant/consistent to TRPTA. He recommended this program be ceased. The program could be revived with City control of the message/advertising, the look and placement, and regulation. Mr. Fife stated documentation was sent to the previous entity to cease the program although he has not heard from the individual/entity since that documentation was sent. He noted there is no ownership of the benches by the City, these are privately owned. If the program is ceased, the benches must be removed. Council President Dingman stated per TRPTA, the benches are primarily located where TRPTA has not served, the benches are not Americans with Disabilities Act (ADA) accessible, the community often believed they were related to bus service so TRPTA was called when a bus did not arrive, and there were maintenance issues. She believes this provides an opportunity for a re-start/re-fresh for TRPTA. She also believes it's not in the City's best interest for those concerns identified by Mr. Fife. Mayor Casper believes this program may have been an entrepreneurship. Councilor Freeman believes the benches should be an asset for public transportation. To the response of Councilor Smede, Council President Dingman reiterated the City does not own the benches, negotiations would need to occur to keep the benches as appropriate. Councilor Hally believes the benches were a way to make money off of City property. He also stated discussion

previously occurred with TRPTA to improve the benches although he believes the process was ignored. Mayor Casper stated the removal of the bus bench program will be included on the July 30 Council Meeting agenda. She also stated the Idaho National Laboratory (INL) may need to be contacted as standards may need to be developed in the event of the INL use. Councilor Francis questioned the use of the bus bench at the Library. Mr. Fife stated staff would try to accommodate any bench. Mayor Casper stated there would be a goal to get a bench at any future TRPTA stop. Council President Dingman believes the transit service would contract with the City. Councilor Radford believes there is a benefit for advertising, with possible local-match funds from businesses.

Door-to-Door Solicitations Follow-up Discussion:
Mr. Kirkham noted this item was previously discussed at the June 15 Council Work Session. He stated legal has recommended amending the current ordinance as he believes there is a restriction that burdens individuals' first-amended rights to engage in speech and, unfairly burdens the rights to earn an honest living. He also stated legal staff has worked with the IFPD for any criminal history that would make an individual eligible or ineligible to receive a Door-to-Door permit. This would allow more individuals to receive the permit. Councilor Freeman reminded the Council of a previous Door-to-Door license denial appeal. He believes this needs to be less likely to be challenged as similar to the language in the recently-amended child care ordinance. Councilor Francis believes the categories in the time-frame ban have been identified. He believes this is a balance of regulation. Mayor Casper stated this item will be included on the July 30 Council Meeting agenda.

Follow-up Discussion Regarding 2020-21 Budget
Mayor Casper stated numbers for the Property Tax Relief Program were previously estimated at $4.2M, the current numbers indicate $7M. This higher amount changes the calculations for the citizens. Director Alexander noted the cities with higher populations received more allocation. Mr. Hagedorn also stated numbers changed because not all cities have public safety functions.

The property tax/levy calculation update was reviewed as follows:

Levy Calculation			
2019-2020 Property Tax Levy			$ 36,970,601
2019-2020 Personal Property Replacement & Agriculture Equipment			478,160
Total 2019-2020 Property Tax Revenue			$ 37,448,761
New Growth - Net Taxable Value			
Add 2019 New Annexations:	$ 43,009,757	0.008795734	$378,302
Add 2019 New Construction:	$111,179,613	0.008795734	977,906
2019 - 2020 Personal Property Replacement & Agriculture Equipment			(478,160)
2019 - 2020 Certified Property Tax with Current Growth			$38,326,809
Add Statutory Allowable Increase - (3% of the highest of the last three (3) years certified property tax)			
	$ 37,448,761	3.00%	$1,123,463
Prior years' foregone amount:			$5,387,930
Total amount that can be levied:			44,838,202
Amount of available tax revenue not levied:			(6,511,393)
Property Tax Revenue			$ 38,326,809

Mr. Hagedorn stated the previous levy rate is based on calculation and will change to the new levy rate. The Council must decide where the increase is allocated.

Property Tax Relief = $7,032,257, the reimbursement amount to the City would be at 103% translating to an increase of $210,967 in revenues. Mr. Hagedorn reviewed the estimated amounts based on valuation (this will be set in November) for $150,000, $200,000, $250,000, $300,000, and, $350,000 residential and $500,000, $2M, and, $10M

commercial. Mayor Casper stated Bonneville County has opted in to the Property Tax Relief Program which will also create additional savings for citizens. However, because she noted a rebate program will not be available next year, there may be a sizable gap in the following year. Councilor Francis noted this is not property tax reform, this is a temporary relief which must be paid by property owners next year. He believes this will be tough on property owners in the following year. Councilor Hally concurred. He believes the future argument will be to save the cut moving forward. Councilor Smede believes this will be State-wide. Mayor Casper reminded the Council this is a COVID relief. There was consensus of the Council to move forward with the Property Tax Relief Program with a formal action to be included on the July 30 Council Meeting agenda. The total budget number will reflect this program. Councilor Freeman believes there is misinformation with this program and the benefit received may not be as large as some are believing, it is not 20% across the board. Mr. Hagedorn confirmed the amount is based on valuation. Mayor Casper also stated a hearing must be held to preserve the forgone for future years. The public hearing for the forgone will occur on August 13 along with the budget and fee hearings.

Allocation of Property – this is set by the Council and presented to the County by fund. The following is the tentative levies by fund with prior year comparison:

	2020	Tentative 2021
General Fund	$28,801,777	$29,932,985
Streets	3,904,181	3,904,181
Recreation (Rec)	723,204	948,204
Library	2,349,297	2,349,297
Capital Improvement	1,192,142	1.192,142
Total Levy	$36,970,601	$38,326,809

Mayor Casper stated three (3) of the levy funds are staying flat. She believes due to the flat levy over time the Rec Levy brought in inadequate revenues in the natural increase of expenses. She questioned any recommendation from the finance team to determine an inflation rate. Director Alexander believes a requested increase occurs each year during Department presentations. Mr. Hagedorn believes City services are increasing when annexation and growth increase. He indicated there are multiple options for increasing the levies including an inflation base, proportionate share, and metrics. An increase of participants could also show where funds are needed. Councilor Freeman is in favor of the current department requests. Councilor Radford stated levies matter with salaries and wages. He in support of an option. Councilor Hally believes there needs to be consistency as costs increase when the City grows. He believes there should be increments in recreation as recreation is a key component to growth in Idaho Falls. To the response of Councilor Francis, Mr. Hagedorn confirmed the City sets the dollar amount and the County sets the levy rates. Councilor Francis believes there will be future issues with the Library. General comments followed regarding the department budget process and presentations. Mayor Casper stated the unfunded priority list was identified/determined by the Council following the department presentations. To the response of Councilor Radford, Mr. Hagedorn stated his predecessor determined the amount for the levy. He was not comfortable with this process, therefore, the focus was to let the Council determine this amount. Director Alexander believed this created a level playing field. Mayor Casper believes there is a risk each year that a fund is flat it is less capable of meeting its obligations. She stated dialogue has occurred regarding indexing, director requested, or metrics for any increase. She believes, per Council, it is more desirable for directors' presentation versus the finance team assigning increases. Councilor Freeman indicated Director Holm is considering some rate increases. To the response of Council President Dingman, Mr. Hagedorn stated the Rec Levy is the only levy fund in the red. Council President Dingman believes this supports Council decision to increase the Rec Levy to catch up the fund first. Mayor Casper stated the liaison duties should allow a deeper dive with each department, including any levy request. She believes metrics may need to be included in future levy fund discussions. Following additional comments, Mr. Hagedorn stated a broader discussion could occur earlier in the budget process although he believes Council should have the final decision.

Mayor Casper reviewed the priorities that were discussed at the July 23 Budget Sessions, including the Police Complex Payment, Dehumidification (dehyde) System/Aquatic Center, Rec Levy, Idaho Falls Redevelopment Agency (IFRdA) funding, Crisis Intervention Team (CIT) Officer, Funland Renovation, Splashpad, and savings. She stated data received from P&R, as well as the amount received from the Property Tax Relief Program, may affect

these priorities. She also reviewed possible funding options that may become available including Airport federal fund ($529,000) and the Community Partnership Grant program ($130,000). Mr. Hagedorn stated per the P&R study, the two (2) dehydes amounted to just over $1M with the largest share for the duct work ($510,000). Director Alexander stated follow-up questions will be presented to the preparers of the study including categorizing short-term and long-term items within the study. Director Holm believes the report will be a great tool moving forward to renovate the Aquatic Center. He stated the engineers indicated both dehydes need to be replaced and one (1) dehyde cannot be installed at a time. Construction will also be required to install the larger dehyde system. Councilor Radford questioned the dehydes being delayed until the following year. Director Holm stated the Aquatic Center was in operation for approximately four (4) months without any dehyde, which caused a significant increase to the water damage and overall stress on the facility. He also stated only one (1) dehyde is currently limping along and the other dehyde is inoperable. He indicated this creates a public safety issue. Director Holm noted this item has been included in the budget for the previous ten (10) years although, the recent change in administration has moved this item to a priority request. He is not willing to let this facility break down. Councilor Smede recommended reallocating the Rec Levy amount, a portion of the Funland renovation, and, a portion of the CIT position to the dehyde system. She believes this would maintain the assets that the City currently owns. Councilor Radford believes this is a reactive decision. He believes raising the employee's salaries should be considered before fixing the dehydes. He stated he will vote against this budget. To the response of Council President Dingman, Director Holm stated it would be his preference to fund the dehyde versus allocating money to the Rec Levy. He is also proposing several fee increases to assist with the Rec Fund. To the response of Councilor Radford questioning employee's salaries versus the dehyde system, Director Holm stated he is looking out for the P&R facilities and investing/maintaining the current infrastructure is very important. He believes this is a crucial safety need. Mayor Casper stated it is the Council's responsibility to budget, it is the administration's responsibility to spend the money wisely. She also stated, per Director Holm, this is a wise expenditure and the Council will need to evaluate that statement. A director should never have to defend their department needs. Brief comments followed. Mayor Casper stated this proposed budget will be presented for tentative approval on the July 30 Council Meeting agenda. She briefly reviewed the items for the July 28 Budget Session.

There being no further business, the meeting adjourned at 5:35 p.m.

CITY CLERK	MAYOR

July 28, 2020 Budget Session - Unapproved

The City Council of the City of Idaho Falls met in Council Budget Session, Tuesday, July 28, 2020, at the City Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 8:30 a.m.

There were present:
Mayor Rebecca L. Noah Casper
Councilmember Michelle Ziel-Dingman
Councilmember John Radford (by WebEx)
Councilmember Thomas Hally
Councilmember Jim Freeman
Councilmember Jim Francis
Councilmember Shelly Smede (departed at 12:05 p.m.)

Also present:
Bryce Johnson, Police Chief
Jeremy Galbreaith, Police Captain
Rodney McManus, Architects Design Group, Vice President of Operations
Jessica Clements, Police Public Information Officer
Chris Fredericksen, Public Works Director
Chris Canfield, Assistant Public Works Director
Pamela Alexander, Municipal Services Director
Mark Hagedorn, Controller
Josh Roos, Treasurer
Christian Anderson, Zion's Bank
Ed Morgan, Civic Center for the Performing Arts Manager
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 8:30 a.m. with the following:

Opening Remarks, Announcements:
There were no opening remarks.

Coronavirus (COVID-19) Update:
Mayor Casper stated Bonneville County has been above the ten (10) active cases per 10,000 population for the majority of days since the Moderate Risk level went into effect. She noted the Chamber of Commerce has now committed to a mask-wearing requirement in their facility. She indicated there is a correlation between mask wearing and a decrease of COVID.

Law Enforcement Complex (LEC) Design and Cost Projections Report:
Mayor Casper stated information for the preliminary design was received on July 27. She noted different methodologies are used for construction projects (including a Construction Manager General Contractor (CMGC)), however, the decision was made to take advantage of the talent within the City. Therefore, an internal team of the Idaho Falls Police Department (IFPD), Public Works, and Municipal Services was created to assist with this project.

Chief Johnson reviewed the renderings of the IFPD LEC on Northgate Mile. Public entrance, the training area, detective space, and administration offices will be located on the second floor. The public will not be treated with the current security measures. There will be a secure entrance to the first floor from the back side with a security gate. Patrol, the evidence room, forensics, a staff support area, and a break room are located on the first floor. Chief Johnson stated this was always conceived as a two (2) building project, although due to the site, it was made into three (3) buildings. A separate facility would house all vehicles and trailers. The third building would house an in-door range and a training room. The IFPD believed the design would enhance the area and would meet the needs of the IFPD. However, Chief Johnson stated the project amounted to $41M, which was higher than anticipated. Therefore,

following discussion, the third building, estimated at $4M, would be eliminated. The training room could be relocated to the upper level of the LEC. Chief Johnson stated the architects, Public Works, and the building official are reviewing other cost savings, including a shared community room with the training room. Chief Johnson reviewed the topographic map which shows buildable and non-buildable spaces. He also reviewed upper and lower level dedicated spaces. Mr. McManus stated this design is the best way to segregate the public space from the needed police spaces. The public could be allowed access to certain areas and the IFPD is wanting this facility to be welcoming to the community although the lines of security need to be strong and invisible. The secured areas at the back of the facility assists with this. Mr. McManus believes the uses of the facility will be very efficient. Chief Johnson stated nothing extravagant was designed with this facility. Mr. McManus concurred, this was based on needs not wants. Chief Johnson reviewed cost estimates for the building and equipment. Total cost for the site was $7M. Mr. McManus stated although the site is well suited for this project, the site is separated by a utility easement which must be worked around. The roadways and parking areas must also be built up. Chief Johnson believes estimates could be reviewed, he is hoping to get the final cost below $30M. To the response of Councilor Freeman, Director Fredericksen also believes costs could be reviewed for value engineering. He believes this building can serve the IFPD and the community well into the future. He noted this area is 7.5 acres and it costs approximately $1M per acre to develop this location. He also noted for every dollar that is cut, there is a multiplier for the contingencies. Mr. McManus stated construction of the building is dependent on the region and site including tilt-up or masonry construction and, using internal sustainable and durable materials. He believes it's very important to construct the building properly as the building will be used 24/7/365. Councilor Hally believes the annual escalation (two (2) years) of 4% could decrease pending a recession. Mr. McManus agreed, although there is no guarantee for any decrease. To the response of Mayor Casper, Mr. McManus stated it would take 10-12 months for design and 12-14 months for construction of the facility. He is looking to bid out in the next year. Also to the response of Mayor Casper, Director Fredericksen is hoping to continue with the design parallel to the $1M funding allocated by the Council. Mr. McManus reviewed General Conditions (charged by any contractor). He stated the 15% design contingency was increased to allow coverage, however, he does not believe this amount may be needed and could drop to 3-5% with construction. To the response of Mayor Casper, Mr. McManus agreed the better the design and estimates, the less to use the contingency. Director Fredericksen also believes the 15% contingency will decrease. Brief discussion and comments followed regarding the contingency. Councilor Radford questioned costs for other law enforcement facilities and the security standards throughout the Country. Mr. McManus stated costs are reviewed on a regional basis, they do not skip on security standards, and he also believes the cost of this project could be reduced. Councilor Francis questioned the possibility of a future third building (the indoor range facility) or a scaled-back version. Chief Johnson believes the lion's share of the cost would be the indoor range. Mr. McManus concurred. Chief Johnson stated training could be completed as is and the IFPD could continue to use the shared outdoor range, although there are several issues with this range. Other options could be reviewed. Chief Johnson does not envision other construction at the LEC in the near future. Councilor Radford questioned the yearly savings of moving all IFPD staff to one (1) facility versus their current eight (8) locations. Director Alexander was unknown of this cost estimate. Mayor Casper believes a LEC should meet the needs for 30-50 years with the possibility of minor modifications. Councilor Freeman concurred, although he realizes this may be difficult. Councilor Radford believes the cost should be closer to $20M. He cannot commit the City to 30 years of payments without going to bond. Mayor Casper noted $20-25M range was discussed a year ago. Chief Johnson noted the site added cost including community and economic development. He is willing to do what Council requests. Mayor Casper questioned the value of this site for the LEC. Councilor Hally believed this site was chosen as a corridor for the area. Councilor Francis also believes the centralized location was a factor. Councilor Freeman believes there will be cost at any location, he believes this site should be used for the LEC. Councilors Dingman and Smede agreed. Mr. McManus believes grants may be available, he could provide this information. Captain Galbreaith confirmed the Brownfields grant through the Community Development Services Department was used.

LEC Financing Options:

Mayor Casper stated $1M has been allocated in the upcoming budget for this project. Director Alexander noted there is no funding available from the Government Finance Officers Association (GFOA) for this project. She also stated per conversation with Zion's Bank, financing scenarios have been updated per the current interest rates. Mr. Roos stated interest rates started to increase during COVID, however, the rates are now decreasing. Current rates for

General Obligation (GO) Bond for 30 years is 3.01% and Certificate of Participation (COP) for 30 years is 3.17%. Mr. Roos believes this would be a good time to bond. To the response of Councilor Radford, Mr. Roos confirmed bonding would not occur for another year. To the response of Mayor Casper, Mr. Roos believes an annual payment would be $1.3-2M, for possibly 25-30 years. Councilor Francis questioned bonding when the amount is unknown. Councilor Radford believes the money should come out of forgone as this is money brought in by perpetuity. He believes the yearly growth and construction goes to other items. Councilor Francis questioned the timeframe and saving money by utilizing the COP. Mr. Hagedorn is unsure when the funds are needed and when payments are due. He noted $1M is due at time of construction. He assumes payments would not begin until certificate of completion. He noted GO or COP are just different types of bonds. There would be four (4) options available for funding – a GO Bond, a COP, forgone, or the General Fund. Mayor Casper believes additional discussion may need to occur with Zion's Bank regarding a GO Bond or COP. Councilor Hally believes $25M should be the maximum amount with a 30-year timeframe. To the response of Council President Dingman questioning the cost of the Fire Station, realizing as a cost estimate there will only be one (1) LEC versus the multiple fire stations, Director Fredericksen believes the fire station amounted to approximately $6M. Discussion followed regarding the interest rate, the number of years for a payment, a lower overall payment, bonding, and forgone. Mr. Hagedorn stated a bond would bring in money for the construction although the payment is a segregated payment, a bond is not new money. He does not believe, per annual tax training, a bond affects the levy rate. Mayor Casper believes an election for a bond simply says the voters are agreeing to incur the debt. The debt must be paid through the budget capacity. This does not automatically increase taxes. Mr. Fife stated per the Constitution, there is a provision that allows a process to incur debt which must be approved by 2/3 of the population, or the needs as ordinary or necessary could go to a judge to incur the debt, or a multi-year contract could occur through a COP. Brief discussion followed the Idaho Falls Power (IFP) bond.

Mr. Anderson stated following a GO Bond election, the market can be accessed in approximately ten (10) weeks however, due to the timing of the election (in November) the levy would not be certified until September 2021 so no payment would be due until spring 2022. He indicated most investors will walk away if a payment is beyond a year timeframe. He stated this could be addressed by capitalized interest (proceeds are set aside to pay an interest payment within that year), however, this is not a qualifying expense for a bond issued. Another option would be to delay the issuance until March 2021. Mr. Anderson clarified a GO Bond election is not just an issuance of debit, this also authorizes the City to levy additional taxes to meet the payment on this debt. This does not have to impact the main budget. There is also no impact on the normal levy, the new construction or annexation, forgone, or the 3%. Mr. Hagedorn believed a bond requires a pledge of ongoing tax revenue. He questioned if that levy amount counts against the other formularies for determining property tax. Mr. Anderson stated it does not, it would function similar to school district bond levies and will show as a separate line item on the property tax bill. It is not subject to the 3% and forgone cannot be taken from the levy. It is additional authority to levy up to the amount of the annual payment as long as the bond is outstanding. Mayor Casper stated steps can be taken to minimize the obligation to the taxpayer. Director Fredericksen questioned construction and/or design cost being included in the GO Bond. Mr. Anderson stated the GO Bond would include whatever is financed. The full balance would come to City in one (1) lump sum and the City would spend the money as needed per the timing of the project. Mr. Hagedorn noted a bond payment would be due 2022. Mr. Anderson stated the City would need to engage bond counsel to assist with the ordinance and bonding for a ballot item.

Mr. Anderson stated a COP does not constitute debt, per the State Constitution, as it is a series of one-year obligations that Council must vote to reaffirm. There is no automatic renewal. If the Council chooses to renew the lease the City would retain access to the facility, if the Council chooses not to renew, the facility would need to be vacated. The bond holders, as the certificate holders, take on the risk. Generally, the risk would be low as there would be a facility and, the City would show the financial resources to meet the annual obligations. Mr. Anderson stated a vote is not needed and this would not come with the added levy as a GO Bond. This would be part of the general budget deliberations. This process can begin at any time and funds could be available by year end although a final amount would need to be determined and it would need to be determined when the City would begin making payments. Mr. Anderson believes the best case scenario would be to hold off on the sale of certificates until there is a guaranteed maximum price contract. This overall process takes 3-4 months. Mayor Casper noted any ballot decision must be made by the end of August. Director Fredericksen believes a cost estimate could be completed by this timeframe.

Councilor Hally would like to keep the LEC cost around $27-27.5M. He prefers to make payment based upon growth and the ability to take 3%. He is reluctant to have a bond levy. Councilors Francis and Smede believe the Council should consider $30M. Councilor Freeman is favorable for below $30M. Mr. Hagedorn questioned the timeframe of a COP payment. Mr. Anderson believes $1M could be made for the interest payment in September 2021 or design costs with reimbursement from the COP. To the response of Mr. Hagedorn, Mr. Anderson stated any cost directly related to the construction or financing of the project can be rolled into the COP as well as issuance cost of the COP itself. These are typically semi-annual interest payments with an annual principle payment which could be structured so the Fiscal Year total is the same each year. Mr. Anderson stated the issuance fee costs would be included in the estimated payments. He also stated issuance fees and the interest rate would be slightly lower on a GO Bond versus a COP. To the response of Mayor Casper, Mr. Anderson stated it is common to have funding options prior to known numbers of the project. Director Fredericksen believes $30M could be achieved. He also believes construction contracts in October 2021 would be ideal. He noted payments would begin as soon as design contracts begin. Mr. Hagedorn confirmed this line item is not effective until October 1. Councilmember Radford believes there would need to be accountability with the costs and any overage. He also believes annual maintenance costs need to be included with this project, similar to the Municipal Equipment Replacement Fund (MERF). Mayor Casper believes accountability comes with decision making. To the response of Mayor Casper, Mr. Anderson stated any upkeep/maintenance cannot be financed. Chief Johnson noted maintenance costs are included in the IFPD budget. Also to the response of Mayor Casper, Mr. Anderson believes bond counsel would exceed $25,000, this is typically wrapped into the financing options. Mayor Casper stated additional funding options will tentatively occur at the August 10 Council Work Session. Mr. Anderson recommended a resolution be adopted for this project. Following brief comments, there was consensus of the Council not to adopt a resolution. Mr. Anderson also recommended the City engage with bond counsel as soon as possible. He noted bond counsel will be required for a GO Bond or a COP.

Finalize Not-to-Exceed budget:
Director Alexander stated this item will be included on the July 30 Council Meeting agenda.

There being no further business, the meeting adjourned at 12:13 p.m.

CITY CLERK	MAYOR

July 30, 2020 City Council Meeting - Unapproved

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, July 30, 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
Councilmember John Radford (by WebEx)
Councilmember Thomas Hally
Councilmember Jim Freeman (by WebEx)
Councilmember Jim Francis
Councilmember Shelly Smede

Also present:
All available Department Directors
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Pledge of Allegiance:

Mayor Casper led those present in the Pledge of Allegiance.

Public Comment:

Mayor Casper requested any public comment not related to items currently listed on the agenda or not related to a pending matter. No one appeared.

Coronavirus (COVID-19) Update:

Mayor Casper stated the State had more than 500 cases for the current day. She noted the National-level website uses a different standard to identify zones, which put Bonneville County in the red zone as of July 28. Eastern Idaho Public Health (EIPH) had previously moved Bonneville County in the yellow zone (moderate risk which requires mask wearing) due to the 3-day rolling active cases. Since Bonneville County was put into the yellow zone on July 21, the County has been above the threshold seven (7) of the nine (9) days. The number of cases will be reviewed after the 14-day period.

Consent Agenda:

Public Works requested approval of Bid Award – Hawk Signals - 2020.

Idaho Falls Power requested approval of minutes from the June 25, 2020 and July 21, 2020 Idaho Falls Power Board Meetings.

Municipal Services requested approval of minutes from the July 6, 2020 City Council Work Session; July 9, 2020 City Council Meeting; July 13, 2020 City Council Budget Session; July 15, 2020 City Council Budget Session; July 16, 2020 City Council Budget Session; and, July 20, 2020 City Council Budget Session; and, license applications, all carrying the required approvals.

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

Regular Agenda:

Office of the Mayor

Subject: Economic Development Incentive Program

For consideration is a Resolution for an Economic Development Incentive Agreement between the City of Idaho Falls and Intermountain Packing. The Agreement, pursuant to City Code Title 1, Chapter 16, allows for expedited permit processing and waiver of fees associated with the establishment of a business at the discretion of the City Council. Waiver of fees include those pertaining to road and bridge fees, storm drainage fees, land use application and plan review fees, and building permit fees. City Code Title 1, Chapter 16 sets forth eligibility requirements and criteria, and requires that application procedures, evaluation, and agreement documentation be met. Staff review finds each of these conditions have been met, and respectfully requests approval of the Resolution.

Economic Development Coordinator Dana Briggs reviewed the location of the Intermountain Packing facility, the size of the facility, total capital investment, financial statement, and the number of employees including benefits. The facility is anticipated to commence construction in September 2020 with approximately one (1) year before operations. Ms. Briggs indicated Intermountain Packing meets all criteria for this incentive and therefore would be eligible for expedited permit processing and development fee waivers within the Community Development Services and Public Works Departments. She noted the City does not have the ability to waive taxes. She stated the total of these fee waivers equals $126,530. She reviewed the chart for estimated valuation and levy for a 10-year timeframe. She believes the City's tax revenue will exceed these fee waivers within the first year. Ms. Briggs stated additional qualifying evaluators is the ability for the project to spur additional economic development in the City. She noted this parcel was recently annexed into the City which allows the extension of utilities to this site. She also noted, due to the location on Iona Road, Bonneville County requested a traffic study be performed and any improvements to Iona Road be made. Ms. Briggs believes the company would be a benefit to the City. Councilor Freeman questioned the zone for this location. Community Development Services Director Brad Cramer stated this area was recently annexed as Industrial and Manufacturing (I&M). Councilor Francis proposed minor amendments including Section 1.4 to read Compliance with Title 7 and Nondiscrimination Laws. He believes this will emphasize the City is more strict based on the City's nondiscrimination laws. Council President Dingman concurred. She would like to see this compliance in all future agreements. Councilor Radford also concurred. He questioned if fee waivers would be paid back if the facility is not constructed. Council President Dingman stated this is clarified in Section 3.2 of the agreement. Brief discussion followed. Mayor Casper believes future agreements may need to be rewritten to specifically address this issue.

It was moved by Councilor Francis, seconded by Councilor Smede, to approve the Resolution of the Economic Development Incentive Agreement between the City and Intermountain Packing as proposed amendment to the contract, and to grant the incentives contained therein, and give authorization for the Mayor and City Clerk to execute the necessary documents and the duty to ensure that the obligations of both parties to the Agreement are complied with. Roll call as follows: Aye – Councilors Dingman, Radford, Francis, Smede, Hally, Freeman. Nay – none. Motion carried.

RESOLUTION NO. 2020-15

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ENTERING INTO AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH AND GRANTING INCENTIVES TO INTERMOUNTAIN PACKING, LLC; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Municipal Services

Subject: Purchase Backup Storage System

As the City continues to grow, it is essential the City have adequate and reliable technology storage. This purchase request is for hardware and professional services to install a backup storage system to provide scalable storage solutions to ensure the reliability of storing city-wide data. City IT was able to receive a very favorable pricing from the vendor though the State of Idaho contract PADD18200544.

Councilor Smede believes this is critical and waiting will cost an additional $33,000. Funds to purchase the backup storage services and hardware are budgeted in the current year's Municipal Services budget.

It was moved by Councilor Smede, seconded by Council President Dingman, to approve the quote received from Transource Services Corporation to purchase a Cohesity backup storage system for a total of $164,047.78. Roll call as follows: Aye – Councilors Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

Subject: Approval to Participate in Governor Little's Public Safety Program

Governor Little's Office announced a public safety proposal to use a portion of the state's Coronavirus Relief Funds (from the CARES Act) to cover a portion of the city's payroll costs for public health and public safety employees. This will result in passing the resulting budget savings to residents and business owners in the form of one-time property tax relief.

Mayor Casper stated this item was thoroughly discussed over the course of the previous two (2) weeks and there was a group consensus of the commitment to put the terms of this program into the budget. Councilor Smede stated participating in the program impacts the General Fund budget in the amount of $1,123,463 into forgone. By participating in this program, the City will not be allowed to take the 3% levy, however, this will result in an increase of $210,960.71 from the relief funds.

It was moved by Councilor Smede, seconded by Council President Dingman, to approve the City's participation in Governor Little's Public Safety Program citing Coronavirus Relief Funds for the 2020/21 fiscal year budget. Roll call as follows: Aye – Councilors Hally, Smede, Dingman, Freeman, Francis, Radford. Nay – none. Motion carried.

Subject: Tentative Approval of 2020/21 Fiscal Year Budget

Pursuant to Idaho Code §50-1002, authorization is requested to publish the Notice of Public Hearing of the 2020/21 fiscal year budget with publication dates set for August 2, 2020 and August 9, 2020. The Public Hearing is scheduled for 7:30 pm, Thursday, August 13, 2020 in the Council Chambers of the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho.

Councilor Smede stated the not-to-exceed amount is $282,544,816. This tentative approval sets the maximum level of total expenditures. The action also sets the limits on the City's property tax levy dollars. Mayor Casper stated, per the social distancing requirements, public testimony for this hearing will be received in multiple ways which will be outlined on the August 13 agenda. Director Alexander stated proposed items include $43M in contingency (for capacity purposes) which includes a $3M potential grant for Pinecrest Golf Course irritation project, $7M reimbursement for Coronavirus Aid, Relief, and Economic Security (CARES) Act (the governor's Property Tax Relief Program), $3M annual contingency, and $30M for the Police Complex. She stated remaining dollars are for Enterprise Funds infrastructure projects. Councilor Francis stated this budget has been discussed for many hours. Council President Dingman believes the Council has never worked harder on her five (5) years of budgeting. She is proud of what was accomplished. She believes Council communication was very clear and the Council showed the leadership for taxpayer dollars. She also believes this budget was built with the residents in mind to benefit the taxpayers. She expressed her appreciation to the elected officials and staff for their leadership during this difficult time. Councilor Hally noted this is the first time the Airport has needed assistance (approximately $500,000) due to COVID. Councilor Radford expressed his appreciation to all those individuals and their efforts for this budget. He believes it's necessary to levy taxes to ensure the citizens are happy and safe. However, he believes certain issues have not been given the proper time to be worked through. He indicated it was believed this would be a difficult budget year due to the pandemic, however, the City has had a record revenue budget year. He believes employee

cost of living increases needs to be revisited prior to voting for a final budget as his first priority is the employees. He cannot in good conscious ask the employees to pay for insurance and not get a cost of living increase. Councilor Radford believes the decision regarding the Aquatic Center dehyde system was made without proper information. He also believes the City cannot afford the price range of the future Police complex with the existing revenue stream. With no bond or forgone revenue this could be affecting choices for future Council for 30 years. If the decision is made to take loans for Certificates of Participation (for the Police Complex) this could likely lay off workers or cut programs. Councilor Radford believes the Council needs to be better stewards of the financial funds, build a rainy day fund, find a way to create more revenue, and to live within the means. He also believes the Council should go to the voters or go into forgone to pay for the Police Complex. Mayor Casper noted the property tax base grew by 13%, the previous year the property tax base grew by 18%. She stated no budget year is easy.

It was moved by Councilor Smede, seconded by Council President Dingman, to tentatively approve the 2020/21 fiscal year budget and give approval to publish the Notice of Public Hearing of the 2020/2021 fiscal year budget for a not-to-exceed amount of $282,544,816 with publication dates set for Sunday, August 2, 2020 and Sunday, August 9, 2020 with the Public Hearing is scheduled for Thursday, August 13, 2020. Roll call as follows: Aye – Councilors Smede, Hally, Dingman, Freeman, Francis. Nay – Councilor Radford. Motion carried.

Mayor Casper reiterated this is a tentative approval. The final approval of the budget will occur at the August 27 Council Meeting.

Public Works

Subject: Change Orders 1 & 2 – Idaho Falls Microsurfacing

For consideration are change orders 1 & 2 for the Idaho Falls Microsurfacing project. The proposed changes allow additional microsurfacing and pavement markings to be constructed and provide better utilization of Federal funds established for this project.

Councilor Freeman stated change orders are seldom although this is an opportunity to use available federal funds. Director Frederickson stated change orders are typically an additional cost to the City, however, for this instance there is no additional cost to the City as it is part of the federal aid project. He noted many of the projects have already been completed. He stated in-kind match is used on many projects and reduces the cost on most federal-aid projects. Director Fredericksen explained the microsurfacing process stating the microsurfacing can only be applied on arterial and collector roadways. He indicated he will review the performance over time and compare the additional costs associated with the process. He also noted traffic is allowed on the roadways in a matter of hours. Councilor Freeman noted there is preference to give contracts to local contractors, however, there are no local contractors.

It was moved by Councilor Freeman, seconded by Councilor Radford, to approval of change orders 1 and 2 and authorization for Mayor to sign the necessary documents. Roll call as follows: Aye – Councilors Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

Fire Department

Subject: Service Agreements, Bonneville County Fire Protection District #1

These Service Agreements allow the two agencies to continue to work together to provide efficient and cost-effective methods of firefighting to both the City and County residents as well as deploy resources as necessary during Wildland emergencies. These Service Agreements represent a one-year agreement for the FY 2020/2021 between our two agencies and builds upon the stability of a nearly three-decade relationship that has provided safety and security to our community.

Councilor Hally stated the City has had an ongoing relationship with Bonneville County Fire Protection District #1, for three (3) decades and the relationship has worked well. He stated the current agreement is for one (1) year. Chief Nelson stated there have been several months of negotiations and he looks forward to continuing the relationship.

It was moved by Councilor Hally, seconded by Councilor Smede, to approve the Fire Protection Joint Services Agreement and Wildland Deployment Agreement by and between the City and Bonneville County Fire Protection District #1 and give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

Human Resources

Subject: Approval of Resolution for a Self-Insurance Trust

In September of 2018, Council directed Municipal Services, Human Resources and Legal Departments to begin the process of creating a medical self-insurance trust. The necessary preparations for the creation of the trust have now been completed. By transferring reserved funds (of approximately $4.2 million dollars) into the trust, the funds will be segregated from other City funds for the purposes of funding employee health insurance.

Council President Dingman stated larger municipalities are leaning toward self-insurance by using a Third Party Administrator (TPA) to pay any claims. This would allow a greater say for an affordable plan, with employees being the number one (1) priority of the plan. Council President Dingman stated this has been a long process and Council has thoroughly discussed this item. She believes this is in the employee's best interest and the City's best interest. She noted this would not be implemented immediately, this only begins the process and would secure the funds to be designated for this purpose. Mayor Casper stated the powers and scope of this trust are in State law and are overseen by State Insurance. The funds in this trust are monitored and spent only on employees' benefits. Mayor Casper indicated a large portion of these dollars are already required to be spent only on employee benefits. She noted this would formalize the process for pursuing self-insurance in favorable market conditions. She also noted COVID has delayed the possibility of self-insurance in the current year. Councilor Francis stated he supports the concept of self-insurance although he expressed his concern for the timing of this action. He believes national healthcare issues are uncertain and the wrong thing to do is to reduce options; the healthcare insurance is going to be affected in November, pending the political outcome; and this is not the time to tie up $4.2M. He requested a timeline/plan be presented from staff, including the employee's and the City's contribution, and the definition of advantageous. Councilor Francis believes this money could be designated by the Controller because once a trust fund is set up the City loses complete control of this money. He reiterated this is the wrong time. He believes, per the (July 28) discussion regarding the Police Complex, investors will look at City reserves. He also believes this reserve is part of the strength of the City. He questioned a portion of this money being used as negotiations for the Police Complex. He questioned tabling the item. Mayor Casper stated this $4.2M has been saved over time for this purpose and a large portion ($2.5M) was returned to the City with a penalty if the money was not spent on employee benefits. She noted an amount of the remaining portion has also been ear-marked. Councilor Francis stated he is not intending to use the money for other items, he believes this shows strong City finances. Mayor Casper questioned the City's financial portfolio with regard to a bonding agency. Director Alexander does not believe this would make a difference due to this money being designated for a specific use. She indicated the interest for this money goes back into the current self-insurance account. Mayor Casper stated the $4.2M exceeds the minimum amount required by the State although the City has been advised to put more into this trust. She believes it stands to reason that the City would grow the trust. To the response of Mayor Casper, Human Resources Director Ryan Tew stated the trustees would be Director Alexander, Director Tew, and City Treasurer Josh Roos. He also stated there is always uncertainty with the future of healthcare. He indicated allowances would be made by the government. Councilor Hally reiterated the capacity of self-insurance has been discussed for numerous years. He also noted several cities have gone to self-insurance. He believes the real element is to control the costs of healthcare, this can be done more efficiently in a self-insurance program, there is a real benefit to the employees, and this allows a better position to control costs. Councilor Smede supports this money be allocated to self-insurance although she believes some answers were not satisfying. She questioned more information being received

and possibly tabling the item. Director Tew stated the main reason for the trust is to protect the funds. Councilor Francis stated his is willing to pass a resolution that the Controller can restrict how the funds can be used. He reiterated he supports the self-insurance concept, he just wants a plan. Mayor Casper stated there are several unknowns are with Congress. The timing of going self-insured are from recommendations based on the broker's best advice. To the response of Mayor Casper, Insurance Broker AJ Argyle stated the State dictates the process, setting up the trust is the first step and will help with negotiations. There would be a benefit to have the trust in place longer. Mr. Argyle stated there is the possibility of going self-insured next year. He also stated the timeline is tough due to the Department of Insurance. He believes the City needs to be proactive. He stated he could provide the timeline/steps. Council President Dingman believes the sooner the trust is provided, the sooner the relationship to be established. She believes there are so many unknowns, she also prefers to be proactive not reactive. Mr. Argyle reviewed the process stating there has been a lot of time and energy to get to this point. To the response of Councilor Radford, Director Alexander stated the $4.2M is currently segregated to a self-insurance fund for the specific purpose of employee healthcare benefit costs. Mr. Fife stated this money is part of the budget and part of funds available to the City, although for practical purposes it has been designated. Mayor Casper believes, per discussion with Assistant City Attorney Michael Kirkham, a significant portion of this money must be spent on employee healthcare/benefits. Mr. Fife does not believe this is the case. He stated for many years the City overpaid into a fund for life insurance benefits of the employees. This overpayment was returned to the City. Because those funds were dedicated to that purpose, Mr. Fife believed these funds could be taxed if they were used for any other purpose. Therefore, he agrees these funds (approximately $2.5M) should not be spent in any other way to avoid this penalty. Mr. Argyle stated the remaining amount (approximately $1.6M) was medical insurance savings. Director Tew believes half of the $1.6M funds received were already used for another project. Mayor Casper believes segregating these funds was the next step to becoming self-insured and preventing these funds from being spent on another project. Director Alexander confirmed the goal and direction from previous Council was to set aside these funds for this specific purpose. Councilor Hally believes setting aside funds for a specific purpose is wise. He noted previous funds set aside for a police facility were spent in the next year. Councilor Freeman believes these funds should be locked in the trust and protected from any other opportunity. Councilor Radford questioned the timeframe of a delay if this item is tabled. Mayor Casper stated these funds have no budgetary link. She does not believe tabling an item is useful. Director Tew believes there is an advantage to tying this up.

Councilor Francis moved to table this item with a date certain of the second meeting in September 2020 on the basis before that at one (1) Work Session there is a written explanation and order of events to understand the full picture and to see the plan and how to break with Blue Cross, and adopt the element of the proposed ordinance to tie the funds. Mr. Fife believes the motion is contradictory due to the dual motions. Councilor Francis then moved to table this regulation until the second Council Meeting in September of 2020 based on receiving before that time a written explanation of order of events and what each event is, etc. and then move forward. The motion died for lack of a second. It was then moved by Council President Dingman, seconded by Councilor Hally, to approve a resolution to create a medical self-insurance trust and transfer designated funds to this trust, and give authorization for the Mayor and City Clerk to sign the necessary documents. Councilor Radford noted he made an effort to second Councilor Francis' motion. Councilor Francis stated he will vote to support the motion as he supports the concept, he does not believe the timing is right. Mayor Casper stated she could request the requested documentation. It was then moved by Councilor Francis, to table this regulation until the second Council Meeting in September of 2020 after reviewing the written format of explanations. The motion died for lack of a second. Roll call on Council President Dingman's motion: Aye – Councilors Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

RESOLUTION NO. 2020-16

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AUTHORIZING THE APPLICATION TO THE IDAHO DEPARTMENT OF INSURANCE FOR A SELF-FUNDED HEALTH CARE PLAN FOR THE CITY'S EMPLOYEES, DIRECTING THE ESTABLISHMENT OF APPROPRIATE FUNDS TO BE DESIGNATED AND A TRUST TO BE CREATED; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Legal

Subject: City Bus Stop Bench Program

By City Ordinance (IFCC8-8-11 through 8-8-35), the City currently licenses locations within City right-of-way for the placement of bus stop benches. Staff recommends rescission of the program because current locations of bus stop benches do not comply with the Code; currently suspended bus routes are being re-evaluated as part of a reorganization of Targhee Regional Public Transportation Authority (TRPTA); and there are concerns regarding regulation of advertising on City right-of-way.

Councilor Hally stated the program was initially initiated with controversy. The benches were originally intended for TRPTA but eventually benches began appearing on City sidewalks as advertising. He stated the legality was questioned regarding building a bench on City property for profit. Council President Dingman stated contact was made with the Idaho National Laboratory (INL) and the INL is moving toward park-and-ride and away from bus routes. She does not believe this to be an issue. As chair of the TRPTA Board of Directors, Council President Dingman supports rescinding the bus stop program so the future stops can be Americans with Disabilities Act (ADA) accessible and provide future opportunities with public transit. Mayor Casper clarified TRPTA is actively engaged in reorganization. To the response of Councilor Radford, Mr. Fife stated the City does not own the benches, does not control the advertising, and has not ensured the license payee has complied with the program. He does not believe there is liability in ceasing the program. If the program does not cease, he suggested Legal would seek compliance. Mayor Casper noted a letter will be submitted to remove the benches if necessary.

It was moved by Councilor Hally, seconded by Council President Dingman, to approve the Ordinance rescinding the bus stop bench program in the City Code 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 – Councilors Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

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

ORDINANCE NO. 3321

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 8, CHAPTER 8 TO DISCONTINUE THE CITY BUS BENCH PROGRAM BY RESCINDING CODE SECTIONS 8-8-11 THROUGH 8-8-25; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Subject: Door to Door Licensing

The First Amendment of the United States Constitution and Article I, Section 9 of the Idaho Constitution guarantee the public's right to free speech. The amendments proposed to the City's door-to-door licensing regulations are designed to balance an individual's right to engage in free speech and to pursue an honest living while protecting the safety and privacy of the City's residents in their homes. The amendments would prohibit individuals convicted of heinous felonies from obtaining a door-to-door license. Serious felonies involving dishonesty or moral turpitude would prohibit an individual from obtaining a license for ten (10) years. Other serious and violent crimes would prohibit an individual from obtaining a license for five (5) years. It would permit some individuals who have been convicted of crimes that did not involve violence or dishonesty to obtain door-to-door licenses, as required by the United States and Idaho constitutions.

Councilor Hally stated Legal believed there were constitutional issues and the penalties were too harsh. Councilor Freeman indicated a previous license denial appeal resulted in this review.

It was moved by Councilor Hally, seconded by Council President Dingman, to approve the Ordinance amending the door-to-door licensing regulations to the City Code 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 – Councilors Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

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

ORDINANCE NO. 3322

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING CITY CODE SECTIONS 4-8-4 AND 4-8-6 TO PROHIBIT THOSE CONVICTED OF HEINOUS FELONIES FROM OBTAINING DOOR-TO-DOOR SOLICITATION PERMITS AND SETTING NARROWLY TAILORED LIMITS ON THOSE CONVICTED OF CRIMES INVOLVING AN ELEMENT OF VIOLENCE, OR DISHONESTY FROM OBTAINING DOOR-TO-DOOR SOLICITATION PERMITS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Community Development Services

Subject: CV Community Development Block Grant (CDBG) Allocations and Substantial Amendments to CDBG Plan

As part of the 2020 CARES Act, Idaho Falls was allocated additional CDBG funding. This funding was specifically intended to aid in the prevention of and recovery from COVID-19. Specific guidelines and requirements were given for the procedure for utilizing these funds. Following these guidelines and requirements, staff is recommending three actions. First, amend the citizen participation plan to allow for shorter advertising and public comment periods. Second, make a substantial amendment to the CDBG action plan to include CV CDBG funding. Third, approve the requests received so far for CV CDBG funding. At this point, there are still funds remaining in the City's CV CDBG allocation and staff is planning for another round of applications in the fall.

Grants Administrator Lisa Farris stated the City is receiving $250,000 of CV CDBG funds. In order to receive those funds the City had to amend the most currently approved 2020 Annual Action Plan (AAP), update the citizen participation plan, and approve CV CDBG applications from the public hearing.

It was moved by Councilor Francis, seconded by Council President Dingman, to approve the Resolution adopting a substantial amendment to the CDBG Program Year 2020 Annual Action Plan, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilors Hally, Radford, Francis, Dingman, Smede, Freeman. Nay – none. Motion carried.

RESOLUTION NO. 2020-17

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, CDBG PROGRAM FOR A SUBSTANTIAL AMENDMENT TO THE PROGRAM YEAR 2020 CDBG ANNUAL ACTION PLAN.

It was moved by Councilor Francis, seconded by Council President Dingman, to approve the Resolution amending the CDBG Program Year 2020 Citizen Participation Plan applicable to the 2016-2020 Five-Year Consolidated Plan, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

RESOLUTION NO. 2020-18

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, CDBG PROGRAM, TO AMEND THE CITIZEN PARTICIPATION PLAN OF THE 2019/2020 ANNUAL ACTION PLAN APPLICABLE TO THE 2016-2020 FIVE YEAR CONSOLIDATED PLAN.

It was moved by Councilor Francis, seconded by Councilor Smede, to approve the Resolution approving CV CDBG funding allocations and including said allocations in the amended CDBG Program Year 2020 Annual Action Plan, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilors Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

RESOLUTION NO. 2020-19

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, AMENDED CDBG PROGRAM YEAR 2020 ANNUAL ACTION PLAN TO APPROVE CV CDBG ACTIVITIES AND PROJECTS AS PROVIDED.

Subject: Request to extend deadline to record a plat, Rose Nielsen Division No. 101 4th and 5th amended

For consideration is a request to extend the deadline to record a plat by an additional six months. The two plats for Rose Nielsen Division 101, 4th and 5th amended were approved by the Council on January 30, 2020. The Subdivision Ordinance requires plats to be recorded within 180 days of approval, which would be July 31, 2020 for these plats. Due to some ongoing issues between the applicant and City Departments regarding provision of easements and right-of-way, the plats are still not in a satisfactory condition to be recorded and accepted by the City. It is expected these issues will be resolved soon, but not before the deadline to record. The applicant is requesting a 6-month extension to record, putting the new deadline at January 30, 2021.

Director Cramer stated the two (2) plats are on the Grand Teton Mall site. There are issues with the right-of-way and easements that have not been resolved, however, the deadline was July 30, 2020. Director Cramer requested an extension to avoid repeating the previous process.

It was moved by Councilor Francis, seconded by Council President Dingman, to approve the request to extend the deadlines to record the plats for Rose Nielsen Division No. 101 4th and 5th amended to January 30, 2021. Roll call as follows: Aye – Councilors Dingman, Radford, Francis, Smede, Hally, Freeman. Nay – none. Motion carried.

Subject: Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards, Clay Subdivision Division 1

For consideration is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards, M&B: Clay Subdivision Division 1. The Planning and Zoning (P&Z) Commission considered this item at its July 7, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Councilor Francis stated the land is currently undeveloped.

It was moved by Councilor Francis, seconded by Councilor Radford, to approve the Development Agreement for Clay Subdivision Division 1, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilors Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

It was moved by Councilor Francis, seconded by Councilor Radford, to approve the Final Plat for Clay Subdivision Division 1, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows: Aye – Councilors Hally, Smede, Dingman, Freeman, Francis, Radford. Nay – none. Motion carried.

It was moved by Councilor Francis, seconded by Councilor Radford, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Clay Subdivision Division 1, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilors Smede, Hally, Radford, Dingman, Freeman, Francis. Nay – none. Motion carried.

Subject: Public Hearing - Rezone from LM to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Lot 3, Block 2, Sayer Business Park Division 1

For consideration is the application for Rezoning from LM to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, for Lot 3, Block 2, Sayer Business Park Division 1. The Planning and Zoning Commission considered this item at its July 7, 2020 meeting and recommended approval by a vote of 3-1. Staff concurs with this recommendation.

Director Cramer stated in the past there has been staff presentation, followed by the applicant, and followed by public testimony. Community Development Services is changing this method so the applicant will speak first, followed by staff, and followed by public testimony. Director Cramer stated the reason for this change is that staff appeared as the applicant for, or against, the project.

Councilor Francis stated he knows Mr. Brandon Lee as a former student, however, he has no financial interest in this item. Councilor Smede noted Mr. Lee's son attended her school, however, she also has no financial interest.

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

Brandon Lee, applicant, appeared. Mr. Lee expressed his appreciation to the elected officials for their service. He stated as a commissioner on the Parks and Rec Commission he occasionally sees a small sliver of issues and he recognizes the elected officials' positions are largely thankless. Mr. Lee stated he has been part of commercial and residential real estate development for the previous 15 years. His intent is to utilize the allowed use to construct a very appealing multi-family residential project. He recognizes the task at hand is not to judge the proposed project, it's to weigh the impacts of the overall zoning change and whether the totality of potential uses would fit within the Comprehensive (Comp) Plan. Mr. Lee presented pictures of the site plan. He stated the Comp Plan allows a well thought-out framework for expansion and growth but also allows and recognizes that the Plan should be reviewed and changed as opportunities to provide the best use to certain parcels differs from the current designation but still supports the overall goals and objectives of the plan. Mr. Lee believes the rezone supports the Plan as there is current need and demand for housing and that demand will grow into the foreseeable future; the rezone facilitates development in an area that is already served by public utilities where extensions of facilities are least costly and utilizes existing infrastructure; it's close to services; it provides the same transition from HC as is currently zoned in the immediate adjacent area; higher density should be located close to service areas and arterial streets designed to move traffic; residential offering should reflect the economic and social diversity and should foster inclusiveness and connectivity through mixed-housing types; and provides the highest and best use to a piece of land that has had multiple zoning changes for 30 years and has gone unused. Mr. Lee believes the LC would blend and transition with the adjacent HC zone. He quoted that neighborhoods should contain a variety of housing types and with good site planning apartments and townhouses can be near arterial streets, be directly served by collector streets, and provide an opportunity for residents to have housing which meets their needs. Mr. Lee stated he performed neighborhood outreach including a letter of introduction to all 11 property owners within the vicinity, three (3) of which were excited about the project and are prepared to speak or provided a letter of statement of support. He noted this request was approved by P&Z 4-1. He shared comments from Commissioner Black and Commissioner Morrison from the P&Z meeting.

Blake Jolley, Connect Engineering, provided comments for his client, Mr. Lee, by WebEx. Mr. Jolley reiterated this area has changed zoning multiple times as the specific area and needs and market have changed. He believes this request falls within the lines of the Comp Plan. Mr. Jolley stated this area was annexed in 1979 as a Commercial C1 Zone, which matches a lot of the LC Zone and allowed uses. It was then changed from C1 to HC to allow uses that related to the needs of Woodruff. In 2018, a rewrite of the zone changed this area from HC to LM. Mr. Jolley believes these changes were due to things occurring in the area. He reviewed other zones in the adjacent area. He believes these zones provide for opportunities and flexibility for multiple options.

Director Cramer appeared. He stated a packet of letters was received earlier in the day, a copy of this packet was distributed to all Councilmembers. Director Cramer presented the following:
Slide 1 – Rezone Criteria
Director Cramer stated the proposed zoning must be consistent with the principles of the City's adopted Comp Plan. Other factors include the potential effects on traffic congestion as a result of development or changing land

uses in the area; exceeding the capacity of existing public services, including utilities and schools; potential nuisances or health and safety hazards; and recent changes in land use on adjoining parcels in the neighborhood of the proposed zoning map amendment. Director Cramer noted the memo indicates staff concurs although he stated staff has concerns. He believes there are Comp Plan policies that do and do not support this request.
Slide A1 – Property under consideration in current zoning
Director Cramer reviewed the zoning pattern in this area.
Slide A2 – Aerial photo of property under consideration, currently no development
Director Cramer stated there is a City-owned well site to the west and a storm water retention pond to the south. There is residential on the perimeter of development, across the canal. Other uses in the area are commercial in nature.
Slide A3 – Additional aerial photo of property under consideration
Slide A4 – Comp Plan Future Land Use Map
Director Cramer stated the map is built upon the policies within the plan although this does not mean it is always appropriate.
Slide A5 – Photo of area
Slide A6 – Photos looking down Bentley Way and Jones Street
SlideA7 – Uses allowed in LM, but NOT LC and uses allowed in LC but NOT LM
Director Cramer stated anything allowed could be in the zone per this list. He recommends being comfortable with all uses allowed in the area and if the uses on LC are compatible with uses in LM. He noted the LM Zone is not designed to be a great neighbor to residential although the Comp Plan does address residential near services. Some use are typically away from residential due to potential nuisances. Director Cramer noted the development of Costco has changed how things are happening in this area. The County industrial park to the north of this area has also shifted the nature of this area. It appears light industrial land uses are migrating to this area. Director Cramer stated residential applications around Costco have not been seen yet. He reiterated this property has remained undeveloped although the previous zone of C1 did allow residential at that time. He also reiterated there are policies that support this change although there are concerns that the allowed uses may not be appropriate for this particular area.

To the response of Councilor Francis, Director Cramer pointed out the canal in close proximity with an unofficial pedestrian bridge, and the green area is an open space. To the response of Councilor Hally, Director Cramer stated the most direct access is Bentley Drive although there are accesses to the north toward Lincoln. Mayor Casper questioned if staff specifically queries the school district for children in this area. To Director Cramer's knowledge, no one directly approached the school district. To the response of Mayor Casper, Director Cramer defined spot zoning which relates to out-of-character with the overall zoning scheme with an advantage or a privilege to the applicant that would not be consistent with other things in the area. He noted there is no strict definition. Mr. Fife believes a spot zone would typically be very small. To the response of Councilor Francis, Director Cramer stated the east/west connection of the canal is part of the Canal Trails System.

Director Cramer read the following emails/letters that were electronically received as follows:

Dear Planning and Zoning Commissioners,
I am writing this brief statement in support of the rezone of the property at the corner of Bentley and Chaffin from LM to Limited Commercial. As a nearby property owner, I have a vested interest in "the neighborhood" and I feel that the rezone would allow uses, such as multi-family residential, that support a healthy, well-balanced, and well-transitioned neighborhood. In my opinion, this rezone and potential development will continue the transition and development of this vacant ground, all of which helps and enhances property values and the City. They also provide additional safety by having more people engage in the communities in which they live and work. Thank you for your consideration of the rezone request and again, offer my full support for this request.
Dean Mortimer, Commerce Properties Investments, LLC.

Good Morning Brad,
Bonneville County Farm Bureau Federation Board of Directors has great concern regarding the proposed zoning change to the Sayer Property located on Jones Street. We wish to voice our opposition to this zoning change.

Bonneville County Farm Bureau Federation is the current owner of the property at 1655 Hollipark Drive, Idaho Falls, Idaho. This proposed zoning change does not maintain contiguous zoning in the area. Allowing this spot zoning to take place will allow high-density housing to be built on the property. Currently all neighboring properties are commercial businesses. The surrounding businesses feel that by allowing this change it will bring high-density housing, creating a greater concern of crime, and increased traffic in the area.
Thank You for your time and consideration, Sincerely Doug Barrie, President, Bonneville County Farm Bureau Federation

Good afternoon Brad,
It has come to my attention that a possible rezone of the Sayer property is being considered, which upon approval could allow for a multi-housing unit on the said property. Our commercial business is located at 1095 N. Woodruff Avenue and we feel a multi-housing unit is in direct conflict with the current use of the surrounding commercial buildings in the area. In addition, we are concerned with a potential uptick in crime as more residents move into the housing units as well as the potential increase in traffic coming in and out of the area. As mentioned, we are currently located on Woodruff Avenue and we experience the dangers of pulling onto Woodruff from Bentley Way due to the high amount of traffic daily. We are concerned that with the addition of a multi-housing unit, this situation will only increase the danger for everyone trying to merge onto Woodruff Avenue. We have also considered the dangers of having residents pulling onto Lincoln Avenue from Sherry Drive or Hollipark Drive and having to fight the steady flow of traffic without any stop lights to assist. We believe this is a dangerous situation for all involved and a multi-housing unit will absolutely increase the in and out flow of traffic on the above streets mentioned. In summary, we oppose of the rezone of the Sayer property and wish the property to be allowed solely for commercial property use. We hope our concerns are heard and recognized.
Thank you, Lance Poole - Executive Vice President, Eagle Eye Produce

Brad,
I am reaching out to you today in reference of the proposed rezoning of the property on Bentley Way. I own two (2) parcels on Bentley and am very concerned about this new development for multiple reasons. First, I don't think it makes sense to have a residential presence is this dense commercial and industrial area. There are safety issues with large semis and other traffic that could create safety and traffic issues. I am also worried about the effect it will have on my business and property value. I have invested millions of dollars in improving the land that I own and I feel like apartments next door would adversely affect my property value. In addition to the safety and value issues I believe that this could also bring in more crime to this area. I wish to strongly oppose this rezoning and wish that you would please voice this opposition for me at the meeting tonight.
Thanks, Lynn Nelson, Owner, Alphagraphics

Mr. Cramer,
I am sending you this email in opposition to the requested Planning and Zoning change that is being requested on Bentley. My business is located on Jones Street and it is my firm belief that this multi-family housing will help to increase the crime in our area. We are currently suffering from people and person(s) driving through our parking lot, around our building to access the canal access road to the south of my business location. These people and person(s) are using the canal access road to get to the residential areas south of this business park. Our business suffered vandalism by someone shooting one (1) of our top south windows. A window that is not easily replaced and was specially covered in film to help with sun issues. Since there are no businesses to the south or north of me, the only way it was shot was by a civilian, and possibly someone from the nearest residential area. Across the street from my business, the tenants have suffered theft to include burglary. I have had people drive around the rear of my building and try and enter a bully barn that is locked up. We had someone disassemble a bicycle between our bully barn and building after hours. As a business owner who chose to move out of Ammon and specifically move my business into the City of Idaho Falls instead of Bonneville County. I like many other business owners understand that business drives business and we need more manufacturing and warehouse type of businesses in our area in order to continue expanding and adding jobs to our town. It is my firm belief that it would serve the community better to have the multi-family residential building be built in a residential area that is in need of being upgraded to clean up neighborhoods and increase property values. Elevate was not able to move into the commercial property due to the concern of semi-tractor and trailers coming and going too much. If you could see the amount of people

who use Hollipark to access Jones to get to Bentley in order to try and avoid the long lights at Lincoln and Woodruff. I believe the increase of traffic from residential housing will cause even more issues with people driving through causing more traffic issues and greater chances of accidents. Vehicles associated with manufacturing and warehousing are typically larger and require more room to navigate. The increase in traffic due to residential being allowed to move in will cause issues for these business related vehicles to operate safely.
Thank you for taking the time to hear my opinion. Jason Stewart, Owner, Uniforms 2 Gear

Dear Brad,
As a business tenant located near the area in discussion for rezoning I oppose the rezoning as it will increase after hours traffic in the area as well as foot traffic on the canal at the back of the business park. This after hour traffic will have the potential to increase theft and vandalism. I am new to the area and don't understand why you would want to put this residential project in this area. Thank you for your consideration in this matter.
David Follett, Business Owner, Island Genius.

Good Morning Brad,
This is Paul Fife at 278 Rock Hollow Lane in Idaho Falls. I am currently the owner of the commercial property on 1343 and 1345 Jones Street in the Bowen Subdivision to the immediate west of the Sayer property. I wish to express my opposition to the proposed rezone to the Sayer property. I have been a Commercial Real Estate Broker in the Idaho Falls market for over 30 years. I have always heard from planning and zoning and the City Council to get a rezone you needed similar use with surrounding properties and no spot zoning. This rezone allows for multi-housing, which there is none in the surrounding area. With high-density housing comes additional crime which tenants in the surrounding commercial buildings are very concerned about. I realize this property had a LC zone years ago but since then there has been dozens of commercial buildings built in the area. Thank you for your time and consideration.
Paul A. Fife, Senior Advisor, SVN High Desert Commercial

I own commercial building at 1245 Hollipark Drive built in 2007. I cannot imagine building high-density apartments in an area such as this, it does not work! A friend of mine who owns multiple buildings in this area told me recently that one of his buildings was broken into and over $10,000 of equipment was stolen. This type of problem will definitely worsen with residential being introduced. One of the biggest problems? Traffic! My tenants already complain about getting onto Lincoln Road from Hollipark and going out the other way, getting on Woodruff can be difficult, especially if you're trying to go north. Add the additional traffic count by bringing in up to 75 apartments! This is a very bad idea. Randy Hix

Hello Brad,
This is Mike Bowcutt, owner of DAFAB Construction, Broken Bow Properties, Broken Bow West Properties. I have two (2) buildings located now at 1167 and 1020 Jones Street in the Bowen Subdivision. I am also presently starting another rental building to be located at 1100 Jones Street. I wish to express also my opposition to the proposed rezone to the Sayer Property on Bentley. I have also been in contact with all my renters and they have expressed concern about the additional traffic, and possible increase in more people – more opportunity for burglary with increase. Last Thursday night there was a break-in on one (1) of my properties, first time in ten (10) years. I have also contacted Justin Miller from JC Concrete on corner, and Rob Meyers on corner of Hollipark and Jones, both of which have the same opinion of opposition for rezone. I have been involved with the Bowen subdivisions for over 15 years, to develop commercial properties for this area. It is now one (1) of the most affordable technology available commercial lots in the City. As a contractor I have built ten (10) of the commercial buildings on Hollipark, Jones, and Sherry Avenue. I also was the original builder for the Sayer subdivision and the Sayer Nissan Dealership. Rezoning this property into LC – apartment buildings just does not fit in this area.
Thanks Mike Bowcutt, DAFAB Construction

Good day Brad,
I am Bob Dunkley DBA Dunkley Properties, I own four (4) commercial buildings on Hollipark South of Lincoln Road. I am very concerned about the proposed zone change on the Sayer property from LM to LC, that subdivision is all commercial Buildings there is no apartments in that area and it definitely would not be a good mix. I am and

my tenants are very concerned what kind of problems this could create. I have been involved in commercial real-estate for over 40 years and one thing that has always been said" no spot zoning," I feel that this is spot zoning. I wish I could be at the P&Z (City Council) meeting tonight but have another commitment. I hope you will voice my opinion.
Thank You, Bob Dunkley, Dunkley Properties

Brad,
It has come to my attention that the City Council will be voting on changing the zoning on the property west of Woodruff on the corner of Bentley and Chaffin. I understand the need for affordable housing in Idaho Falls, but that property is in the middle of commercial property. As a property owner in that area, I am concerned about the increased traffic, and crime that will come from residential multi-family housing in that area. We already have a problem getting onto Lincoln Road from Hollipark. Some kind of traffic control is already needed. Changing the zoning and adding multi-family to this commercial/industrial area will only make that worse. Please reconsider this zoning change.
Thank you for your consideration, Bob Bidstrup, First Call Jewel Inc.

Brad and Kerry,
Please see the following testimony opposing the rezone to allow for multi-family on the five (5) acre parcel located on Bentley Way. As a commercial real estate agent doing business in Idaho Falls for over fifteen years I am opposed to the zone change from LM to LC to allow for a multi-family development amidst a block that is all LM commercial use. It is not the best use of the property and it would affect all the businesses negatively and thus cause more expense for the City and the public. I have represented five (5) buyers in the past that are now owners adjacent to the subject rezone and if there was multi-family then, it would have been a concern for them as buyers. I recently represented a machine shop that moved onto Jones and they have had some theft issues and installed a security system and cameras. All businesses have commented on how central it is, but how quiet the area is as well. The addition of multi-family would increase through traffic throughout the day and night. Would this require a street light at the intersection of Bentley and Woodruff? At night I can envision kids walking or riding bikes in business parking lots and causing issues. That area has its issues with the canal to the south with people driving their cars to go through the mud holes and people walking up and down the banks at late night hours causing problems. I know one (1) tenant located on Woodruff Park Circle has had a lot of theft since it back up to the canal and we installed dusk to dawn security lights and that has helped. As of this week I did present an offer for the three (3) lots in the back for a total of ten (10) acres for LM commercial use but the offer is contingent upon this zoning not passing. The buyer doesn't want to have a multi-family project in the area because of the issues that it will present to the local business owners. As of recently the area has been a scene of a shooting on Bentley at 4 a.m. and then a vehicle burning parked in the very back lots. As of last week a welding shop on Jones got broken into. The front window of the business was breached during the night. I see too many problems with the proposed zone change. If this is allowed, then those other lots on Jones and Hollipark could also have multi-family and that again has the same issues.
Randy Waters, SVN

As the owner of the property located at 1720 Woodruff Park, I would like to express my opposition to changing the current zoning such that multi-family dwellings can be put on that lot. We feel that allowing residential use will open us up to additional liability from increased traffic in our area, both on the street and along the canal bank that is adjacent to our property. We are concerned about the potential for increased theft in our area that can result from increased non-business population. We urge you to deny this zoning change,
Thank you, Melvin Stone, Landmark Signs, LLC

Mayor Casper requested additional public testimony.

Keith Bowen, owner of adjacent properties in the proposed rezone, appeared. Mr. Bowen stated he is definitely against this rezone. He believes the rezone would degrade and destroy what is currently there. He also stated there is an individual interested in purchasing three (3) more lots. He believes residential and commercial don’t mix. Mr. Bowen noted he was not contacted by the applicant, he heard this information from Mr. Paul Fife.

Brandon Lindower, owner of an adjacent commercial business, appeared. Mr. Lindower expressed his concern for additional foot traffic and crime to this area. He believes it doesn't make sense to put apartments in the middle of the commercial buildings as there is no other residential in the area except across the canal or across the busy roads. He also believes the traffic will be bad, this seems like a bad idea.

Jeff Coen, owner of BK Machine, appeared. Mr. Coen stated he experienced this same situation in the building he moved out of after being there for ten (10) years. Since that residential was allowed (in his previous location) Mr. Coen stated he had contacted the Police Department on numerous occasions for his vehicles and building getting broken into. He does not believe this is a good idea. Mr. Coen also expressed his concern for the safety of children as forklifts are moving thousands of pounds of material on a daily basis.

Jake Durtschi, Jacob Grant Property Management, provided testimony by WebEx. Mr. Durtschi stated he is in favor of the rezone. He noted the vacancy rates are in 1-3% range in Idaho Falls, rental rates over the previous two (2) years have increased 20%. This means the demand for housing is extremely high and there are not enough places for people to live. Mr. Durtschi stated Costco has changed this area, as they have put a residential service in an industrial area. If Idaho Falls wants to take advantage of this and maximize and be adaptive to the situation, Mr. Durtschi believes there needs to be more housing in this particular area. His agency has already seen a huge increase in demand for Costco employees, this does not include Costco customers. He understands there are concerns with additional traffic and crime for Mr. Lee's project. He indicated Mr. Lee's proposal is not to build low-income housing. This housing will have extra amenities that are not typically seen in this area. These areas with the extra amenities are not attracting crime. Mr. Durtschi believes this property will attract high-quality residents who will be more responsible.

Leslie Folsom, provided testimony by WebEx. Ms. Folsom questioned if the property to the north and the west would be land-locked.

M'Kay Wallis, representative of property owner Kelly Sayer, provided testimony by WebEx. Mr. Wallis stated Mr. Sayer is in full support and believes this is a great use of land, would be a great addition to the neighborhood, and would be a great opportunity.

David Adams, owner of adjacent property for 25 years, provided testimony by WebEx. Mr. Adams stated he is in favor of this project. He indicated he owns additional commercial properties next to low-income housing and he believes the more eyes that are on the property, the less vandalism and crime would occur. He believes this is a great addition to this part of the City and would welcome the growth and development.

Seeing no additional individuals, Mayor Casper closed the public hearing.

Councilor Francis noted items for consideration include the City-owned well as remaining green space, and an open vacant lot, zoned as a park, which shows a connection to the neighborhood to the south. He noted there is also concern with the surrounding commercial properties. Councilor Radford stated the Council needs to look at designations that are changing although he believes opportunities for density and housing choices should be considered. He indicated high-density housing does not decrease property values and crimes can decrease as more eyes helps crime. Councilor Hally believes housing is needed in all areas. He expressed his concern for the traffic onto Bentley and the concern for activities for family members in a commercial area. Councilor Freeman believes there is a housing shortage although it is not fitting for housing development in a commercial area. He also believes the property owner should have some rights. Council President Dingman agrees there is a housing shortage in this area. Unfortunately, she indicated these are not legal considerations for rezoning actions. She stated she supports the principles of the Comp Plan and supports intermingling of commercial and residential when appropriate. She recognized staff's transformation of the Comp Plan to intermingle these services. Council President Dingman believes the surrounding zones are not considered neighborhood services. She does not believe there is a connection or transition to the adjacent housing. A zoning designation must support every use allowed in the zone, Council President Dingman stated she cannot support every use in the zone designation. Councilor Smede stated it is very clear that more housing is needed, it's also clear that no one wants high-density residential in their backyard. She

believes housing is important although she cannot support the rezone on this property. Councilor Francis stated the Council is trying to make a walkable community, this may not be walkable due to the uses in LC.

It was moved by Councilor Francis, seconded by Councilor Radford, to approve the Ordinance Rezoning Lot 3, Block 2, Sayer Business Park Division 1 from LM to LC 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 – Councilor Radford. Nay – Councilors Freeman, Dingman, Smede, Francis, Hally. Motion failed.

Following brief comments/discussion, it was moved by Council President Dingman, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for Lot 3, Block 2, Sayer Business Park Division 1 with the designation of LM with the following modifications of I.4 be modified to the requested LC zone which is inconsistent with neighboring zones. The City Council communicated traffic concerns, walkability, and inconsistency with the elements of the Comp Plan. Additional modification in Section 2 under Decision based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls denies the rezone, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilors Francis, Dingman, Freeman, Hally, Smede. Nay – Councilor Radford. Motion carried.

Subject: Public Hearing - Annexation and initial zoning of HC and LC, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, HC & LC, M&B: 44 Acres, Section 9, T2N, R38E

For consideration is the application for Annexation/Initial Zoning to HC and LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: 44 Acres, Section 9, T2N, R38E. The Planning and Zoning Commission considered this item at its July 7, 2020 meeting and recommended approval by a vote of 3-1. Staff concurs with this recommendation.

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

Leslie Folsom, applicant, representative of the trust for the family, appeared by WebEx. Ms. Folsom stated this property is west of Hitt Road and north of Lincoln Road. Following discussion with Community Development Services staff and the surrounding needs, there was a decision to zone the frontage as Highway Commercial (HC) to help support Costco, and zone LC in the back as this is a very deep land. There is potential for a road through the middle of the property to meet the various needs. Ms. Folsom is unsure of the adjacent land although this could possibly give another thoroughfare between Woodruff and Hitt for traffic as there would be two (2) accesses onto the property. She also noted there is no potential developer. She believes this will be consistent with the Comp Plan and will help with the area, Costco, and housing.

Director Cramer presented the following:
Slide B1 – Property under consideration in current zoning
Slide B2 – Aerial photo of property under consideration, currently undeveloped
Director Cramer stated there is a similar zoning scheme in the adjacent area.
Slide B3 – Additional aerial photo of property under consideration
Slide B4 – Requested zoning of HC in the front and LC in the back
Slide B5 – Comp Plan Future Land Use Map
Director Cramer stated there was concern with the P&Z because the area showed low-density residential. He noted maps are drawn as broad brush strokes with commercial to the west. He also noted LC and HC are both zones in a commercial designation. He indicated this plan was developed before changes in the area. In staff's opinion, because of the proximity of the commercial the requests were consistent.
Slide B6 – Photo looking north across the property
Director Cramer believes there was one (1) opposing vote from P&Z specifically related to the Comp Plan Map.

Seeing no individuals appearing for testimony, Mayor Casper closed the public hearing.

Councilor Francis expressed his concern for leaving a small parcel for low-density housing. Council President Dingman concurs with Councilor Francis. She believes this is consistent with the adjacent zoning.

It was moved by Councilor Francis, seconded by Council President Dingman, to approve the Ordinance annexing 44 Acres, Section 9, T2N, R38E 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 – Councilors Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

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

ORDINANCE NO. 3323

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 44.858 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Francis, seconded by Council President Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 44 Acres, Section 9, T2N, R38E and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilors Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

It was moved by Councilor Francis, seconded by Council President Dingman, to assign a Comprehensive Plan Designation of "Commercial and Low Density" and approve the Ordinance establishing the initial zoning for HC and LC under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office summary. Roll call as follows: Aye – Councilors Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

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

ORDINANCE NO. 3324

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 44.858 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS HC AND LC ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Francis, seconded by Council President Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning for HC and LC and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilors Hally, Radford, Francis, Dingman, Smede, Freeman. Nay – none. Motion carried.

Subject: Public Hearing - Annexation and Initial Zoning of RP, Annexation and Zoning Ordinance, and Reasoned Statements of Relevant Criteria and Standard Lot 2, Block 2 of the Second Amended Plat of Kinsmen Country Estates Division No. 1

For consideration is the application for Annexation/Initial Zoning to RP, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Lot 2 Block 2 of the Second Amended Plat of Kinsmen Country Estates. The Planning and Zoning Commission considered this item at its July 7, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

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

Blake Jolley, Idaho Falls, appeared by WebEx. Mr. Jolly stated the client wants to be part of the City and participate in the availability of utilities that the City has to offer. To the response of Councilor Radford, Mr. Jolley stated this would include water and sewer utilities that are in the area and adjacent to the parcel.

Director Cramer presented the following:
Slide C1 – Comp Plan Future Land Use Map
Slide C2 – Aerial photo of property under consideration
Slide C3 – Additional aerial photo of property under consideration, a home currently exists on the property
Slide C4 – Property under consideration in current zoning
Slide C5 – Photos looking east from Kinsmen Lane, and looking northeast from the corner of Kinsmen Lane and Castlerock Lane
Slide C6 – Photo looking north from Castlerock Lane

Seeing no individuals appearing for testimony, Mayor Casper closed the public hearing.

Councilor Francis is pleased for the Category A annexation.

It was moved by Councilor Francis, seconded by Council President Dingman, to approve the Ordinance annexing Lot 2, Block 2 of the Second Amended Plat of Kinsmen Country Estates Division No. 1 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 – Councilors Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

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

ORDINANCE NO. 3325

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 3.07 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Francis, seconded by Council President Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of Lot 2, Block 2 of the Second Amended Plat of Kinsmen Country Estates Division No. 1 and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilors Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

It was moved by Councilor Francis, seconded by Council President Dingman, to assign a Comprehensive Plan Designation of "Estate" and approve the Ordinance establishing the initial zoning for RP under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office summary. Roll call as follows: Aye – Councilors Dingman, Radford, Francis, Smede, Hally, Freeman. Nay – none. Motion carried.

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

ORDINANCE NO. 3326

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 3.07 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS RP ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Francis, seconded by Council President Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning for RP and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilors Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

Announcements:

Mayor Casper announced a City resident, Sarah Prentiss, has created cover cards for gift cards for Random Mask of Kindness for those citizens who are wearing masks. Mayor Casper recognized some opposition to mask wearing in the community although there are residents whose health is dependent on mask wearing.

Adjournment:

There being no further business, the meeting adjourned at 11:41 p.m.

CITY CLERK	MAYOR

IDAHO FALLS

MEMORANDUM

FROM: Director Ryan Tew and Chief Bryce Johnson

DATE: Wednesday, August 12, 2020

RE: Police Personnel Manual

Council Action Desired

☐ Ordinance ☒ Resolution ☐ Public Hearing

☐ Other Action (Approval, Authorization, Ratification, etc)

Approve the Resolution to amend the Police Department Personnel Manual as presented.

Description, Background Information & Purpose

The changes to the Police Personnel Manual were brought to the Council on May 11. The changes were then published to the entire Police Department on May 12 so that employees could review the changes and make comments. The required 30-day comment period has expired and the changes are ready to be acted upon by the Council. The changes include changing section VI-6 regarding compensation for court/administrative proceedings. If the off-duty attendance of an administrative or court hearing may be accomplished by telephone or teleconference, the employee would be paid a minimum of two (2) hours at the rate of one and one-half times the employee's hourly base rate. It also changed section VII-4 Hold days. This would change the name from Hold days to Holiday Substitute Compensation (HSC). It would change the accrual of HSC from day for day to hour for hour. It would allow the employee to use HSC in one-hour increments, accrue HSC or take holiday pay in one-hour increments, and cap the HSC accrual at 120 hours.

Relevant PBB Results & Department Strategic Plan

☐ ☒ ☐ ☐ ☐ ☒ ☐ ☐

Click or tap here to enter text.

Interdepartmental Coordination

The Legal Department reviewed the changes and provided language for the changes. Municipal Services was consulted for input on the holiday compensation time as well as any budget considerations. The process was a coordinated effort between the Human Resources Department and the Police Department.

Fiscal Impact

There would be a slight savings with the change in court overtime pay. The savings amount would be negligible for budget allocation purposes.

Legal Review

The Legal Department reviewed the changes and provided language for the changes.

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING AN IDAHO FALLS POLICE DEPARTMENT PERSONNEL MANUAL; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City of Idaho Falls, Idaho, has adopted a Personnel Policy Manual that guides the relationship between the City and its employees; and

WHEREAS, because of the unique nature of services provided by the Police Department to the community, the Council desires to adopt a Police Department Personnel Manual applicable to City employees within the Police Department; and

WHEREAS, the Police Department Personnel Manual includes sections on its purpose, application, and interpretation; changes and management decisions; expectations of employees; employee investigation procedures; wage, overtime, and duty policy; vacation and hold day policy; promotions, seniority, grievance procedure; boot and uniform cleaning allowance policy; and the career path program; and

WHEREAS, the Council desires that adoption of this Police Personnel Manual establishes and preserves the relationship between Police Department employees and the City, except as indicated in the Police Department Personnel Manual or the City Personnel Manual; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

1. The City Council hereby adopts the Idaho Falls Police Department Manual as appears in Exhibit "A", attached hereto.

ADOPTED and effective this ____ day of August, 2020.

CITY OF IDAHO FALLS, IDAHO

_____
Rebecca L. Noah Casper, Mayor

ATTEST:

_____
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

> That the above and foregoing is a full, true and correct copy of the Resolution entitled, "A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING AN IDAHO FALLS POLICE DEPARTMENT PERSONNEL MANUAL; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW."

_____
Kathy Hampton, City Clerk

(SEAL)

IDAHO FALLS
POLICE

PERSONNEL MANUAL

August 2020

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I. Purpose

In recognition of the unique role played by the Idaho Falls Police Department (IFPD) in service to the community, this Policy is intended to increase general efficiency, to promote harmonious and collaborative relations within the Department, and to protect the rights, well-being, safety, and security of Department employees.

This Police Personnel Policy is the result of collaboration among City employees and is intended to promote the highest ideals and values of the Department. This Policy is not and shall not be considered or interpreted as a collective bargaining agreement between the City and any employee or group of employees, whether formally or informally organized. The Council has reviewed and approved this Policy.

II. Application and Interpretation of this Policy

A. The provisions of this Police Personnel Policy shall apply to all Idaho Falls Police Department employees except where it is specifically indicated that the provision applies only to certain Department employees. Additionally, the City Personnel Policy manual shall continue to apply to all Police Department employees, except where a provision of this Police Personnel Policy is more specific, in which case a Police Department employee shall be subject to this Police Personnel Policy. The City Director of Human Resources is authorized by the Council to interpret which Personnel Policy shall be applied to a Police Department employee if an uncertainty or dispute arises about the application of this Police Personnel Policy.

B. Calculating Time.

"Day" as used in this Policy, shall mean one (1) twenty-four (24) hour calendar day beginning at midnight and ending twenty-four (24) hours later, whether or not the City is open for business. When time is calculated for a deadline, counting begins on the day following the date a document is required to be submitted or an event is due to occur. Where a due date falls on a day that the City is officially closed for business (e.g., a weekend or official or declared Holiday), the due date is on the first date that the City is open for business following the due date.

III. Changes

Changes may be made to this Police Personnel Policy by the Council at the recommendation of the Police Department, Police Department employees, Human Resources, or Elected Officials. Department employees shall be given thirty (30) days advanced notification about proposed changes and given the opportunity, either orally or in writing, to offer comment regarding proposed changes to the Council.

IV. Management Decisions and Expectations

"Management", as used in this Policy includes the Chief of Police, Captains, the Communications Manager, the Animal Control Director, and Lieutenants. The Police Department management staff possesses and retains the sole authority to operate and lead the Department. This authority includes, but is not limited to, the following examples:

1. Determining the mission of IFPD
2. Setting standards of Department service to be offered the public
3. Exercising control and discretion over its organization and operation
4. Disciplining or discharging non-probationary Police Officers for cause
5. Directing the work force
6. Hiring, assigning, or transferring employees
7. Determining the methods, means, and number of employees needed to carry out Department objectives
8. Introducing new or improved methods, police polices, or equipment
9. Changing existing police policies, methods, or equipment
10. Relieving employees because of lack of work
11. Taking whatever actions necessary to carry out the objective of the Department in situations of emergency
12. Establishing positions of employment and classifications for positions
13. Establishing performance standards and/or revising performance standards to determine acceptable performance levels of employees

V. Employee Expectations

1. Expectations.

   A. Employees may present their views to the Management of the Department and to the City at any time. Additionally, the Chief of Police will meet with employees (including employees from all Department Bureaus and all levels of employment in the Department) in at least three (3) separate meetings to listen to employee views and suggestions during the months of February and March of each year.

   At the request of the Chief of Police or Department employees, a Human Resource Department representative will attend these meetings.

   The Chief of Police will present the results of these meetings in writing to the Mayor and Department employees by April 10th annually. Any Department employee may present their ideas or concerns to the Mayor and Council if they disagree with the written recommendations as contained in the Chief's report

2. Investigations.

   A. Employees may be accompanied and assisted by a representative of their choice at all times when subject to investigation of alleged acts of misconduct. No representative shall be a person who is the subject of the same investigation. Employees shall be granted a reasonable amount of time to obtain such representation prior to any internal investigation or pre-disciplinary hearing.

   Employees' access to representation does not apply to performance based, informal, routine, or unplanned discussions between employees and their supervisors.

   B. Procedures set out in this Policy will be followed by the Department during investigative interviews. Such procedures do not apply to routine, initial inquiries, coaching, counseling, instruction, or direction given to employees by their supervisors.

   Prior to an internal investigative interview, employees will be advised of the following:

      a. The nature of the matter being investigated

b. The specific allegation(s) of misconduct, if any, against the employee being interviewed
c. The date, time, and location of the matter that gave rise to the allegation(s),
d. All rights and obligations pertaining to the *Garrity* rule
e. The employee's access to representation, as provided in Section 2. A. above

The interview will specifically and narrowly focus on the job related conduct of the employee.

C. The Investigator. Persons conducting the interview will not use offensive language or threaten disciplinary action. An employee who refuses to respond to questions or submit to interviews will be informed that failure to answer questions narrowly and directly related to job-related conduct may result in disciplinary action.

Persons conducting the interview shall not be a person with significant personal, first-hand knowledge of the facts giving rise to the investigation.

Except for the Chief of Police, persons making the final disposition in an investigation may not be the person who made the initial allegations(s), either directly or indirectly.

D. Dispositions and Time limits. Employees shall be notified in writing of the final disposition of an investigation, including a disposition of each allegation, and the disciplinary action to be administered, if applicable, within ninety (90) days following the date the Department received the allegations that form the basis of the investigation. An extension may be granted by the Chief. The employee shall be notified in writing of any such extension, the reason for the extension, and the anticipated investigation conclusion date.

In the event an employee is notified that a final disposition of an investigation includes a finding of misconduct which may result in time off without pay, demotion, or termination, a pre-disposition hearing will be held no sooner than fourteen (14) days and no later than thirty (30) days following hand delivery to the employee of notice of the pre-disposition hearing date, time, and location unless

another date for the pre-disposition hearing is otherwise mutually agreed by the employee and the Department.

E. Access and entries into Employee Personnel Files. Employees shall, upon reasonable notice, be provided access to their own individual Internal Affairs files (only after such investigation is completed) or Personnel files.

A document adverse to an employee's employment may not be entered in their Personnel file (which is a file different from and does not include any Internal Affairs files) without the employee having first read and signed the document.

The adverse entry may be made, after the employee reads the document, even if the employee refuses to sign it. The employee's refusal to sign shall be noted on the adverse document. The employee will have fourteen (14) days from the date the employee reads and is asked to sign the adverse document within which to file a written response or comment to any adverse document entered in their personnel file. The employee's written response, if any, shall be attached to and accompany the adverse document but the adverse document shall remain in the Personnel file.

VI. Hours of Service and Overtime

The Fair Labor Standards Act (FLSA) and its regulations outline the Department's legal obligations to pay minimum wages and overtime. Nothing in this Section VI alters the calculation of employee step and grade classification, wage rate, or overtime rate. Compensation for the employee in this Section VI, where applicable, is in addition to the regular step and grade hourly rate of pay that includes any additional hourly compensation due to longevity, language facility, and the like (referred to in this Section VI. as the employee's "hourly base rate").

1. FLSA Work Periods. Sworn police officers shall fall under the FLSA fourteen (14) day, eighty (80) hour work period for overtime consideration.
   All other police department employees shall fall under the FLSA seven (7) day, forty (40) hour work week for overtime compensation.

2. Changes in regular work days off. If the Department fails to give an employee at least fourteen (14) calendar days' prior notice of a change to the employee's regular days off, the Department will pay the employee for all time worked at a rate of one and one-half times the employee's hourly base rate.

3. Changes in Scheduled Hours. If IFPD fails to give employees at least fourteen (14) calendar days' prior notice of a change to the employee's scheduled hours, the Department will pay the employee for all time worked outside the regularly scheduled hours at the rate of one and one-half times the employee's hourly base rate. This Subsection VI.3. applies to **Sworn Police Officers**, **Dispatch employees,** and **Animal Control Enforcement Officers** only.

4. Unscheduled House (Shift Extensions). All approved unscheduled hours worked by employees, such as shift extensions, shall be paid at the rate of one and one-half times the employee's hourly base rate. This Subsection VI.4. applies to **Sworn Police Officers** and **Dispatch employees** only.

5. Grant and Billable Details. An employee who works an extra shift, outside of their regularly scheduled hours pursuant to a grant or billable work detail (such as airport operations, DUI saturation grants, seatbelt enforcement grants, school resource functions, etc.), shall be paid actual hours worked at a rate of one and one-half times the employee's hourly base rate. This Subsection VI.5. applies to **Sworn Police Officers** and **Dispatch employees** only.

6. Compensation for Court/Administrative Proceedings. Employees shall receive compensation for a court or administrative proceeding appearance as a witness subpoenaed by the City, the State of Idaho, the United States or a party to a legal proceeding when the appearance is related to the employee's official duties as follows.

   Court or administrative proceeding appearances made while on-duty shall constitute normal hours of work and will be compensated accordingly.

Employees who are required to attend court or other administrative proceedings in person while off-duty will be paid a minimum of four (4) hours at the rate of one and one-half times the employee's hourly base rate. If the off-duty required personal attendance is for more than four (4) hours, then the employee shall be paid with actual time worked at the rate of one and one-half times the employee's hourly base rate. If the off-duty attendance may be accomplished by telephone or teleconference, the employee will be paid a minimum of two (2) hour at the rate of one and one-half times the employee's hourly base rate.

If the court or other administrative proceeding starts immediately at the end of the employee's regular scheduled work shift or starts before the employee's shift ends and extends past when the employee's shift is scheduled to end, the employee will be paid for the actual time worked past the end of their shift at the rate of one and one-half the employee's hourly base rate.

If the prosecutor or subpoenaing authority does not cancel the employee's appearance request forty-eight (48) hours before the court or administrative hearing is scheduled, the employee will be paid as described in this Section VI. 6, as long as they were physically able to attend the court or administrative hearing on time. It is the employee's responsibility to call the prosecutor or subpoenaing authority not less than forty-eight (48) hours prior to the scheduled court or administrative proceeding to see whether their appearance is still required.

7. Standby. Standby is when an employee's off duty activities are restricted in such a way that they are available for an immediate return to work. Employees who are placed on standby shall be compensated with two (2) hours at the employee's hourly base rate for each twenty-four (24) hour "day" they are on standby status. This Subsection VI.7. applies to **Detectives** only.

8. Callout. Employees who have been released from their scheduled work shift and have been directed to perform work by an appropriate Bureau head or designated representative without at least twenty-four (24) hours advance notice or scheduling shall receive a minimum of two (2) hours compensation at one and one half times the employee's hourly base rate.

Off-duty employees who are directed to perform work at the employee's current physical location shall receive a minimum of one (1) hour compensation at one and one half times their wage rate.

9. Compensatory Time. Employees may request compensatory time off in lieu of pay for overtime, and such compensatory time may be allowed, subject to approval of the Bureau Commander.

   Employees shall not accrue more than one hundred twenty (120) hours of compensatory time. Employees who have accrued one hundred twenty (120) hours of compensatory time off, shall, for additional overtime hours worked, be compensated with pay at one and one half time their regular rate of pay.

   Utilization of compensatory time. Employees may use their compensatory time when staffing is sufficient to take time off. When there is not sufficient staffing to take time off, compensatory time can only be used if there is someone willing to cover the time for the employee. The Department will attempt to find someone willing to cover the time and will not order someone else to work so that an employee can take compensatory time off.

   Employees may cash in up to eighty (80) hours of their accrued compensatory time at the end of each year by notifying the Office of the Chief between April 1 and April 30 and shall be converted in October of the same year.

10. Out of Classification work. When an employee is assigned to work temporarily for forty (40) hours or more at a position in a higher pay classification, the employee shall be compensated as if they had been moved to that higher pay classification but only during the duration of the temporary assignment. The employee will have no expectation that the temporary out of classification assignment is a promotion or is permanent.

VII. Vacation and Holidays

1. Definitions applicable to this Section VII:

Holiday: Any of the eleven (11) official City-observed holidays scheduled each year where the City is closed for normal business operations.

Holiday Substitute Compensation (HSC): Compensation for work performed on all or part of a Holiday, pursuant to this Policy, which is taken by the employee in time off rather than in pay. HSC may be earned and taken by an employee on an hour-by-hour basis up to the full value of that employee's Holiday pay, regardless of whether the employee is scheduled to work a shift of 8, 10, or 12 hours that falls partly or wholly on a Holiday. HSC can be used only when shift staffing levels are above minimum, as solely determined by Management. No employee may carry a balance of more than one-hundred twenty (120) hours of HSC at any time.

Investigations and Special Operations Bureau: A Department Bureau comprised of Major Crimes detectives, Special Investigations Unit detectives, Crime Scene and Lab technician, School Resource officers, DARE officers, Airport officers, SWAT Team selections, Bomb Squad selections, and Crowd Control Team selections.

Seniority: Cumulative time of service in the Police Department, based upon date of hire.

Time on Team Seniority: The cumulative, consecutive time of service in a given Department, Bureau, or subdivision based on the date of assignment to such Department, Bureau, or subdivision.

Sworn Personnel: A sworn police officer

Non-Sworn personnel: An employee of the Police Department who is not a sworn police officer

2. Vacation Time. Vacation time is an important benefit for Police Department employees. Vacation time can help reduce stress and improve employee performance. Employees will accrue vacation at different rates based on years of service and as calculated using the method set out in the City Personnel Manual.

3. Shift Bidding.

a. Patrol Bureau sworn personnel assigned to Patrol Bureau will have the opportunity to bid for use of accrued vacation time annually when the Patrol Bureau shift bid is being

conducted. The shift bid is done by Department Seniority. Each officer will have the opportunity during the shift bidding process to use up to, but no more than their yearly accrual of vacation time. At the conclusion of the shift bidding process and throughout that same calendar year, any vacation time that has carried over from previous years may be used on a first come, first served basis, and only when mandatory minimum staffing requirements are met for those effected shifts.

Lieutenants and Sergeants assigned to the Patrol Bureau will bid for vacation time by Department seniority according to the date of promotion with respect to their rank. This Subsection VII.3.a. applies to the **Patrol Bureau Sworn Police Officers** employees only.

b. Investigations and Special Operations Bureau sworn police officer personnel assigned to the Investigations Bureau will have the opportunity to bid for vacation time annually based on their Time on Team Seniority. Officers assigned to the Investigations Bureau may bid up to, but no more than their yearly accrual of vacation time during this process. At the conclusion of the vacation bid process any vacation time that has carried over from previous years may be used on a first come first served basis according to minimum staffing requirements within the Investigations Bureau.

Lieutenants and Sergeants assigned to the Investigation and Special Operations Bureau will bid for vacation time by Department Seniority according to the date of promotion with respect to their rank. This Subsection VII.3.b. applies to the **Investigation** and **Special Operations Bureau Sworn Police Officers employees** only.

4. Compensation related to a Holiday.
   A. Holiday compensation is due to every employee, whether that employee works on the Holiday or is scheduled to be off on the Holiday, at that employee's customary rate of pay for the Holiday (i.e., as extra day time off duty pay).

B. Holiday compensation shall be applied in any one (1) of the following ways for each Holiday, as applicable:

1. If a Holiday falls on an employee's regular work day and the employee takes the Holiday off, the employee shall receive no additional compensation for that Holiday.
2. If a Holiday falls on an employee's regular, scheduled day off, and the employee does not work on that scheduled day off, the employee will earn only Holiday Substitute Compensation (HSC) and will not earn pay for the Holiday.
3. If a Holiday falls on an employee's regular, scheduled work day and the employee is required to work the Holiday, the employee has the option of HSC and/or pay for the Holiday time worked, in hourly increments and in any combination of HSC or pay chosen by the employee. Such compensation is in addition to the employee's hourly base rate.

VIII. Promotions

Promotions in the Department shall be upon job performance and competitive examinations. All candidates for a promotion must meet the job requirements for the position during the testing cycle. Candidates will not be eligible for promotion until the minimum time requirements for the position have been met. Written examination(s) may be given as often as needed, as determined by the Chief, in order to establish a viable eligibility list. A minimum written test score appropriate for each examination will be determined and announced at least fourteen (14) days prior to the examination date. Notice of openings for promotions shall be posted on the Department of Human Resources web page at least fourteen (14) days prior to the date upon which the written examination for the position shall be conducted. This Subsection VIII applies to **Sworn Police Officers** only.

Tests and consideration for promotional placement may include a written examination, assessment center, and staff evaluations. The methods used and weight to be given grades

in each area utilized will be determined by the Chief and announced at least fourteen (14) days prior to the date upon which the examination is to be given.

Where two (2) or more applicants for promotion receive identical grades, their ranking on the eligible list shall be determined by preference given to employment seniority.

The total number of persons allowed to participate in the Department assessment process shall be determined in advance by the Chief. If there are more applicants than the number of positons available for testing in the assessment process, the candidates receiving the highest written exam scores shall be selected for participation in the assessment.

The finished candidate for promotion ranking will form an eligibility list for promotion to the position and will apply to all current openings existing at the time the list is established. The Chief will select, at the Chief's discretion, from the top three (3) candidates on the promotional eligibility list for a period of one (1) year following the initial promotions. Any promotion(s) made following the initial promotions for openings existing at the time the list is established will be subject to and dependent upon an interview and re-evaluation by the Chief of Police based upon the candidate's then-current performance and any pending internal investigations. At the Chief's sole discretion, the promotional eligibility list may be utilized for promotions for up to one (1) additional year following the expiration of the initial one (1) year period the promotion eligibility was established.

IX. Seniority

Seniority shall be applied as described in Section VII for shift bidding and vacation bidding, and as described in Section VIII for breaking ties in promotions. Seniority shall not be used for any other purpose in this Police Personnel Policy.

X. Grievance Procedure

Purpose.

The purpose of this grievance procedure is to maintain a productive, cooperative, efficient and experienced work force, thereby enhancing the public welfare; to not unjustifiably

terminate or treat employees inappropriately; to afford the City administrative staff and employees opportunity to resolve errors, disputes, without the need for judicial intervention. This grievance procedure is the exclusive procedure to be applied to Department non-probationary sworn officers. All other Department employees shall utilize grievance procedures set out in Section XXIX of the City Personnel Policy Manual.

Grievance Defined.

"Grievance" is any complaint by a regular employee who is subject to this Grievance Procedure and related to the following:

1. A disciplinary action applied to an employee,
2. Action taken by an employee which results in unfair or discriminatory treatment, inequity, or arbitrary or capricious action relative to another employee, based on a legally protected status,
3. Any interpretation or dispute regarding the terms and conditions of this Policy, or
4. Retaliation or recrimination as result of any action by a superior that violates public policy or law.

No Retaliation.

An employee who files a grievance shall be free from restraint, interference, discrimination, or reprisal by the City, its officers or employees, for having filed a grievance.

Privacy.

All documents, records and information generated, compiled or kept in conjunction with a grievance shall be exempt from disclosure to the public to the extent allowed by the Idaho Code (especially Title 74, Chapter 1 commonly known as the "Idaho Public Records Act"). An employee who files a grievance may obtain copies of records related to a grievance pursuant to the Idaho Public Records Act.

Commencing a Grievance.

Every employee is encouraged not to file a grievance until after he or she has made a reasonable effort to resolve the subject matter of the grievance with his or her immediate supervisor or other person against whom the grievance could be filed. Examples of

reasonable effort include: meeting informally with the person(s) affected to discuss the matter; engaging a supervisor to assist in resolving a matter; suggesting a compromise or resolution; self-assessment; reviewing a policy with a peer or supervisor to clarify expectations.

A grievance shall be commenced by filing the grievance with the Chief of Police. Such grievance shall be in writing and shall contain the following:

1. The name and job classification of the grievant;
2. The date of the alleged action(s) or omission(s) which form the basis of the grievance;
3. A statement of the facts, materials, and arguments supporting the grievance;
4. A list of all articles, sections, or rules of the Department, City policy, or law which are alleged to have been violated; and
5. The remedy or resolution sought.

Failure of the City to comply with the time limits specified in this grievance process shall automatically and immediately advance the grievance to the next Step in the grievance process. Failure of a grievant to comply with the time limits specified in this grievance policy automatically and immediately results in the denial of the grievance.

The time limits herein stated may be extended only by prior written mutual agreement of the parties.

Grievance Process:

Step 1. Chief's review. The grievance process shall be initiated by submitting the written grievance to the Chief of Police within fourteen (14) days following the disputed grieved action or inaction or the date that the employee knew or should have known of the action or inaction, whichever is earlier. This requirement is meant to encourage prompt reporting and resolution of the matter grieved.

Within fourteen (14) days following the Chief's receipt of the written grievance, the Chief shall meet with the grievant (and his or her representative, if requested) to discuss the grievance. The Chief shall provide a written response to the grievant within fourteen (14) days following such meeting.

Step 2. Mayor's review. If the grievant does not agree with the Chief's response in Step 1, the grievance may be submitted by the grievant to the Mayor within fourteen (14) days following the Chief's response.

Within fourteen (14) days following receipt of the grievance and materials from Step 1, the Mayor shall provide a written response to the grievant.

Step 3. Independent Review. If the grievant does not agree with the Mayor's response in Step 2, the grievance may be submitted for independent third-party review in the following manner:

Within twenty one (21) days following the grievant's receipt of the Mayor's response in Step 2, the grievant shall deliver a written request for independent review to the City Human Resources (HR) Director. The grievant and the HR Director shall meet to select an independent reviewer from a list of qualified reviewers within fourteen (14) days following the receipt of the demand from the grievant for such review.

The HR Director shall maintain a list of not less than five (5) qualified independent reviewers. If the parties are unable to agree upon an independent reviewer, the HR Director and grievant shall alternately strike a name from the list (the first to strike a name shall be determined by coin flip) until the name of only one (1) individual from the list remains. The remaining person shall be the independent reviewer for the grievance.

The independent reviewer shall be selected and engaged within fourteen (14) days following a meeting between the grievant and HR Director to select a reviewer. The review will commence within fourteen (14) days following the reviewer's receipt of grievance material provided by the HR Director. The failure of the reviewer to commence and to complete review within the time periods established shall result in selection of a new reviewer, who will proceed with the process outlined in this Step 3 until a review is completed.

The scope of review by the independent reviewer in Step 3 shall be limited to whether the action taken against the grievant was or resulted in something unfair, discriminatory, inequitable, arbitrary, or capricious, based upon 1. a legally protected status, or 2. whether any Department or City policy was vague, subject to misinterpretation, or erroneously or wrongly applied to the grievant. The reviewer shall have no authority to rule contrary to,

expand upon, or eliminate any terms or conditions of a Department policy or City Personnel policy.

The grievant and the City may submit materials and/or testimony in support of their relative positions, the weight, materiality, and persuasiveness of which shall be determined solely by the reviewer. The reviewer may request additional information or clarification of any party or person and may independently research the matter; however, the reviewer shall have no authority to compel production of any information nor have the authority to compel the presence or testimony of any person. The reviewer shall not attribute any adverse motive or inference to materials not proffered by the grievant or the City.

The reviewer shall be requested to provide the parties with a written statement of relevant criteria and standards and a decision justifying the reviewer's decision regarding the grievance within thirty (30) days of commencement of the review.

An informal group comprised of the Chief of Police, a representative from the HR Department and a representative from the City Attorney's office will meet to confer about the reviewer's decision within fourteen (14) days following the City's receipt of the decision (to consider it and to take action, if any, deemed appropriate).

XI. Boot and Uniform Cleaning Allowance

All Department employees who are required by the Chief to maintain and be in an official Department uniform as part of their employment shall receive four hundred fifty dollars ($450) annually to be paid on the first pay period of July, if employed on such date. This Subsection XI applies to **Sworn Police Officers**, **Animal Control**, and **Parking Enforcement employees** only.

XII. Career Path

Subject to approval and funding by the Council, the Department will develop and promote a Career Path Program whose purpose is to develop highly motivated, educated and skilled non-probationary Police Officers, Sergeants, Lieutenants, and Captains. This Program is intended to encourage and reward these employees for improving and expanding their law enforcement skills. The Career Path Program will be designed to be available to participants who have received an overall acceptable or better on their two (2) most recent performance evaluations. The Career Path Program will be proposed to consist of four (4) categories of

achievement: education, leadership academy, physical fitness, and skills. This Subsection XII applies to **Sworn Police Officers** only.

IDAHO FALLS

MEMORANDUM

FROM: Pam Alexander, Municipal Services Director

DATE: Wednesday, August 5, 2020

RE: Quote 20-035, Phase II - 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 $67,292.15 or take other action deemed appropriate.

Description, Background Information & Purpose

This contract will provide construction for additional fiber huts to house residential fiber. *Additional Background*: On 23 July, Idaho Falls Power received notification from DePatco that they had entered into an agreement for the sale of DePatco to Sunroc Corporation. That sale became effective as of 7 August. DePatco has submitted a consent to the assignment and delegation of the contract to Sunroc Corporation which underscores their commitment to ensuring the completion of the project as quoted.

Relevant PBB Results & Department Strategic Plan

☐ ☐ ☒ ☐ ☐ ☐ ☐ ☐

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

Quotes were solicited by Idaho Falls Power.

Fiscal Impact

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

Legal Review

Legal has reviewed the quote process and the assignment and delegation agreement to Sunroc Corporation. Legal concurs that the desired Council action is within State Statute.

DEPATCO

July 23, 2020

City of Idaho Falls
P.O. Box 50220
Idaho Falls, ID 83405

Re: Consent to assignment of 2020 IF Fiber Huts by and between DePatco, Inc., an Idaho corporation and City of Idaho Falls

Dear Jason Cooper

DePatco has entered into an agreement to sell and assign substantially all of its assets to Sunroc Corporation, a Utah corporation. The Agreement, referenced above, is included in the assets that DePatco, Inc wishes to assign to Sunroc Corporation. Under the provisions of the Agreement, the assignment of the Agreement requires the consent of the City of Idaho Falls.

By this letter, DePatco is providing notice of, and is requesting the consent of City of Idaho Falls to, the assignment and delegation of the Agreement to Sunroc Corporation, effective as of the closing of the transaction, which we currently anticipate will occur on or prior to July 31, 2020. As the assignee of the Agreement, Sunroc Corporation will be responsible for the performance of the obligations of DePatco under the Agreement that arise following the Closing.

By countersigning this letter in the space provided below, City of Idaho Falls is consenting to the assignment to, and assumption by, Sunroc Corporation, confirming that the Agreement is in full force and effect, and that DePatco is currently not in breach or default under the Agreement, confirming that no breach or default will arise from the assignment of the Agreement or the consummation of the transaction, and that the Agreement will continue in full force and effect following the Closing, and waiving any requirement under the Agreement or otherwise for DePatco or Sunroc Corporation to provide you with notice of the consummation of the transaction.

If you are in agreement, kindly return a countersigned copy of this letter addressed to the attention of Greg Stoddard by email to greg@depatco.com or tammis@depatco.com. You should retain a duplicate of this letter for your records. Your attention to this matter as soon as possible, and in any event no later than July 28, 2020, will be greatly appreciated.

If you have any questions concerning this matter, please contact Greg Stoddard at 208-313-7624.

Sincerely,

Greg Stoddard
President of DePatco, Inc.

(208) 458-4000 (208) 458-4043fax
www.depatco.com
497 N. Capital Avenue, Idaho Falls 83402

AGREED TO AND ACKNOWLEDGED AND ACCEPTED BY:

_____

By: _____

Name: _____

Title: _____

(208) 458-4000 (208) 458-4043fax
www.depatco.com
497 N. Capital Avenue, Idaho Falls 83402

Quote 20-035 Tabulation

Contractor	DePatco		HK		3H		Knife River		TMC	
					No Response		No Response		No Response	
Hut Site 8-York Road	Sub Total	$10,002.35	Sub Total	$13,755.00	Sub Total				Sub Total	
Hut Site 6-Community Park	Sub Total	$13,310.10	Sub Total	$15,931.00	Sub Total				Sub Total	
Hut Site 9-Temple View Substation	Sub Total	$9,521.10	Sub Total	$12,977.00	Sub Total				Sub Total	
Hut Site 15-Sugarmill Substation	Sub Total	$15,025.60	Sub Total	$19,886.00	Sub Total				Sub Total	
Hut Site 16-Anderson Substation	Sub Total	$19,433.00	Sub Total	$22,915.00	Sub Total				Sub Total	
	Bid Total	$67,292.15	Bid Total	$85,464.00	Bid Total				Bid Total	

IDAHO FALLS

MEMORANDUM

FROM: Pam Alexander, Municipal Services Director

DATE: Monday, August 3, 2020

RE: Public Hearing for the Proposed Fees for Fiscal Year 2020/21

Council Action Desired

☐ Ordinance ☐ Resolution ☒ Public Hearing

☒ Other Action (Approval, Authorization, Ratification, etc)

Municipal Services respectfully requests that the Mayor and Council conduct a public hearing for the proposed 2020/21 fee schedule and approve the corresponding resolution. The Public Hearing has been scheduled for Thursday, August 13, 2020 at 7:30 pm in the City Council Chambers of the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho.

Description, Background Information & Purpose

The Hearing is required pursuant to Idaho Code §50-1002. The Notice of Public Hearing for the 2020/21 fiscal year proposed fee schedule was published on Sunday, August 2, 2020 and Sunday, August 9, 2020.

Relevant PBB Results & Department Strategic Plan

☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐

These actions are in support of the good governance community-oriented result by fostering innovative and sound fiscal management and enabling public trust and transparency.

Interdepartmental Coordination

All City departments have participated in the 2020/21 fiscal year budget and fee setting process.

Fiscal Impact

Approval of the proposed 2020/21 fee resolution sets the maximum fees for the fiscal year beginning October 1.

Legal Review

Legal concurs this action is within Idaho Codes §50-1002.

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A SCHEDULE OF REVISED FEES FOR SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY CITY CODE; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Council has determined that the revised and new fees included in this Resolution are appropriate and are reasonably related to the purpose for which such fees are charged; and,

WHEREAS, a public hearing was held pursuant to Idaho Code § 63-1311A after which the Council considered input given by the public; and,

WHEREAS, the Council, by this Resolution, desires to amend and update only those fees and charges contained in the Attachment to this Resolution, while continuing and approving of other fees lawfully charged by the City that are contained elsewhere and not within the Attachment to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, AS FOLLOWS:

1. That the fees set forth in Idaho Falls Fee Schedule – October 2020, "Exhibit A" attached hereto and made a part hereof, be in force and effect in matters relating to fees on October 1, 2020.

2. That this Resolution amends all previous Resolutions and Ordinances regarding fees charged by the City concerning the fees that are contained in this Resolution;

3. That any Resolution or provision thereof that is inconsistent with this Resolution is hereby repealed.

ADOPTED and effective this ____ day of _____, 2020.

CITY OF IDAHO FALLS, IDAHO

_____
Rebecca L. Noah Casper, Mayor

ATTEST:

_____
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Resolution entitled, "A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A SCHEDULE OF REVISED FEES FOR SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY CITY CODE; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW."

_____
Kathy Hampton, City Clerk

(SEAL)

EXHIBIT ‘A’

CITY OF IDAHO FALLS

FEE SCHEDULE

Airport Department 2
Community Development Services Department 2
Fire Department 9
Idaho Falls Power 10
Electrical Service Fees 10
Public Fiber Optic Network Fees 12
Library 13
Municipal Services Department 15
Parks and Recreation Fees 20
Police Department 34
Public Works Department 35
Engineering Division Fees 35
Sanitation Division Service Fees 35
Street Division Fees 36
Wastewater Division Service Fees 37
Water Division Service Fees 39
Utility Delinquent Account Fee ..... **Error! Bookmark not defined.**

AIRPORT DEPARTMENT

1. Landing Fee	Up to $1.35 per 1,000 pound gross weight, depended upon total annual landing weight
2. Fuel Flowage Fee	$0.07 per each gallon of aviation fuel dispensed into any general aviation aircraft
3. Passenger Facility Charge	$4.50
4. Customer Facility Charge, On-Airport Car Rental Companies	$2.50 per transaction, per day
5. Commercial Passenger Enplanement Charge	Up to $4.50 per passenger, depended upon total annual enplanements

COMMUNITY DEVELOPMENT SERVICES DEPARTMENT

1. Erosion Control	
a. Initial Erosion Control Contractors Certificate	$50
b. Erosion Control Contractors Certificate Renewal	$25
c. Erosion Control Plan Permit – Plans less than One Acre	$50
d. Erosion Control Plan Permit – Plans One Acre or More	$100
2. Print and Digital Data Costs	
a. Paper	
i. Zoning Map – 36” X 50”	$6
ii. Street Map – 36” X 36”	$5
iii. Street Map – 24” X 24”	$3
iv. Subdivision Map – 42” X 36”	$5
v. Aerial Map – 36” X 48”	$12
vi. Aerial Map – 36” X 36”	$9
vii. Aerial Map – 24” X 36”	$6
viii. Print (Per Print More than 5) – 8.5” X 11” or 8.5” X 14”	$0.50
ix. Print (Per Print More than 5) – 11” X 17”	$1
x. Custom Size Print	$0.50 per Square Foot
xi. Custom Size Aerial Print	$1 per Square Foot
b. Mylar	
i. Custom Size Print	$1 per Square Foot
ii. Custom Size Aerial Print	$2 per Square Foot
c. Digital Data	
i. CD	$1 per Disk
ii. DVD	$2 per Disk
d. Shipping and Handling (US Postal Service)	
i. Envelope	$2

ii. CD-Mailer	$2
iii. Map Tube	$10
3. Subdivision Fees	
a. Site plan review and processing (review of civil site plans other than single-family residence)	$300
b. Site plan resubmittal (review of civil site plans not completed after 3 reviews)	$100
c. Preliminary Plat Review and Processing Fee (review of preliminary plats)	$500
d. Preliminary plat resubmittal (review of preliminary plats not completed after 3 reviews)	$150
e. Final Plat Review and Processing (review of final plats)	$500 + $15 per lot
f. Final plat resubmittal (review of final plats not completed after 3 reviews)	$150 + $5 per lot
g. Zoning compliance report (researching historical land uses of properties)	$50
h. Advertising fee (fee to cover cost of legal advertisement for public hearings)	$50
i. Improvement drawings review and processing (review of improvement drawings)	$350
j. Improvement drawings resubmittal (review of improvement drawings not completed after 3 reviews)	$150
k. Utility reviews – non-franchise (review of non-franchise utility improvement plans)	$20
l. Iona Bonneville Sewer District reviews (review of sewer improvement drawings with Sewer District)	$50
m. Vacation (Review and processing of applications to vacate right-of-way, easements, and other public utilities)	$350
n. n. Appeals (Appeal decisions by Board or Adjustment or Planning Commission)	$150
4. Annexation Fees	
a. Bridge and Arterial Streets Fee	$100 per required parking space
b. Surface draining fee per square foot of assessable land	$ 0.0075
5. Application Fees	
a. Variance Application	$350
b. Rezoning Application	$550
c. Planned Transition Zone Application	$550
d. Comprehensive Plan Amendment	$250
e. Conditional Use Permit (Either Planning Commission or City Council)	$225
f. Conditional Use Permit (Both Planning Commission and City Council)	$325
g.	
h. Planned Unit Development	$300
6. Residential Building Permit Fee Valuation Table	
Valuation Range	
$1 to $499	$30.18
$500 to $999	$67.31
$1,000 to $9,999	$132.42

$10,000 to $19,999	$164.97
$20,000 to $29,999	$197.53
$30,000 to $39,999	$230.09
$40,000 to 49,999	$262.65
$50,000 to $ 59,999	$295.21
$60,000 to $69,999	$327.77
$70,000 to $79,999	$360.32
$80,000 to $89,999	$392.88
$90,000 to $99,999	$425.44
$100,000 to $104,999	$458.00
$105,000 to $109,999	$490.56
$110,000 to $114,999	$523.11
$115,000 to $119,999	$555.67
$120,000 to $124,999	$588.23
$125,000 to $129,999	$620.79
$130,000 to $134,999	$653.35
$135,000 to $139,999	$685.91
$140,000 to $144,999	$718.45
$145,000 to $149,999	$751.01
$150,000 to $154,999	$783.57
$155,000 to $159.999	$816.13
$160,000 to $164,999	$848.69
$165,000 to $169,999	$881.24
$170,000 to $174,999	$913.80
$175,000 to $179,999	$946.36
$180,000 to $184,999	$987.06
$185,000 to $189,999	$1012.06
$190,000 to $194,999	$1037.05
$195,000 to $199,999	$1062.04
$200,000 to $204,999	$1087.02
$205,000 to $209,999	$1112.01
$210,000 to $214,999	$1137.00
$215,000 to $219,999	$1162.00
$220,000 to $224,999	$1186.99
$225,000 to $229,999	$1211.98
$230,000 to $234,999	$1236.97
$235,000 to $239,999	$1261.95
$240,000 to $244,999	$1286.95
$245,000 to $249,999	$1311.94
$250,000 to $254,999	$1336.93
$255,000 to $259,999	$1361.92
$260,000 to $264,999	$1386.91
$265,000 to $269,999	$1411.91
$270,000 to $274,999	$1436.90
$275,000 to $279,999	$1461.88
$280,000 to $284,999	$1486.87
$285,000 to $289,999	$1511.86

$290,000 to $294,999	$1536.85
$295,000 to $299,999	$1561.85
$300,000 to $304,999	$1586.84
$305,000 to $309,999	$1611.83
$310,000 to $314,999	$1636.81
$315,000 to $319,999	$1661.80
$320,000 to $324,999	$1686.80
$325,000 to $329,999	$1711.79
$330,000 to $334,999	$1736.78
$335,000 to $339,999	$1761.77
$340,000 to $344,999	$1786.76
$345,000 to $349,999	$1811.74
$350,000 to $354,999	$1836.74
$355,000 to $359,999	$1861.73
$360,000 to $364,999	$1886.72
$365,000 to $369,999	$1911.71
$370,000 to $374,999	$1936.70
$375,000 to $379,999	$1961.70
$380,000 to $384,999	$1986.68
$385,000 to $389,999	$2011.67
$390,000 to $394,999	$2036.66
$395,000 to $399,999	$2061.65
$400,000 to $404,999	$2086.65
$405,000 to $409,999	$2111.64
$410,000 to $414,999	$2136.63
$415,000 to $419,999	$2161.61
$420,000 to $424,999	$2186.60
$425,000 to $429,999	$2211.59
$430,000 to $434,999	$2236.59
$435,000 to $439,999	$2261.58
$440,000 to $444,999	$2286.57
$445,000 to $449,999	$2311.56
$450,000 to $454,999	$2336.54
$455,000 to $459,999	$2361.54
$460,000 to $464,999	$2386.53
$465,000 to $469,999	$2411.52
$470,000 to $474,999	$2436.51
$475,000 to $479,999	$2462.60
$480,000 to $484,999	$2486.50
$485,000 to $489,999	$2511.48
$490,000 to $494,999	$2536.47
$495,000 to $499,999	$2561.46
$500,000 to $1,000,000	$2,865.25 for the first $500,000 valuation, plus $4.10 for each additional $1,000 or

	fraction thereof
$1,000,001 to Beyond	$4,972.74 for the first $1,000,000 valuation, plus $2.67 for each additional $1,000 or fraction thereof
7. Commercial Building Permit Fees Valuation Table:	
Valuation Table	
Total Valuation up to $800	$30.18
Total Valuation up to $900	$32.41
Total Valuation up to $1,000	$34.89
Total Valuation up to $1,100	$37.39
Total Valuation up to $1,200	$39.89
Total Valuation up to $1,300	$44.87
Total Valuation up to $1,400	$44.87
Total Valuation up to $1,500	$47.36
Total Valuation up to $3,000	$82.04
Total Valuation up to $4,000	$88.48
Total Valuation up to $5,000	$107.55
Total Valuation up to $6,000	$113.41
Total Valuation up to $7,000	$127.13
Total Valuation up to $8,000	$139.59
Total Valuation up to $9,000	$150.80
Total Valuation up to $10,000	$164.52
Total Valuation up to $11,000	$176.98
Total Valuation up to $12,000	$189.44
Total Valuation up to $13,000	$201.91
Total Valuation up to $14,000	$214.37
Total Valuation up to $15,000	$226.47
Total Valuation up to $16,000	$240.54
Total Valuation up to $17,000	$253.00
Total Valuation up to $18,000	$266.71
Total Valuation up to $19,000	$277.93
Total Valuation up to $20,000	$290.39
Total Valuation up to $21,000	$304.10
Total Valuation up to $22,000	$316.56
Total Valuation up to $23,000	$327.78
Total Valuation up to $24,000	$341.48
Total Valuation up to $30,000	$398.82
Total Valuation up to $31,000	$407.54
Total Valuation up to $32,000	$415.02
Total Valuation up to $33,000	$426.24
Total Valuation up to $34,000	$434.96
Total Valuation up to $35,000	$444.93

Total Valuation up to $36,000	$452.41
Total Valuation up to $37,000	$461.13
Total Valuation up to $38,000	$472.35
Total Valuation up to $39,000	$481.07
Total Valuation up to $40,000	$488.55
Total Valuation up to $41,000	$499.76
Total Valuation up to $42,000	$508.49
Total Valuation up to $43,000	$517.22
Total Valuation up to $44,000	$527.19
Total Valuation up to $45,000	$535.91
Total Valuation up to $46,000	$544.63
Total Valuation up to $47,000	$554.61
Total Valuation up to $48,000	$563.33
Total Valuation up to $49,000	$572.06
Total Valuation up to $50,000	$582.02
For total valuation between $50,001 and $100,000	$582.02 for the first $50,000 valuation, plus $6.40 for each additional $1,000 or fraction thereof
For total valuation between $100,001 and $400,000	$947.12 for the first $100,000 valuation, plus $4.91 for each additional $1,000 or fraction thereof
For total valuation between $500,001 and $1,000,000	$3,005.64 for the first $500,000 valuation, plus $4.19 for each additional $1,000 or fraction thereof
For total valuation of $1,000,000 and beyond	$4,972.73 for the first $1,000,000 valuation, plus $2.67 for each additional $1,000 or fraction thereof
8. Plan Check Fee	
a. Residential Plan Check	10% of the permit valuation
b. Commercial Plan Check	65% of the permit valuation
9. New Residential Buildings and Additions Valuation Multiples	
a. Dwelling Unit Valuation	$90 per Sq. ft
b. Finished Basement Total Valuation	$25 per Sq. ft.
c. Unfinished Basement/Wood Frame Garage	$15 per Sq. Ft
10. Commercial Permits Fees:	
a. Commercial Electrical Wiring Permit	1.5% of first $20,000 of wiring costs, plus 0.75% of wiring costs in excess of $20,000 (Wiring

	Costs include the total costs of any and all equipment, materials, and labor for installation governed by the National Electrical Code.
b. Commercial Mechanical Permits	1.5% of the first $20,000 plus $0.75% of amounts over $20,000 of bid amount. The bid amount includes total costs of all equipment, materials, and labor for installation governed by the Uniform Mechanical Code.
c. Commercial Plumbing Permit Fees	1.5% of first $20,000 plus 0.75% of amounts over $20,000 of bid amount. The bid amount includes total costs of all equipment, materials, and labor for installation governed by the Uniform Plumbing Code.
d. Commercial Re-Roofing Permit Fee	1% of first $20,000 of roofing costs, plus .79% of the costs in excess of $20,000 (Maximum Fee $3,000)
11. Residential Permit Fees:	
a. Residential Electrical Permits	$5.85 for each electrical service
b. Residential Mechanical Permit Issuance	$5.10 Unit Fee per installation
c. Residential Plumbing Permit Fees:	
i. Unit Fee for each Plumbing	$5.10 Unit Fee per installation
ii. Unit Fee for each Gas Piping System	$5.10 Unit Fee per installation
d. Residential Re-Roofing Permit	1% of valuation; Minimum fee of $30.18 Maximum fee of $110
e. Signs, Outline Lighting Systems or Marquees:	
i. Non Electric Sign	$65
ii. Electric Sign	$95
iii. Structural Review if over 30 feet	$35
iv. Billboard	$155
v. LED Message Center	$155
12. Other Inspections and Fees (covers residential and commercial buildings, plumbing, mechanical, and electrical):	
a. Permit Issuance Fee (For Issuing Each Permit)	$30.18
b. Inspections outside of normal business hours (Minimum 2 hour charge)	$70 per hour or hourly cost to City, whichever is greatest

c. Re-inspection Fees (Section 305.8)	$70 per hour hourly cost to City, whichever is greatest
d. Inspection for which no fee is specifically indicated (minimum one-half hour charge)	$70 per hour hourly cost to City, whichever is greatest
e. Additional plan review required by changes, additions, or revisions to plan (minimum one-half hour charge)	$35 per hour hourly cost to City, whichever is greatest
f. Residential Combination Mechanical Electrical Plumbing (MEP)	$0.08 per sq ft. total
g. Residential Combination Energy Code	$55
h. Code Enforcement Violations	
i. First Offense	$35
ii. Second Offense, within 1 year of a prior violation	$75
iii. Third Offense, and any subsequent offense, within 1 year of a prior violation	$150
iv. Appeal code violation to BOA	$150
i. Work Commencing before permit fee paid	$125
13. Parklet Lease - Fee for leasing on-street parking for a parklet	$1200 per year per stall
14. Temporary On-Street Construction Parking Permits	
a. Temporary On-Street Construction Parking Permit (Downtown-Daily)	$10 per day
b. Temporary On-Street Construction Parking Permit (Downtown-Monthly)	$62 per month

FIRE DEPARTMENT

1. International Fire Code Permits and Fees:	
a. Operational Permit Fee	$70
b. Construction Permit Fee	$70
c. Fine for Failure to Comply with Stop Work Order	$300
d. Life Safety License	$125
e. Violation of License Requirement Fine	$300
f. Site Plan Review	$70
g. Structural Plan Review Fees	16% of Building Permit Valuation
h. Fire Alarm Plan Review Fee	$70 or $4 per device, whichever is greater
i. Additional acceptance test field inspections	$70
j. Fire Sprinkler System Review Fees	$140 + $2.25 a head
k. Fire Pump Review Fee	$140
l. Alarm Response Fee	Maximum $150
m. Mitigation Reimbursement Fees	Posted fee schedule
2. Other Inspection and Fees	
a. Inspections outside of normal business hours (minimum 2 hour charge)	$70 per hour or hourly cost to City, whichever is greatest
b. Re-inspection Fees	$70 per hour or hourly cost to City, whichever is greatest

c. General inspection fee (including, additional plan review required by changes, additions, or revisions to plan) (minimum one-half hour charge)	$70 per hour or hourly cost to City, whichever is greatest
d. Target Hazard Operational Permits	$70 per hour, 1 hour minimum for inspection
e. Commercial Hood Inspection	$70
f. Business and Property (Inspection, Safety, and Protection) License	$40
3. Firework Licensing:	
a. Consumer Fireworks Permit Application Fee	$70
b. Consumer Fireworks Wholesale Permit Fee	$140
4. Ambulance Service:	
a. Advanced Life Support	
i. Non-Emergency	$670
ii. Resident	$ 830
iii. Non-Resident	$ 1,062
iv. BLS Non-Emergency	$ 437
v. BLS Emergency – In District	$ 707
vi. BLS Emergency – Out of District	$ 933
vii. ALS-2	$ 1,196
viii. Critical Care	$ 1415
b. Mileage:	
i. BLS Mileage and ALS Mileage – Resident	$ 14.28
ii. BLS Mileage and ALS Mileage – Non-Resident	$ 17.84
c. Treat and Release:	
i. Basic Evaluate/Treat No Transport	$195
ii.	
iii. BLS Emergency, no transport	$325
iv. ALS Emergency, no transport	$375
d. Ambulance Waiting Time	$165 per hour
e. Standby	$150 per hour
f. Empty return leg fee	$ 160/hr, 1 hour minimum, Standard mileage rate for non-patient transport.
g. Single Resource with Medical Kit	$80 per hour

IDAHO FALLS POWER

ELECTRICAL SERVICE FEES

1. Meter Service Installation Fee	$50
2. Meter Accuracy Test	$50
3. AMI Opt Out – Monthly Charge	$6.56
4. Tampering Reconnection Fee	$200
5. Disconnect and Reconnection Fees -	
a. Residential – Disconnect Fee	$25

b. Non-Residential Electric Disconnect Fee	$50
c. Non-Residential Electric Reconnect Fee	$50
6. Short-term suspension of Electric Service (Vacant for a minimum of 3 weeks or 21 calendar days, but not more than 6 months or 180 calendar days.)	
a. Non remote suspension	$50
b. Remote suspension	No Charge
7. Line Extension for Single Family Home (per lot)	$1,500
8. Line Extension for Multi-Family Housing (per family unit)	$600
9. Line Extension for Commercial	Actual Cost
10. High Density Load Continuous Service Distribution Connection	Projected rationed cost of future distribution line & substation based upon customer peak KW
11. High Density Load Credit Risk Deposit	Higher of projected or actual three months bills
12. Secondary Service Connection (per Service)	$100
13. Commercial Rate – Base Energy Charge	
a. Base Energy Charge	$0.039 per KWH
b. Power Cost Adjustment	($0.002) per KWH
c. Demand Charge	$ 9 per KW for all KW, with a minimum demand charge of $26 per month
14. Net Metering Commercial Rate	
a. Base Energy Charge	$0.039 per KWH
b. Power Cost Adjustment	($0.002) per KWH
c. Demand Charge	$ 9 per KW for all KW, with a minimum demand charge of $26 a month
d. Energy Credit	Heavy Load Mid-Columbia index price per KWH
15. Industrial Rate	
a. Energy Charge	$0.039 per KWH
b. Power Cost Adjustment	($0.002) per KWH
c. Demand Charge	$7.25 per KW for all KW
16. High Density Load Rate	
a. Energy Charge	$0.039 per KWH
b. Demand Charge	$ 9 per KW for all KW
17. Economic Development Rate (> 1 MW)	Negotiated Rate
18. Residential Energy	
a. Base Energy Charges	$0.0625 per KWH
b. Monthly Service Charge	$18
c. Power Cost Adjustment	($0.002) per KWH
19. Transfer Customers Revenue Buyout Surcharges	Service specific proportion of half of the Non-Asset Buyout Cost. Paid over 36 month to 60 months based

	upon RMP & IFP rate difference.
20. Surge Arrestor – Residential	$4 per month
21. Surge Arrestor – Commercial	$7 per month
22. Net Metering Residential Rate	
a. Monthly Charge	$18
b. Base Energy Charge	$0.0625 per KWH
c. Power Cost Adjustment	($0.002)
d. Energy Credit	Heavy Load Mid-Columbia index price per KWH
23. City Street Light Energy Charge	$0.0725 per KWH
24. Security Lighting– Monthly Rate	$20
25. EV Charging Station	$20 per month
26. Temporary or Construction Electric Rate	
a. Base Energy Charge	$0.0625 per KWH
b. Monthly Service Charge	$25
c. Temporary Service Installation Charge	One time charge of $150. An additional $750 if a transformer is required.
27. Large Power Temporary Construction Rate	
a. Base Energy Charge	$0.039 per KWH
b. Demand Charge	$9 per KW for all KW
c. Installation Charge	$1,000 per transformer plus labor and material
28. Un-metered Distributed Communication Equipment & Small Wireless Facilities (SWF) Charge	Monthly charge per site based upon IFP estimated consumption and demand
29. Small Wireless Facilities (SWF)	
a. Monthly Attachment Fee	$22.50
b. Small Wireless Facilities (SWF) Site Application Fee	$500 (up to 5 sites) $100 each additional on single application
c. Un-metered Distributed Communication Equipment & Small Wireless Facilities (SWF) Charge	Monthly charge per site based upon IFP estimated consumption and demand
d. Small Wireless Facilities (SWF) new poles	Per IFP Existing Line Extension Fee Policy
30. Joint use on poles application charge	$100.00 per application & $10.00 per pole

PUBLIC UNLIT FIBER OPTIC NETWORK FEES

1. Fiber Optic Disconnection Fee	Estimated Actual Costs
2. Subsequent Disconnection Fee within 12 Months of Prior Disconnection	Estimated Actual Costs
3. Backbone Service Fee, per single pair fiber, per month	$1,450
4. Construction Costs	Estimated Actual Costs
5. Monthly Distribution Access Fee	$25

6. Monthly Point to Point first 36 months	Estimated Actual Costs Amortized
7. Monthly Point to Point Maintenance post 36 months per pair	$25 Per Mile

PUBLIC OPEN ACCESS FIBER OPTIC NETWORK FEES

1. New Service Provider Setup	$5,000
2. Monthly Provider Network Access after 2,000 network customers	$1,000
3. Provider Network to Network Interface (NNI)	Included depending on customer counts
4. 100 Mbps Business	$27.00
5. 250 Mbps Business	$40.00
6. 500 Mbps Business	$60.00
7. 1 Gbps Business	$80.00
8. 2 Gbps Business	$160.00
9. 10 Gbps Business	$800.00
10. Dedicated Circuit with VLAN	$50.00
11. Non-parade route installation	Actual Costs
12. Early Network Termination prior to 6 months – Business	$500.00
13. Early Network Termination prior to 12 months – Business	$250.00
14. Modify Provisioning	$5.00
15. New Provisioning – Business	$35.00
16. 100 Mbps Business – Monthly Customer Network Connection	$30.00
17. 250 Mbps + Business – Monthly Customer Network Connection	$40.00
18. 250 Mbps Residential	$23.00
19. 1 Gbps Residential	$27.00
20. 10 Gbps Residential	$100.00
21. Residential Monthly Customer Network Connection	$25.00
22. MDU Monthly Customer Network Connection	$12.50
23. Network repair customer caused	Actual costs
24. Transfer Provider	$35.00

LIBRARY

1. Overdue Fine	$0.10 per day per item
2. Maximum Overdue Fine	$5 per item
3. Lost Item	Original retail cost or library's replacement cost, whichever is less
4. Lost or Damaged Barcode	$1
5. Lost or Damaged RFID Tag	$1
6. Lost or Damaged Jacket Cover	$2
7. Lost or Damaged DVD Out of Set	$19 per DVD if able to be ordered separately otherwise

	must pay the cost to replace entire set
8. Lost or Damaged CD Out of Set	$10 per CD if able to be ordered separately otherwise must pay the cost to replace entire set
9. Lost or Damaged Cassette Out of Set	$10 per cassette if able to be ordered separately otherwise must pay the cost to replace entire set
10. Lost or Damaged Artwork on CD or DVD	$2
11. Lost or Damaged Case for CD or DVD	
a. 1 to 14 sleeves	$7
b. 16-30 sleeves	$11
c. CD/DVD/VHS case single	$2
d. Cassette Case	$3
12. DVD or CD cleaning	$2 per cleaning
13. Torn Page in Book	$2
14. Lost or Damaged Spine Label	$1
15. Lost Individual Booklet from an Easy Reader Set	$5
16. Lost or Damaged Magazine	Cover Price of the Magazine, no Processing Fee Assessed
17.	
18. Non-Resident Card Fee	$120
19. Inter-Library Loan	$10
20. Meeting Rooms:	
a. Bonneville County Non-Business Groups	$15 first hour, $10 each hour or part thereof after
b. All Other Groups	$40 first hour, $20 each hour or part thereof after
c. Cleaning Fee	Actual cost to clean and repair the room (Maximum fee of $50)
d. Non-Refundable Food Fee	$50
21. Copies and Printing	
a. Black and White	
i. One sided 8.5 by 11 inch copy	$0.10 per page
ii. Two sided 8.5 by 11 inch copy	$0.25 per page
iii. One sided 8.5 by 14 inch copy	$0.15 per page
iv. Two sided 8.5 by 14 inch copy	$0.30 per page
v. One sided 11 by 14 inch copy	$0.20 per page
vi. Two sided 11 by 14 inch copy	$0.40 per page
b. Color	
i. One sided 8.5 by 11 inch copy	$0.25 per page
ii. Two sided 8.5 by 11 inch copy	$0.50 per page
iii. One sided 8.5 by 14 inch copy	$0.30 per page
iv. Two sided 8.5 by 14 inch copy	$0.60 per page
v. One sided 11 by 14 inch copy	$0.50 per page
vi. Two sided 11 by 14 inch copy	$1 per page

c. 3d Printing	$0.25 per gram
22. Obituary look up on microfilm	$5 per obituary

MUNICIPAL SERVICES DEPARTMENT

1. Treasury Payments / Utility Billing	
a. Utility Bill Credit Card Convenience Fee for processing payments using a credit or debit card	Actual Cost of third party processing amount per transaction.
b. Utility Service Credit for use of E-Bill	$1 credit per month
c. Non-sufficient funds fee	$7
d. Fee for non-residential delinquent accounts	4% interest, compounded monthly, on 31-day balance, minimum of $5
2. Liquor by the Drink:	
a. Liquor by the Drink Annual License Fee	$562.50
b. Transfer of Liquor by the Drink License	$100
c. Liquor Catering Permit	$20
3. Beer:	
a. Beer Annual On or Off Premises Consumption License	$200
b. Annual Bottled or Canned Beer Off Premises Consumption License	$50
c. Transfer of Annual On or Off Premises Consumption License	$100
d. Transfer of Annual Bottled or Canned Beer Off Premises Consumption License	$25
e. License for Beer Sold or Donated for Benevolent, Charitable, or Public Purposes	$20
f. Multiple-Event License for Beer Sold or Donated for Benevolent, Charitable, or Public Purposes	$20
g. License for Wine and Beer Sold or Donated for Benevolent, Charitable, or Public Purposes	Not to Exceed $20
4. Building Contractors:	
a. Class A License	$200
b. Class B License	$200
c. Class C License	$200
d. Class D License	$125
e. Out of State Reciprocity License	$50
f. In-State Reciprocity License	$0
g. Late Renewal or Reinstatement of License Fee	$75
h. Inactive Contractor's License Fee	$100
i. Employee of non-reciprocal contractor continuing education course costs	$50
j. Reciprocal contractor continuing education course cost	$100
5. Public Right-of-Way Contractors:	

a. Public Right-of-Way Contractor's License Fee	$50
b. Public Right-of-Way Work Bond	$5,000
6. Wine:	
a. Annual Retail Wine License	$200
b. Annual Wine-By-The-Drink License	$200
c. License for Wine Sold or Donated for Benevolent, Charitable, or Public Purposes	$20
d. Multiple-Event License for Wine Sold or Donated for Benevolent, Charitable , or Public Purposes	$20
e. License Transfer Fee	$100
f. License for Wine and Beer Sold or Donated for Benevolent, Charitable, or Public Purposes	Not to Exceed $20
7. Private Patrol Services:	
a. Private Patrol Person Bond	$1,000
b. Private Patrol Service Bond	$2,000
c. Private Patrol Service License	$100
d. Private Patrol Service License renewal	$50
e. Private Patrol Person License	$50
f. Private Patrol Person License renewal	$25
8. Lawn Sprinkler and Water Conditioner Installers	
a. Lawn Sprinkler Contractor License	$100
b. Water Conditioner/Water Softener Installer License	$100
c. Water Condition/Water Softener/Law Sprinkler License renewal	$35
9. Itinerant Merchants, Mobile Food Vendors, Door-to-Door Salesmen:	
a. Idaho Falls Resident Itinerant Merchant's License	$25
b. Bonneville County Resident – Itinerant Merchant Investigation Fee	$25
c. Outside of Bonneville County, Idaho Resident – Itinerant Merchant Investigation Fee	$50
d. Outside of the State of Idaho – Itinerant Merchant Investigation Fee	$250
e. Itinerant Merchant's Bond	$1,000
f. Mobile Food Vender's License	$20
g. Door-To-Door Solicitors	$20
10. Pawnbroker's License	$50
11. Secondhand Precious Metals Dealer License	$30
12. Secondhand Storekeeper License	$30
13. Scrap Dealer License	$50
14. Adult Businesses:	
a. Fine – Operating without a valid permit	$300
b. Application Fee	$100
c. Annual Permit Fee	$100
d. Sexually Oriented Business Employee License	$100
e. License Renewal	$25
15. Burglary and Robbery Alarms:	
a. Third False Alarm Public Nuisance Alarm System Permit	$100
b. Fourth False Alarm Public Nuisance Alarm System Permit	$200
c. Fifth False Alarm Public Nuisance Alarm System Permit	$300

d. Sixth False Alarm Public Nuisance Alarm System Permit	$400
e. Seventh and Subsequent False Alarm Public Nuisance Alarm System Permit	$500
16. Day Care Licensing:	
a. Family Child Care License	$75
b. Group Child Care License	$150
c. Child Care Center	$225
d. Child Care Worker Certification	$20
e. On-Site Non-Provider Certification	$20
f. Day Care Workers License, Criminal History Registry Check	$20
17. Sign Licensing:	
a. Sign Contractor's License	$25
b. Sign Contractor's Bond	$1,000
c. Sign Erection Fee	$60
d. Electric Sign Fee	$30
e. Structural Plan Review Fee	$30
18. Dockless Bikeshare Program Licensing	
a. Bikeshare Business License	$20 per Bicycle, E-Bike, E-Scooter, and any other vehicle required to be registered with City.
19. Bus Stop Bench Permit Fee	$10
20. Bus Stop Bench Permit Extension Fee	$5
21. Bus Stop Bench Renewal Fee	$5
22. Trees and Shrubbery:	
a. Private Tree Service Company License Fee	$25
b. Fine for the Violation of the Provisions of Chapter 9 – Trees and Shrubbery	$100
23. License Denial Appeal Filing Fee	$50
24. Emergency Medical Services Licensing:	
a. EMS Class I Annual License	$500
b. EMS Class II Annual License	$500
c. EMS Class III Annual License	$250
d. EMS Class IV Annual License	$250
e. Attendant – Ambulance Driver License	$25
25. Identification Badges:	
a. Public Conveyance Operator	$8
b. Taxi Operator	$8
c. Courtesy Vehicle Operator	$8
d. Door-To-Door Solicitors	$8
26. Clerk's Office License Reprint	$5
27. Civic Center for the Performing Arts:	
a. Commercial:	
i. Performance Using Touring Performers (Admission)	
1. Main Performance	Greater of 10%, capped at $12,500 or $800.

2. Each Matinee	Greater of 10%, capped at $12,500 or $400.
ii. Performance Using Touring Performers (No Admission)	
1. Main Performance	$300
2. Each Matinee	$175
iii. Performance Using Area Performers (Admission)	
1. Main Performance	Greater of 10%, capped at $12,500 or $600.
2. Each Matinee	Greater of 10%, capped at $12,500 or $300.
iv. Performance Using Area Performers (No Admission)	
1. Main Performance	$300
2. Each Matinee	$175
v. Meetings	
1. Main Session	$800
2. Each Additional Session	$400
b. Non-Profit:	
i. Performance Using Touring Performers (Admission)	
1. Main Performance	$1,500
2. Each Matinee	$1,000
ii. Performance Using Member as Performers (Admission)	
1. Main Performance	$400
2. Each Matinee	$200
iii. Performance Using Members as Performers (No Admission)	
1. Main Performance	$300
2. Each Matinee	$200
iv. Meetings for Organizations	
1. Main Session	$300
2. Each Additional Session	$200
v. Art or Band Room	
1. Art or Band Room Rental at same time as renting main Auditorium	$100
2. Art or Band Room Cleaning Fee (each rental)	$25
3. Art or Band Room Rental, 1 to 4 hours, without renting main Auditorium, per hour	$125
4. Additional Hour, without use of Auditorium	$25
vi. Miscellaneous Auditorium Fees	
1. Building Facility Fee	$100
2. Building Rental	$200
3. Additional Hours	$20
4. Head Technicians Fee per hour	$25
5. Assistant Technician Fee per hour	$20
6. Stage Hand Fee per hour	$15

7. Marley Floor Use (per installation)	$60
vii. Concession Sales	
1. Beer and Wine Sales	10% of Total Sales
The Lessee is entitled to occupy eight (8) consecutive hours prior to performance at no additional charge on the day of performance. Any additional time will be based on charges in Paragraph IV.	
c. Bookings/Reservation Deposit Fees:	
i. 1 Day	$100
ii. 2 Days	$200
iii. 3 or More Days	$300
Deposit will apply towards the facility rental fee. Refunds will be made if performance dates are cancelled 90 days prior to date of first reservation.	
d. Additional Fees:	
i. Additional Rehearsal Time and Setting Stage (First Three Hours)	$90
ii. Each Additional Hour	$15
A minimum charge of three hours wages is required for all personnel listed above. All personnel must have a fifteen (15) hour notice of cancellation of their services or lessee will be required to pay at least the minimum charge. The cost of labor in arranging the stage must be paid by the lessee. The lessee may furnish its own labor for stage hands, box office manager, ticket takers, and ushers. Sound and lighting personnel will be furnished by the lessor but wages will be paid by lessee.	

PARKS AND RECREATION

1. Sandy Downs – 2702		
a. Admission:	$1	
i. Parking:	$1	
ii. Parking (Event Holder)	$1	
iii. Parking (Events)	$5	
iv. RV Parking Monthly	$150	
v. RV Parking Daily	$10	
b. Rentals Daily:		
i. Grandstand Cleaning Deposit (Each Event $100 non-refundable)	$500	
ii. Grandstand/Arena	$700	
iii. Fire Pit	$20	
iv. Arena	$100	
v. Water Truck (with operator)	$200	
vi. Tractor (with operator)	$200	
c. Rodeo Setup/Takedown	$300	
d. Stall Arena:		
i. Horseback Riding Permit – Annual Family	$50 per Family	
ii. Stall Daily (24 Hour)	$10	
iii. Stall Monthly	$45	
iv. Tack Room Monthly	$20	
v. Horse Walker Monthly	$25	
vi. Horseback Riding Permit Annual	$20	
2. Parks Rental – 2703		
a. Shelters/Decks Daily:		
i. Application Fee (Non-Refundable)	$50	
ii. Small Shelter	$95	
iii. 6 Hour Blocks for Shelter Rental Full Day (Two Blocks) (8am to 2pm and 2pm to 8am)	$125	
iv. Band Shell/The Broadway Plaza	$255	
v. Multi-Purpose Shelter (Per Event)	$255	
vi. Sportsman's Island Deck Area	$125	
vii. Sportsman's Park Reservations	$500	
viii. Jenson Overlook Deck Area	$50	
ix. Memorial Drive Vendor Half-Pad	$65	
x. Memorial Drive Vendor Full Pad	$130	
xi. Full Memorial Dr. Electric Use	$30 a day	
xii. Taylors' Rock Garden (Four Hour Block)	$125	
xiii. IF Resident camping for Special Events	$50 per Resident	
xiv. Non-Resident Camping Fees for Special Events	$100 per Non-Resident	
xv. Camping Fee for South Tourist Park	$15 per night	
xvi. Athletic Field Game Use/Rental (baseball, softball, lacrosse, rugby, etc.)	Non Resident $20	City Resident $20
xvii.		
b. Rentals:		
i. Picnic Table (6 Tables)	$50	

ii. Additional Picnic Table	$5
iii. Trash Cans (Each)	$4
iv. Volleyball Set Deposit	$10
v. Water Spigot Deposit	$100
vi. Bleacher (per Unit)	$40
vii. Fencing for Ballfields	$200
viii. Fencing (Up to 200 Feet)	$200
ix. Additional Fencing (Beyond 200 Feet)	$$0.25 per foot
x. Canopy (15’ X 15’)	$75
xi. Canopy (20’ X 40’)	$250
c. Banners (Set of 10)	$150
i. Additional Banner(s) (Each)	$12
d. Special Event/Cleaning Deposit (Over 100 People $100 non refundable)	$500
e. Memorials	
i. Memorial Bench	$600
ii. Remembrance Tree	$400
3. Weed Control – 2705	
a. Tractor with Operator (Hour)	$100
b. Hand Work per Operator (Hour)	$35
c. Enforcement Administration Fee (Per Lien)	$100
d. Lien Placement Fee (Per Lien)	$25
4. Idaho Falls Raceway – 2706	
a. Admission	$1
b. Parking	$5
c. Parking (Event Holder)	$1
d. Parking (Events)	$1
e. Parking RV Daily	$10
f. Practice Rider/Driver	$20
g. Practice Rider 10 Punch Pass	$150
h. Practice Season Pass	$250
i. Event Rental	$500
j. Concession Booth Rental (Event)	$100
5. Horticulture/Forestry – 2707	
a. Tree Trimming/Removal Permit	$10
b. Arborist (Hour)	$50
c. Lift Truck with Operator (Hour)	$100
d. Hand Work per Operator (Hour)	$35
e. Enforcement Administration Fee (Per Lien)	$100
f. Lien Placement Fee (Per Lien)	$25
6. Activity Center – 2708	
a. Small Rental (East and West Rooms 2 Hour Minimum)	$20
b. Large Rental (South Room 2 Hour Minimum)	$27
c. Large Reception Rental (3 Hour Minimum or $175 a Day)	$47
d. Kitchen Rental	$120
e. Cleaning Deposit/Maintenance/Damage Fee For Large Rentals	$200
7. Cemetery – 2901	
a. Burial	

i. Saturday/Holiday Burial	$ 300	
ii. After 4:30 p.m. Burial	$ 300	
iii. Opening/Closing Adult/Child	$ 500	
iv. Opening/Closing Infant	$200	
v. Opening/Closing Cremation	$ 250	
vi. Saturday/Late Notice (72 Hours)	$300	
b. Disinterment:		
i. Disinterment Adult/Child	$1,500	
ii. Disinterment Infant	$ 420	
iii. Disinterment Cremation	$ 200	
c. Burial Spaces:		
i. Adult/Child Up-Right Section	$ 750	
ii. Adult/Child Fielding Flat Section	$ 600	
iii. Infant (Under 1 Year)	$ 300	
d. Niche Wall		
i. Niche Wall Top	$400	
ii. Niche Wall Middle	$300	
iii. Niche Wall Bottom	$200	
e. Niche Wall Parkhurst		
i. Niche Wall Top	$350	
ii. Niche Wall Middle	$400	
iii. Niche Wall Bottom	$350	
iv. Memorial Wall Per Line (East and West Side)	$125	
v. Perpetual Grave Space Fee	$175	
vi. Cemetery Plot Ownership Certificate Fee	$10	
vii. Deed Transfer Fee ($10 for one $40 max)	$ 20 - $40	
8. Melaleuca Field		
a. Melaleuca Field Rental	$1,000 a day	
b. Melaleuca Capital Surcharge	$1 per Entry	
c. Melaleuca Field Partial Rental	$400	
9. Tautphaus Park Zoo – 2704		
a. Admission		
i. Regular Admission – Adult	Non Resident $8	City Resident $6
ii. Regular Admission – Child (3-12 Years)	Non Resident $5	City Resident $4
iii. Regular Admission – Senior (62+)	Non Resident $6.50	City Resident $5.50
iv. Regular Admission – 2 and under	Free	
v. Educational/Group – Adult	$7	
vi. Educational/Group – Child (3-12 Years)	$4.50	
vii. Educational/Group – Senior (62+)	$5.50	
viii. Educational/Group – 2 and under	Free	
ix. Non-Tax Group – Adult	$6.67	
x. Non-Tax Group – Child (3-12 Years)	$4.31	
xi. Non-Tax Group – Senior (62+)	$5.25	
xii. Non-Tax Group – 2 and under	Free	
xiii. Local and Global Conservation Fund	$0.50 per admission	

b. Teacher Summer Continuing Education Classes (2 day class, 16 hours program)			$75
c. Zumba in the Zoo and Yoga on the Green (Classes twice per week during open season)			$5
d. Program Fees:			
i. 45 Minute Class – Tots			$12 or $10 for member
ii. 60 Minute Class – K through 2nd			$15 or $12 for member
iii. 90 Minute Class – 3rd through 5th			$20 or $16 for members
iv. 3 Hour Class – 6th through 8th			$25 or $20 for members
v. 3 Hour Class – Week-long (7-9 Years)			$85
vi. 3 Hour Class – Week-long (7-9 Years) Members			$70
vii. 7 Hour Class – Week-long (10-12 Years)			$140
viii. 7 Hour Class – Week-long (10-12 Years) Members			$115
ix. Behind the Scenes Tours			$30
x. Behind the Scenes Tours Members			$25
xi. Overnight Safari			$55
xii. Overnight Safari Members			$50
xiii. Group Overnight Safari			$50
xiv. Group Overnight Safari Members			$40
xv. Junior Zoo Crew			$105
xvi. Junior Zoo Crew Members			$85
xvii. Late Pick-up Fee			$5 every 15 minutes
xviii. Penguin Feeding Program (Fee for Fish to Feed Penguins)			$3
xix. Keeper for a Day			$100
xx. Guest Speaker Series			
1. Adult (18+)	Non Resident $10	City Resident $5	School Group $3 ($2.82 Tax exempt)
2. Child / Student (College or below)	Non Resident $5	City Resident $3.50	School Group $3 ($2.82 Tax exempt)
3. Two years old and under	Non Resident $10	City Resident $5	School Group $3 ($2.82 Tax exempt)
4. Family of 4+	Non Resident $20		City Resident $15
5. TPZS Members			$1
xxi. Family Nature Program (per person)	TPZS Member $45 per year		Nonmember $50 per year
xxii.			

e. Rental Fees	
i. Tent (2 Hour Minimum)	$ 85 an hour
ii. Tent (Additional Hours)	$ 45 an hour
iii. After Hours Fee (2 Hour Minimum)	$ 175 an hour
iv. Animal Encounter Show	$35
v. Animal Interaction (1 Person, 2 Animals, 30 Minutes)	$ 50
vi. Costume Character Appearance (1/2 Hour)	$ 40
vii. Tent (10’ X 10’)	$ 35
viii. Tent (20’ X 40’)	$ 120
ix. Large Tent (40’ x 90’) Rental	$1,500 a day
x. Large Tent (40’ x 90’) 4-Wall Rental	$500 a day
xi. Wagon/Stroller Rental	$5
xii. Single Maeck Center Classroom Hourly	$200 per hour
xiii. Single Maeck Center Classroom Daily (eight-hours)	Maximum $500 a day
xiv. All Three Maeck Center Classrooms Daily (eight-hours)	Maximum $1,500 a day
xv. Cleaning Deposit (refundable)	$100
f. Parties and Gatherings:	
i. Birthday Package (only 10 a.m. or 2 p.m.)	$ 90 ($25 non-refundable deposit)
ii. Daytime Event	$ 175 ($25 non-refundable deposit)
iii. Private Evening Event	$ 550
iv. Off Season Birthday Party	$ 120
g. Penguin Interaction:	
i. Adult	$ 30
ii. Child (4-12)	$ 20
iii. Group Discount (6 or more people)	20% Discount
h. Volunteer Led Programs:	
i. Onsite Tours (Max 25 People)	$15
ii. Offsite Outreach (40 people or less)	
1. Within Districts No. 91 and No. 93 (Non-Profit)	$40.00
2. Within Districts No. 91 and No. 93 (Profit)	$50.00
3. Outside Districts No. 91 and No. 93 (30 Mile Radius)	$55.00
4.	
5. Any Second Program on the Same Day as First	$ 35
iii. Offsite Outreach (40 – 100 People)	
1. Within Districts No. 91 and No. 93 (Non-Profit)	$85.00
2. Within Districts No. 91 and No. 93 (Profit)	$100.00
3. Outside Districts No. 91 and No. 93 (50 Mile Radius)	$110.00
4. Any Second Program on the Same Day as First	$35
iv. Offsite Outreach (Over 100 People)	

1. Within Districts No. 91 and No. 93 (Non-Profit)	$130.00	
2. Within Districts No. 91 and No. 93 (Profit)	$130.00	
3. Outside Districts No. 91 and No. 93 (30 Mile Radius)	$150.00	
4. Any Second Program on the Same Day as First	$40.00	
i. Long Distance Outreach:		
i. 50-100 Miles	$120.00	
ii. 101-150 Miles	$170.00	
iii. 151-200 Miles	$220.00	
iv. Additional Programs Fees (Same Day up to 3)	$70.00	
v. Per Mile Fee (Round Trip Mileage)	$0.58 a mile	
j. Zoo Traveling Trunks	$10 per trunk, per week, plus shipping costs	
k. Zoorific Family Fun Days	TPZS Member $10	Nonmember $12
l. One Day Holiday Education Program	TPZS Member $4	Nonmember $7
10. War Bonnet		
a. Admission		
i. Child (any night)	$10	
ii. Adult Thursday night	$25	
iii. Adult Friday night	$25	
iv. Adult Saturday night	$30	
v. Hospitality Tent (any night)	$75	
vi.		
b. VIP Table (4 Seats)		
i. Thursday and Friday Night	$200	
ii. Saturday Night	$250	
c. Booths		
i. Food Booth	$600	
ii. Standard Non-Food Booth	$200	
11. Recreation – 4801, 4802, 4806		
a. Temporary Concession Permit (One Day Per Site/Per Stand)	$15	
b. Special Event Dispensing Permit’	$50 plus 3% of Gross Sales on Dispensing	
c. Ice Arena		
i. Ice Rental Fee (Travel tournament, private rental,)	$187.50 per hour	
ii. Ice Rental Fee (Weekend public skate time)	$225 an hour	
iii. Special Event Admission	$10	
iv. Public Skate Admission		
1. Ages 4-12	$6	
2. Ages 13 +	$6.75	
3. Senior	$5.50	
v. Stick, Shoot, and Freestyle		

1. Youth	$6
2. Adult	$7.25
3. Senior	$6
vi. 10 Punch Pass	
1. Ages 4-12	$50
2. Ages 13 +	$57
3. Senior	$45
vii. 30 Punch Pass	
1. Ages 4-12	$142.50
2. Ages 13 +	$165
3. Senior	$127.50
viii. Annual Pass	
1. Ages 4-12	$340
2. Ages 13 +	$427
3. Senior	$340
ix.	
d. Ice Skate Rentals/Lessons	
i. Skate Aide	$2.50
ii. Ice Skates	$4.50
iii. Ice Skating Lessons	$63.84
iv. Ice Skating Lesson with Rentals	$78.47
v. Adult Skating Lesson (Drop in)	$13
vi. Adult Skating Lesson (Drop in with Rentals)	$16
vii. Power Skating and edge control clinic	$15
viii. Private Ice Skating Instruction	$30 per half hour
e. Special Event Admission	
i. Laser Light Skate Night	$7
ii. Halloween Party	$7
f. Recreation Center	
i. Special Event Admission	$10
ii. Youth/Senior Admission (Basketball/Pickleball/Weight Room/ Racquetball)	$4.50
iii. Adult Admission (Basketball/Pickleball/Weight Room/ Racquetball)	$5.50
iv. Youth/Senior - Rec Center 10-punch pass	$35
v. Adult - Rec Center 10-punch pass	$45
vi. Youth/Senior – Year Pass	$133
vii. Adult – Year Pass	$166.25
viii. Yearly Businessmen's Basketball Pass (Noon Ball)	$75
g. Yoga at the Recreation Center	
i. Adult	$5.50
ii. Senior	$4.75
iii. Adult – 10-punch Pass	$50.54
iv. Senior – 10-punch Pass	$35
h. Fitness Class / 4801	
i. Youth/Seniors	$5.75
ii. Adult	$6.50
iii. 10-punch – Youth/Seniors	$47.50
iv. 10-punch – Adults	$55

i. Basketball		
i. League Fees		
1. High School Basketball League	Non Resident $70	City Resident $62
2. Jr. High School Basketball League	Non Resident $70	City Resident $62
3. Jr. Basketball League	Non Resident $56	City Resident $50
4. Youth Player Fee	Non Resident $63.81 Without Jersey $57.88	City Resident $50.35 Without Jersey $45.05
5. Jr. High Player Fee	Non Resident $78.65 Without Jersey $72.72	City Resident $62.28 Without Jersey $56.98
6. High School Player Fee	Non Resident $78.65 Without Jersey $72.72	City Resident $62.28 Without Jersey $56.98
ii. Basketball Skills	$33	
iii. Cleave Lewis Basketball Skills Camp	Non Resident $57.88	City Resident $45.05
iv. Cleave Lewis Basketball Camp	Non Resident $100.91	City Resident $82.15
v. Youth Basketball Camp	Non Resident $46	City Resident $34.45
vi. Summer Camp	$63	
vii. Jr. League	$45	
viii. Women's and Men's League Summer, Spring, and Fall	$578.02	
ix. Men's League Winter	$634.41	
x. Hispanic League	$578.02	
xi. Women's League	$578.02	
j. Softball/Baseball		
i. League Fees		
1. Youth Day League Player Fee	Non Resident $65.30	City Resident $51.68

	Without Jersey $59.36	Without Jersey $46.38
2. Idaho Falls Youth Baseball Player Fee	$131.18	
3. Girls Fastpitch Team Fee	$844.47	
4. Fast Pitch Tournaments	$599.17	
5. Men's Fall Softball Team Fee	$768.34	
6. Men's Summer Softball Team fee	$1,184.23	
7. Adult Softball Competitive Men's League	Non Resident $940 Team	City Resident $840 Team
8. Adult Softball Competitive Co-Ed Fall	Non Resident $940 Team	City Resident $840 Team
9. Co-ed Competitive Summer Team Fee	$1,184.23	
10. Co-ed Summer Softball Team Fee	$775.39	
11. Co-ed Fall Softball Team Fee	$768.34	
ii. Bobbie Sox Softball	Non Resident $49	City Resident $44
iii. Knothole Baseball	Non Resident $49	City Resident $44
iv. Pitching Mound Re-Build	$200	
v. Baseball/Softball Game Chalked Field Use Fee	Non Resident $26	City Resident $26
k. Football		
i. Youth Player Fee	Non Resident $59.36 Without Jersey $53.42	City Resident $46.38 Without Jersey $41.08
l. Flag Football		
i. Youth	$50	
ii. Adult	$450	
m. Recreation Program Fee	$50	
n. Specialized Recreation Program Fee (Excessive Resources Used)	$150	
o. T-Ball & Pitching Machine	Non-Resident $50	Resident $44
p. Soccer		
i. Men's Soccer League	$55	
ii. Clinics 12 U	$50	
iii. Clinics 10 U	$50	
iv. Clinics 8 U	$35	
q. Tennis Lessons	Non Resident $35	City Resident $31.25

r. Tennis Camp	$10	
s. Volleyball		
i. Youth Player Fee	Non Resident $59.36 Without Jersey $53.42	City Resident $46.38 Without Jersey $41.08
ii. Volleyball Registration	Non Resident $45	City Resident $40
iii. Co-ed Sand Volleyball	$300	
t. Taiko Drumming	$187.50	
u. Dance Lessons	$35	
v. Running Program	$60.20	
w. Jr. Posse Program	$46.55	
x. Preschool Gym		
i. Single Child	$2	
y. Lil' Sports Programs		
i. Lil' Sports Programs	$46.55	
ii. Science Workshops	$125	
iii. Dirt Bike Clinic		
1. Youth	$75	
2. Adult	100	
z. Cyclocross Bike Races		
i. Great Pumpkin Cross	$20	
ii. Blue Goose	$20	
aa. Breakfast with Santa	$8	
bb. Daddy Daughter Date	$80	
cc. Dinner and a Movie	$30	
dd. Skateboard Programs		
ee. Skateboard Competition	$15	
ff. Fishing Buddies Clinic	$30	
gg. Fishing Clinic	$38	
hh. Rentals		
i. Candle Stick Rental	$2 a day	
ii. Candle Stick Replacement	$40	
iii. –A Frame Rentals	$5 a day	
iv. A-Frame Replacement	$60	
v. Posse Program Fees	$30 per rider	
ii. City Market		
i. City Market Membership	$50 a season	
ii. City Market Member Rate	$10 a week	
iii. City Market Non-Member Rate	$20 a week	
12. Wes Deist Aquatic Center Fees – 4803		
a. Special Event Admission	$10	
b. Membership Fees		
i. 1-Month Senior	$54.25	
ii. 3-Month Senior	$143.63	

iii. 6-Month Senior	$260.61
iv. 1-Year Senior	$462.74
v. 1-Month Adult	$64.62
vi. 3-Month Adult	$160.85
vii. 6-Month Adult	$290.33
viii. 1-Year Adult	$429.95
ix. 1-Month Couple (Couple is 2 People from the Same Household)	$106.37
x. 3-Month Couple	$190
xi. 6-Month Couple	$280
xii. 1-Year Couple	$360
xiii. 1-Month Family (Family is up to 5 people in the Same Household)	$100
xiv. 3-Month Family	$293.40
xv. 6-Month Family	$550.71
xvi. 1-Year Family	$920.28
xvii. 1-Month Family Add-On (Add 1 Extra Person to Family Pass, must live in Same Household)	$23.82
xviii. 3-Month Family Add-On	$31.13
xix. 6-Month Family Add-On	$76.89
xx. 1-Year Family Add-On	$76.89
c. Punch Cards (10-Time Punch Cards for Lap and Public Swims and Fitness Classes)	
i. Adult Everything Punch Card	$50.94
ii. Senior/Child (62 + and 12 and Under) Everything Punch Card	$44.58
d. Daily Fees	
i. Adult (13 +)Admission	$4
ii. Senior/Child (62 + and 12 and Under)	$3.50
iii. Pre-School (3 & Under) – Swim Diaper Included	$2
e. Fitness Classes Daily	
i. Adult (13 +)	$4.50
ii. Senior/Child (62 + and 12 and Under)	$3.75
f. Birthday Parties	$85.85
g. Group Rates (Pre-Arranged Groups Only)	
i. 10-19 in Group	$4.95
ii. 20-29	$4.72
iii. 30 +	$4.48
h. Facility Rentals	
i. Up to 50 Swimmers (Per Hour)	$165
ii. Up to 100 Swimmers (Per Hour)	$185
iii. Up to 150 Swimmers (Per Hour)	$245
iv. Up to 200 Swimmers (Per Hour)	$305
v. Up to 250 Swimmers (Per Hour)	$365
vi. Up to 300 Swimmers (Per Hour)	$425
vii. Up to 350 Swimmers (Per Hour)	$485
viii. Up to 400 Swimmers (Per Hour)	$545

ix. Wading Pool Only (During Hours the Main Pool is Already Open)	$65
x. Wading Pool Only (During Hours the Main Pool is Not Open)	$78
xi. Room Rental	$9.91
i. Lessons	
i. Full Size Lessons (8 Days)	$50
ii. Half Size Lessons (8 Days)	$92.50
iii. Private (One ½ Hour Class)	$25.94
iv. Semi-Private (One ½ Hour Class)	$33.75
j. Schools	
i. School Group Lessons	$4.75
ii. High School PE Classes	$3.50
iii. High School PE Aerobics	$5
iv. Discount Nights (Monday and Junior High Night and Wading Pool and YMCA and Schools (Field Trips)	$4
k. Kayaking	
i. Open Boat	$8.49
ii. Group Instructor Fee	$7.50
l. Triathlons	$32.55
m. Late Fees for Programs (for those who register after the deadline)	$5
n. Daily Themed Programs	$15
o. Fitness Challenge	$12.26
p. Lane Rentals (USA/High School/Non-Profit)	$11
q. Swim Team Fees	
i. Rental (for a 4 Hour Session with set up and take down)	$700per team
ii. Scoreboard Time System Maintenance Fee	$6.50 per use
r. Surfer Swim Team	
i. Surfer Team Membership Fee	$50
ii. Surfer Team Lesson Fee	$7 per lesson
s. High School Swim Team Fees	
i. High School Swim Team Dual Meets	$500 per meet
ii. High School Spring League Swim Team (in house)	$150
iii. High School Regional Meets	$3
iv. Junior High Swim Team	$187.50
t. Swim Team Sessions (8 Weeks) 4 times a year New Format Sessions (8 Week Sessions) 4 times a year	
i. 3 Days per Week (Practices)	$125
ii. 2 Days per Week	$90
iii. 1 Day per Week	$55
iv. Add on an Additional Day Session	$35
u. Multi-Family Program Discounts	
i. (Discounts are for multi-family members living in the same household signing up for the same program – first person is regular price)	
ii. 2nd Person	5% Discount

iii. 3rd or More	10% Discount
v. Scouting	
i. Scout Instructor Fee	$13
ii. Scout Class – CPR Component to Any Merit Badge	$5
iii. 1st and 2nd Class & Cub Scout Aqua Badges	$7.50
iv. Snorkeling and Scuba	14.50
v. Lifesaving Merit Badge, First Aid Merit Badge	$30
vi. Swimming Merit Badge	$30
w. Mermaid Experiences	$45.52
x. Mermaid Birthday Parties	$325
y. Swim Meet Use Fee (Per Swimmer)	$6.50
13. Golf Course(s) Fees – 6001, 6002, 6003, 6004, 6005, 6006	
a. Non-Resident Green Fees	
i. Weekday 9 Holes	$21.60
ii. Weekday 18 Holes	$34.56
iii. Weekend 9 Holes	$22.68
iv. Weekend 18 Holes	$35.64
v.	
vi.	
b. Resident Green Fees	
i. Weekday 9 Holes	$19.44
ii. Weekday 18 Holes	$31.32
iii. Weekend 9 Holes	$18.36
iv. Weekend 18 Holes	$32.40
c. Make-Up Green Fees	
i. Make-Up One	$7.25
ii. Make-Up Two	$3
iii. Make-Up Three	$1
d. Resident Season Pass*	
i. First Adult*	$850.12
ii. Second Adult*	$716.06
iii. First Senior 5-Day*	$653.45
iv. Second Senior 5-Day*	$605.33
v. First Senior 7-Day*	$752.16
vi. Second Senior 7-Day*	$773.76
vii. Young Adult Pass*	$596.76
e. Non-Resident Season Passes*	
i. First Adult*	$895.96
ii. Second Adult*	$758.46
iii. First Senior 5-Day*	$679.98
iv. Second Senior 5-Day*	$626.12
v. First Senior 7-Day*	$798.56
vi. Second Senior 7 Day*	$746.43
f. Junior Season Pass*	
i. Full-Time Junior*	$280.80
ii. Part-Time Junior*	$205.20
g. Resident Punch Passes	
i. Punch 10-9 Hole	$170.10

ii. Punch 10-18 Hole	$321.30
iii. Punch 20-9 Hole	$286.74
iv. Punch 20-18 Hole	$541.62
h. Non-Resident Punch Passes	
i. Punch 10-9 Hole	$199.26
ii. Punch 10-18 Hole	$315.90
iii. Punch 20-9 Hole	$376.38
iv. Punch 20-18 Hole	$596.70
i. Locker	
i. Locker Fee Yearly	$190.44
ii. Locker Fee	$14.43
j. Medical Cart Usage Fee Yearly	$248.34
k. Driving Range	
i. Small Bucket	$5
ii. Large Bucket	$6.50
iii. Small Bucket 10 Punch Pass	$42.50
iv. Large Bucket 10 Punch Pass	$55.25
l. Short Course	
i. Green Fees	$4
ii. Punch Pass	$34
iii. Yearly Pass (75)	$84
iv. Yearly Pass (115)	$126
m. Golf Cart Rentals	
i. Golf Cart Per Rider 9 Holes	$8.10
ii. Golf Cart Per Rider 18 Holes	$16.20
iii. Private Cart Trail Fee per Rider 9 Holes	$ 7.50
iv. Private Cart Trail Fee per Rider 18 Holes	$ 15
v. 11 Cart Punch Pass	$80.33
vi. 22 Cart Punch Pass	$155.09
n. Single Rider Cart Pass Annual	$1,024.25
o. Two Rider (Family) Cart Pass Annual	$1,318.20
p. Cart Pass 1 Rider 1 Course Annual	$123.60
q. Club Rental 9 Holes	
i. High End Clubs	$20
ii. Standard Clubs	$7.95
iii. Push Cart	$3
r. Club Rental 18 Holes	
i. High End Clubs	$30
ii. Standard Clubs	$10
iii. Push Cart	$5
s. Golf Sponsorship Packages	
i. Eagle Pass/Punch Partner Sponsorship package	$1650
ii. Birdie Pass/Punch Partner Sponsorship package	$1095
iii. Par Partner Sponsorship package	$795
iv. Junior Partner Sponsorship package	$500
v. Tee Marker Sign Ad - all 3 courses	$500
vi. Tee Marker Sign Ad #1 Request	$200

vii. Tee Marker Sign Ad - Short Course	$150
viii. Golf Cart Ad (June or July or August)	$500
ix. Golf Cart Ad (May or September)	$400
x. Golf Cart Ad (April or October)	$250
xi. Golf Shop Monitor Ad (3 rotating months)	$200
* All Season Pass Categories, are be subject to an additional $1 per round USER FEE. Pass Holders will have the option to avoid this per round USER FEE by paying an annual USER FEE of $60 per Pass Holder.	

POLICE DEPARTMENT

1. Public Parking Fees:	
a. Downtown Resident Parking Permit	$15
b. Downtown Unlawful Parking Citation	$20
c. Second Unlawful Parking Citation within 30 days of Prior Citation	$35
d. Third or subsequent Unlawful Parking Citation within 30 days of Prior Citation	$50
e. Unlawful Parking in a Spot Designated for Persons with Disabilities	$50
f. Any other Violation of the Public Parking Ordinance	$20
g. Violation of Snow Removal Ordinance	$45
2. Abandoned Vehicle Reclamation – Processing Fee	$15
3. Fingerprint Background Check Fee:	
a. Public Conveyance Operator	$45
b. Taxi Operator	$45
c. Courtesy Vehicle Operator	$45
d. Child Care Worker Certification	$45
e. On-Site Non Provider Certification	$45
f. Door-To-Door Solicitors	$45
4. On-Duty, Uniformed Extra-Duty Service	Actual Cost
5. City Code Violations	
a. Infraction fine, unless otherwise specified	$300
b. Misdemeanor fine, unless otherwise specified	$1,000
c. Distracted Driving – 1st offense within 2 year period (infraction)	$100
d. Distracted Driving – 2nd offense within 2 year period	$200
6. Animal Control Fees	
a. Licensing Fees	
i. Unaltered Dog and Cat License	$30 per year
ii. Altered Dog and Cat License	$10 per year
iii. Duplicate Tag Fee	$1
iv. Additional Dog Permit Fee	$90
v. Dog License Permit Fee	$111
b. Euthanasia and Surrender Fees	
i. Euthanasia – Dogs and Cats	$25
ii. Euthanasia - Trapped Squirrels	$3

iii. Animal Surrender	$ $25
iv. Additional Animal Surrender	$10
v. Out of County Stray	$25
c. Miscellaneous Fees	
i. Microchip	$20
ii. Microchip Transfer	$ 10
iii. General cremation (no ashes back)	$15
iv. Cremation (ashes returned 0-25 lbs)	$45
v. Cremation (ashes returned 26-60 lbs)	$65
vi. Cremation (ashes returned 61-100 lbs)	$115
vii. Cremation (ashes returned over 100 lbs)	$145
viii. Impound Fee	$25
ix. Boarding Fee	$19 per day
d. Digital Forensic Service for Outside Agencies	$100

Public Works Department

ENGINEERING DIVISION FEES

1. Subdivision Inspection Fees (Schedule based on the estimated total public improvement costs)	If improvement costs are equal to or less than $100,000, then 4% of improvement costs. If improvement costs are greater than $100,000 but less than or equal to $500,000 then $4,000 plus 1% of improvement costs over $100,000. If improvement costs are greater than $500,000, then $8,000 plus .5% of improvement costs over $500,000.
2. Right-of-Way Permit Fee	$50 per permit

SANITATION DIVISION SERVICE FEES

1. Monthly Residential Sanitation Charge:	
a. Cart or Hand-load Container:	
i. Weekly Pickup	$9.45
ii. Additional Cart, Weekly Pickup (3-Month Minimum Billing)	$9.45
b. Shared Commercial Container	$9.45
2. Additional Cart City Delivery Fee (Patron Pickup No Fee)	$30
3. Monthly Commercial and Industrial Charges:	
a. Cart or Hand-load Container:	
i. Weekly Pickup	$9.45

ii. Additional Cart, Weekly Pickup (3-Month Minimum Billing)	$9.45
b. 1 ½ C. Y. Container:	
i. Base Charge	$30.70
ii. Per Weekly Pickup	$10.10
c. 3 C. Y. Container:	
i. Base Charge	$35.80
ii. Per Weekly Pickup	$13.90
d. 4 C. Y. Container:	
i. Base Charge	$38.45
ii. Per Weekly Pickup	$17.65
e. Large Uncompacted Container:	
i. Base Charge	$35.70
ii. Per Solid Waste Pickup	$141.75
iii. Per Construction Waste Pickup	$164.85
iv. County Disposal Fee, Per Load	$25
v. County Unsorted Fee, Per Load	$150
f. Large Compacted Container:	
i. Per Solid Waste Pickup	$129.15
4. Curbside Recycling	
a. Cart Pickup once every two weeks (Monthly fee)	$ 15
5. Short Term Suspension Vacant for a minimum of 3 weeks or 21 calendar days, but not more than 6 months or 180 calendar days. Container must remain on property and not be serviced	
a. Requested within 5 business days, during regular business hours, 8:00 am to 5:00 pm	No Charge
b. Requested without 5 business days' notice, or after business hours	No Charge
6. Tire Disposal Fees	
a. Motorcycle, ATV or UTV	$2.00/Each
b. Automobile, Light Truck	$3.00/Each
c. Truck	$6.00/Each
d. Farm Implement	$25.00/Each
e. Earth Moving Equipment	$50.00/Each
f. Shredded Tires	$250.00/Ton
g. Bulk Tires	$250.00/Ton
7. Freon Fee, per unit	$ 10.00
8. Peterson Hill/Landfill Haul Fee (30 C.Y.), per container	$ 142.00
9. Swap Out of 1.5, 3 and 4 C.Y. Containers, per request	$ 25.00
10. Extra Dump for 1.5, 3 and 4 C.Y. Containers, per extra dump	$ 15.00
11. Dry Run Fee for Inaccessible 30 C.Y. Containers, per each	$ 50.00
12. Damage to Commercial Containers	Actual Cost

STREET DIVISION FEES

1. Candlesticks and Base replacement	$50 Each
2. A-Frame replacement	$65 Each
3. Cones replacement	$50 Each

4. Sign and Stand replacement	$300 Each
5. Emergency service/accident support (traffic control & sweeping)	Actual Costs
6. Patching/surface repair	Actual Costs
7. Street Variable Message Board Rental (per hour, 8 hour minimum charge)	$25

WASTEWATER DIVISION SERVICE FEES

1. Wastewater Service Connection Fees: Based on Water Service Connection Size		
a. 1" Service Connection	$	1,107
b. 1.5" Service Connection	$	2,214
c. 2" Service Connection	$	3,542
d. 3" Service Connection	$	7,083
e. 4" Service Connection	$	11,069
f. 6" Service Connection	$	22,136
g. 8" Service Connection	$	35,418
2. Monthly Idaho DEQ Wastewater Fee (Per Connection)		$0.15
3. Sewer Main Connection Charge, per front foot of property owned upon street or public right-of-way within which a sewer main is located		$24.50
4. Monthly Non-metered Residential Wastewater Rates:		
a. Single Family Dwellings, including condominium units and mobile homes (excluding separate apartment units within such dwelling), per dwelling or unit	$	23.70
b. Duplex, per dwelling or unit	$	23.70
c. Apartment Unit (tenant pays bill), per unit	$	17.75
5. Monthly Non-metered Commercial Wastewater Rates:		
a. Category 1 (Commercial Apartment Buildings where landlord pays bill) per apartment unit	$	20.95
b. Category 2 (Bar, Church, Gym, Office Space, Retail, Salon, Shop, Warehouse), per business	$	27.95
c. Category 3 (Big Box Retail, Car Sales, Convenience Store, Day Care, Fast Food, Medical Office), per business	$	50.70
d. Category 4 (Hall, Restaurant), per business	$	74.10
e. Category 5 (Grocery Store, Hotel or Rest Home with 20 rooms or less), per business	$	138.30
f. Category 6 (Hotel or Rest Home with more than 20 rooms), per business	$	802.35
6. Monthly Non-metered School Wastewater Rates:		
a. Elementary Schools, per 50 students or fraction thereof	$	10.35
b. Junior High Schools, High Schools, Colleges, and Universities, per 50 students or fraction thereof	$	13.15
7. Monthly Metered Wastewater Rates:		
1. Base Charge	$	3.80
2. Plus per each 1,000 gallons of metered water	$	2.35
8. Outside of City Billing Rates	110% of Metered Rates or Non-metered Rates as Set	

	Forth Above for City Residents
9. Construction Wastewater Rates	
a. Monthly Non-metered Residential Construction Water Rate, Single Family Dwellings and Duplex (excluding separate apartments units in such dwelling), per dwelling or unit	$ 11.85
b. Monthly Non-metered Apartment Construction Water Rate, per unit	$ 8.90
c. Monthly Non-metered Commercial Construction Water Rate, per building	$ 25.35
10. Industrial Rates for Certain Users:	
a. Ingredion Incorporated:	
i) Flow	$ 0.6392 per 1,000 Gallons
ii) BOD	$0.6608 per Pound
iii) TSS	$ 0.4130 per Pound
b. Busch Agricultural Resources:	
i) Flow	$ 0.6392 per 1,000 Gallons
ii) BOD	$ 0.6608 per Pound
iii) TSS	$ 0.4130 Per Pound
c. Golden Valley Natural	
i) Flow	$ 0.9168 Per 1,000 Gallons
ii) BOD	$ 0.7164 per Pound
iii) TSS	$ 0.4470 per Pound
iv) Monthy Base Service	$1,300 per month
11. County and City Rates:	
a. City of Ammon	$ 2.90 per 1,000 Gallons
b. City of Ammon – Monthly Idaho DEQ Wastewater Fee (Per Connection)	$ 0.15
c. Iona Bonneville Sewer District	$ 2.90 per 1,000 Gallons
d. Iona Bonneville Sewer District – Monthly Idaho DEQ Wastewater Fee (Per Connection)	$ 0.15
e. City of Ucon	$ 2.13 per 1,000 Gallons
f. City of Ucon – Monthly Idaho DEQ Wastewater Fee (Per Connection)	$ 0.15
12. Violation Fees:	
a. Violation of Wastewater Code Fee	$1,000
b. Civil Fine for Wastewater Code Violation	$1,000
c. Misdemeanor Penalty – Criminal Fine for Willful or Negligent Violation of Wastewater Code	$1,000

d. Misdemeanor Penalty – Criminal Fine for Willful or Negligent Introduction of any Substance into POTW, which causes Injury or Damage	$1,000
e. Misdemeanor Penalty – Criminal Fine for Knowingly Making False Statement in Any Wastewater Permit Application	$1,000
13. Maximum Informant Reward	$1,000
14. Septic Haulers Annual License:	$105
Septic Hauler Dumping fees (based on truck tank capacity, not quantity hauled) a. 0 ≥ 500 Gallons	$ 48.20
b. 501 ≥ 1000 Gallons	$ 96.40
c. 1001 ≥ 1500 Gallons	$ 144.60
d. 1501 ≥ 2000 Gallons	$ 192.80
e. 2001 ≥ 2500 Gallons	$ 241.00
f. 2501 ≥ 3000 Gallons	$ 289.20
g. 3001 ≥ 3500 Gallons	$ 337.40
h. 3501 ≥ 4000 Gallons	$ 385.60
i. 4001 ≥ 4500 Gallons	$ 433.80
j. 4501 ≥ 5000 Gallons	$ 482.00
k. 5001 ≥ 5500 Gallons	$ 530.20
l. 5501 ≥ 6000 Gallons	$ 578.40
15. Maximum Fine for Violation of Wastewater Code	$1,000
16. Maximum Penalty for Violation of Wastewater Code	$1,000
17. Service/Inspection Call Charges	
a. Culvert/Pipe Clean Outs	Actual Costs
b. Jet-Vac Truck Usage	Actual Costs
c. After-hour Service/Inspection Call Charge	$26.25 per half hour

WATER DIVISION SERVICE FEES

1. Water Service Connection Fees:	
a. 1” Service Connection	$2,722.00
b. 1.5” Service Connection	$6,126.00
c. 2” Service Connection	$10,886.00
d. 3’’ Service Connection	$24,494.00
e. 4” Service Connection	$43,546.00
f. 6” Service Connection	$97,978.00
g. 8” Service Connection	$174,182.00
2. Short Term Suspension (Vacant for a minimum of 3 weeks or 21 calendar days, but not more than 6 months or 180 calendar days.)	
a. Requested within 5 business days, during regular business hours, 8:00 am to 5:00 pm	$10 per request

b. Requested without 5 business days' notice, or after business hours	$20 per request
3. Water Main Connection Charge, per front foot of property owned upon street or public right-of-way within which a water main is located	$ 41.80
4. Service Call Charge	Actual Cost
5. Water Disconnection/Reconnection Fee (charged per service call)	$25
6. Service/Inspection Call Charge: After-hour Service/Inspection Call Charge, per ½ hour	$26.25
7. Monthly Non-metered Residential Water Rates:	
a. Single Family Dwellings and Mobile Homes (excluding separate apartment units within such dwelling), per dwelling or unit	$ 22.50
b. Duplex, per dwelling or unit	$ 22.50
c. Apartment Unit (tenant pays bill), per unit	$ 18.10
8. Monthly Non-metered Commercial Water Rates:	
a. Category 1 (Commercial Apartment Buildings where landlord pays bill) per apartment unit	$ 18.10
b. Category 2 (Bar, Church, Gym, Office Space, Retail, Salon, Shop, Warehouse), per business	$ 31.90
c. Category 3 (Big Box Retail, Car Sales, Convenience Store, Day Care, Fast Food, Medical Office), per business	$ 39.90
d. Category 4 (Hall, Restaurant), per business	$ 105.25
e. Category 5 (Grocery Store, Hotel or Rest Home with 20 rooms or less), per business	$ 151.55
f. Category 6 (Hotel or Rest Home with more than 20 rooms), per business	$ 315.75
9. Monthly Non-metered School Water Rates:	
a. Elementary Schools, per 50 students or fraction thereof	$13.40
b. Junior High Schools, High Schools, Colleges, and Universities, per 50 students or fraction thereof	$ 16.85
10. Monthly Non-metered Residential Irrigation Water Rate:	
a. Single Family Dwellings and Mobile Homes, per dwelling or separately owned landscape parcel	$ 12.00
b. Duplex, per dwelling or unit	$ 6.00
c. Apartment Unit (tenant pays bill), per unit	$ 3.00
11. Monthly Non-metered Commercial Irrigation Water Rate (All Commercial Categories plus Private Parks, Privately Maintained Common Area or Parcel), per 100 square feet of calculated landscape area	$ 0.20
12. Monthly Non-metered School Irrigation Water Rate, per acre or fraction thereof	$ 12.35
13. Construction water rates	
a. Monthly Non-metered Residential Construction Water Rate, Single Family Dwellings and Duplex (excluding separate apartments units in such dwelling), per dwelling or unit	$11.25
b. Monthly Non-metered Apartment Construction Water Rate, per unit	$9.05

c. Monthly Non-metered Commercial Construction Water Rate, per building	$19.95
14. Fire Hydrant Meter Assembly Deposit, per meter assembly	$1,800
15. Fire Hydrant Metered Use Volumetric Rate, per 1,000 gallons (or fraction thereof)	$5
16. Monthly Base Metered Water Rates, per size of water meter:	
a. 5/8” Meter	$26.50
b. ¾” Meter	$26.50
c. 1” Meter	$26.50
d. 1-1/4” Meter	$35.25
e. 1-1/2” Meter	$44.25
f. 2” Meter	$53
g. 3” Meter	$61.75
h. 4” Meter	$88.25
i. 6” Meter	$168.10
j. 8” Meter	$265
17. Monthly Metered Water Volumetric Rate, per each 1,000 gallons used:	$0.66
18. Monthly Idaho DEQ Water Primacy Fee (All Non-metered and Metered Categories), per dwelling, unit, business, or metered connection	$0.25
19. Outside of City Billing Rates	200% of Metered Rates or Non-metered Rates as Set Forth Above for City Residents

IDAHO FALLS

MEMORANDUM

FROM: Brad Cramer, Director

DATE: Wednesday, August 5, 2020

RE: Request to Extend Deadline to Record a Final Plat, Linden Trails Addition, Division 4

Council Action Desired

☐ Ordinance ☐ Resolution ☐ Public Hearing

☒ Other Action (Approval, Authorization, Ratification, etc)

To approve the request to extend the deadline to record the plat for Linden Trails Addition, Division No. 4 to 11/27/2020.

Description, Background Information & Purpose

Attached is a request to extend the deadline to record a plat by an additional three months. The final plat was approved 02/27/2020. The Subdivision Ordinance requires plats to be recorded within 180 days of approval, which would be 08/27/2020. Due to delays with Bonneville County review and recording process, the applicant is concerned the deadline will pass before the County is able to sign the plat for recording. Staff recommends the deadline to record be extended to 11/27/2020.

Relevant PBB Results & Department Strategic Plan

☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐

This request is most consistent with goals for Good Governance.

Interdepartmental Coordination

The plat recording issues are being coordinated with CDS and Public Works.

Fiscal Impact

N/A

Legal Review

This application has been reviewed by Legal pursuant to applicable law.

Kerry Beutler

From: Blake Jolley <bjolley@connectengr.com>
Sent: Thursday, July 30, 2020 5:27 PM
To: Kerry Beutler
Subject: Linden Trails Division 4

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kerry, would you please request an extension for the approval of Linden Trails Division 4 to City Council.??
??
Thanks.
??
Blake D. Jolley, P.E. (Idaho, Montana, Utah, Wyoming)
CONNECT ENGINEERING ??????????????????????????????????????
???????? ?????? *The Civil Connection*
??
1150 Hollipark Dr.
Idaho Falls, Idaho 83405
Cell: 208.681.8590
bjolley@connectengr.com
??

IDAHO FALLS

MEMORANDUM

FROM: Brad Cramer, Director

DATE: Friday, August 7, 2020

RE: Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Snake River Landing, Div. No. 15

Council Action Desired

☐ Ordinance ☐ Resolution ☐ Public Hearing

☒ Other Action (Approval, Authorization, Ratification, etc)

1. Approve the Development Agreement for Snake River Landing, Div. No. 15, and give authorization for the Mayor and City Clerk to execute the necessary documents.

2. Accept the Final Plat for Snake River Landing, Div. No. 15, 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 Snake River Landing, Div. No. 15, 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 Snake River Landing, Div. No. 15. The Planning and Zoning Commission considered this item at its March 3, 2020, meeting and recommended approval by unanimous vote. Staff concurs with the recommendation and recommends approval of the plat.

Relevant PBB Results & Department Strategic Plan

☒ ☒ ☒ ☐ ☒ ☐ ☒ ☒

Consideration of the Final Plat must be consistent with the principles of the Comprehensive Plan and Zoning Ordinances, which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

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.

Final Plat

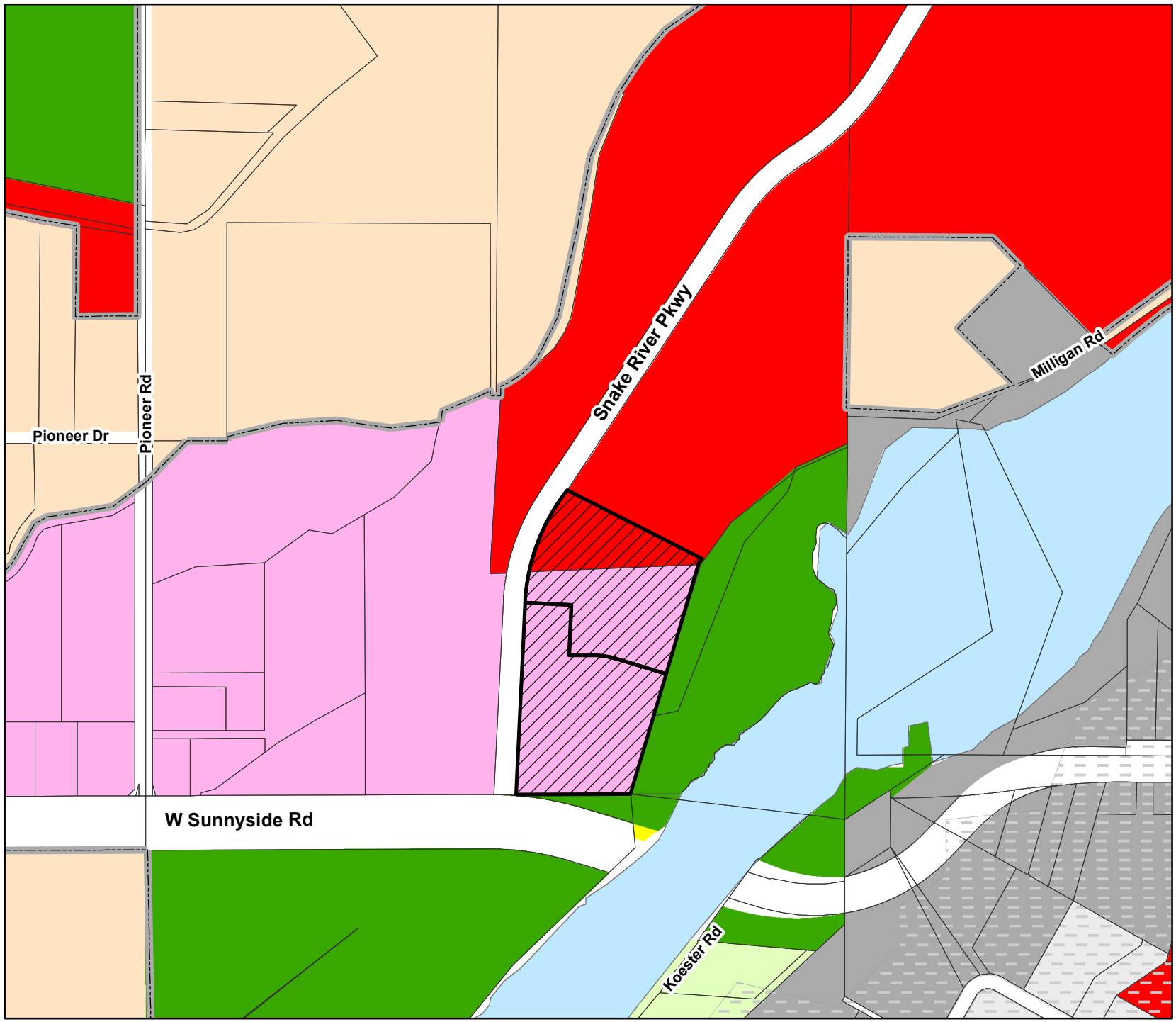
Snake River Landing Division No. 15

Legend

- Site
- City Limits
- Area of Impact

Overlays

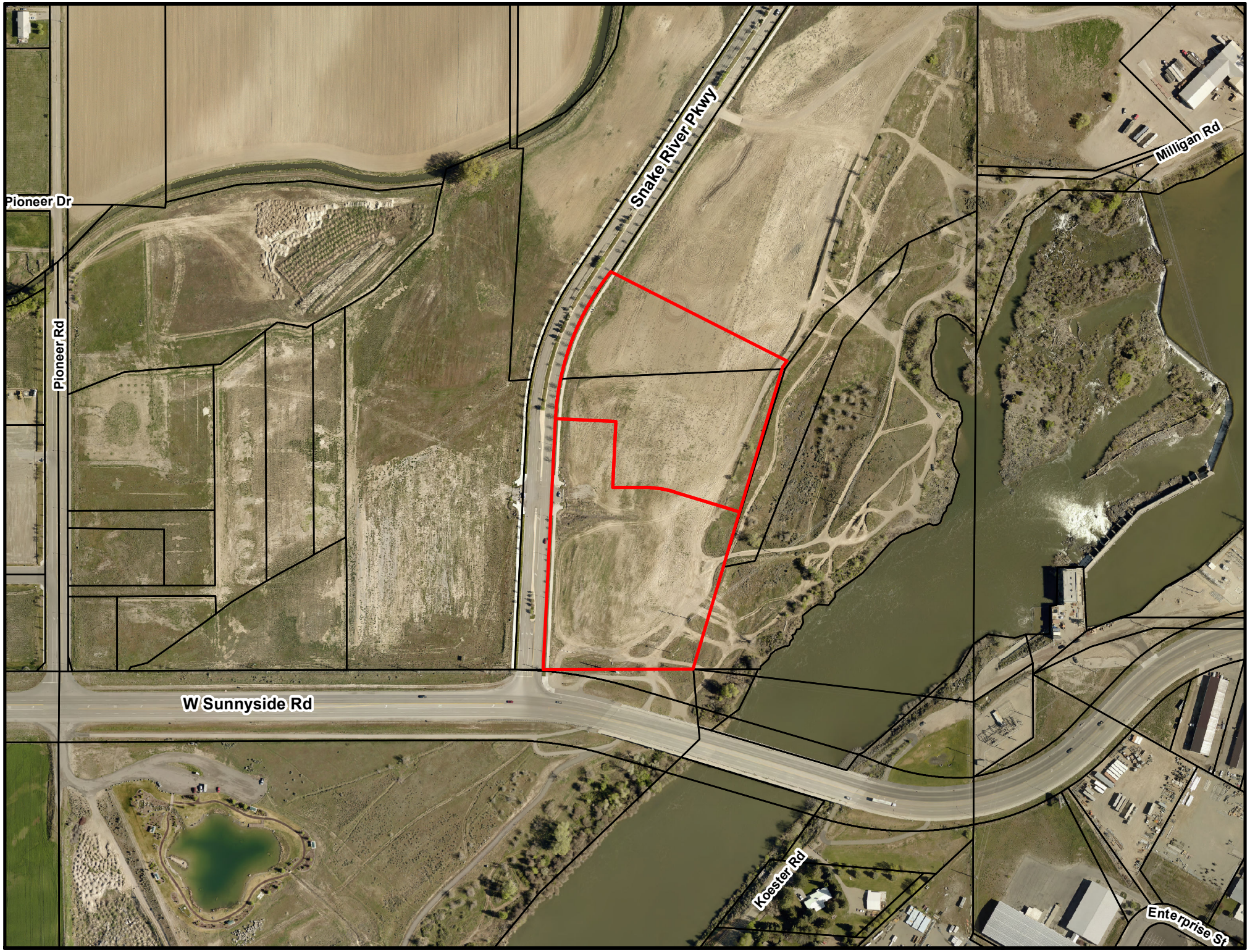
- PT
- PT&T-1
- PUD
- T-1
- T-2
- RE
- RP
- R1
- R2
- TN
- RMH
- R3
- R3A
- PB
- DT
- CC
- LC
- HC
- R&D
- LM
- I&M
- P



IDAHO FALLS

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

N

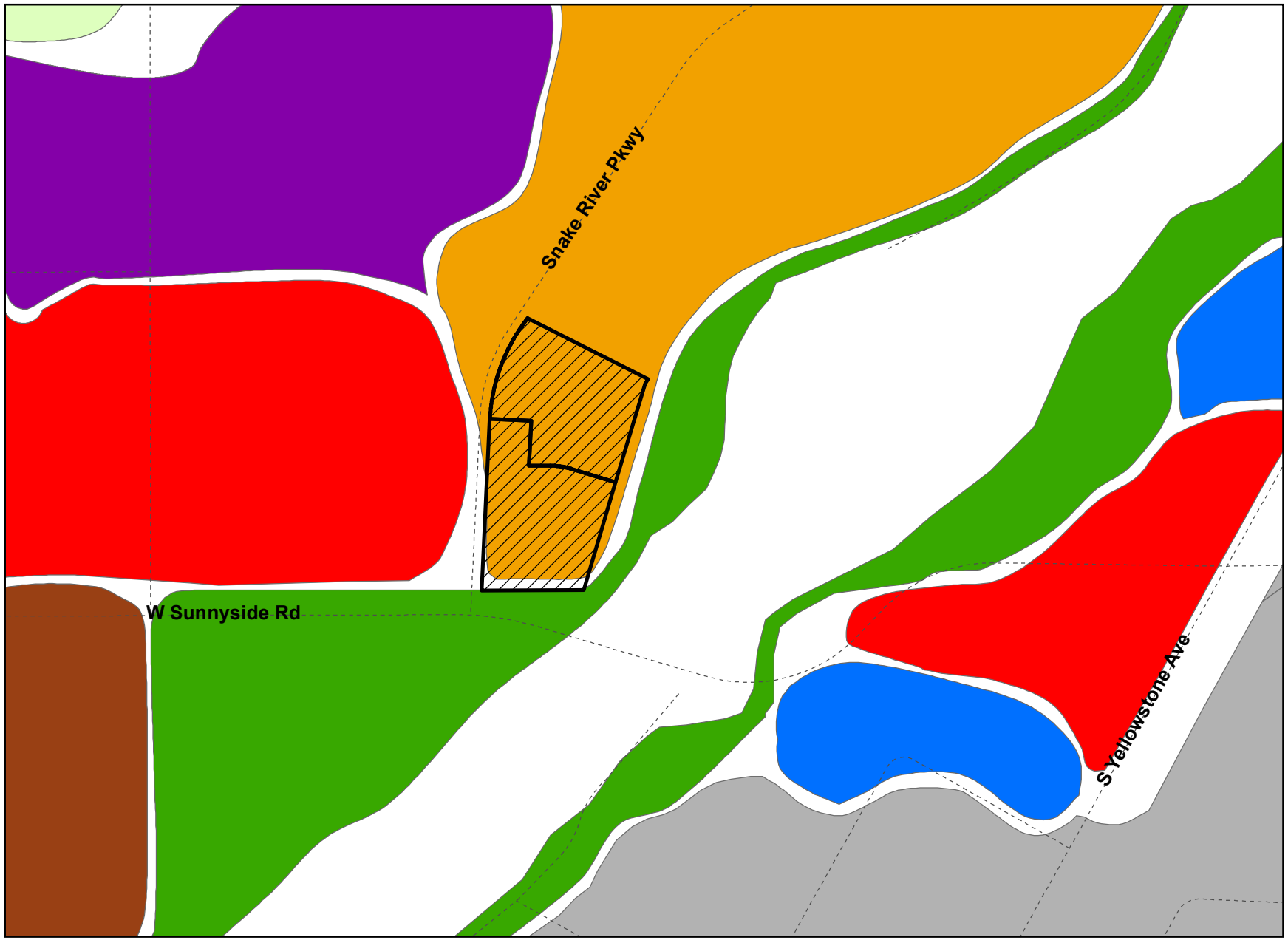

Pioneer Dr
Pioneer Rd
Snake River Pkwy
Milligan Rd
W Sunnyside Rd
Koester Rd
Enterprise St

Final Plat

Snake River Landing Division No. 15

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

Comprehensive Plan



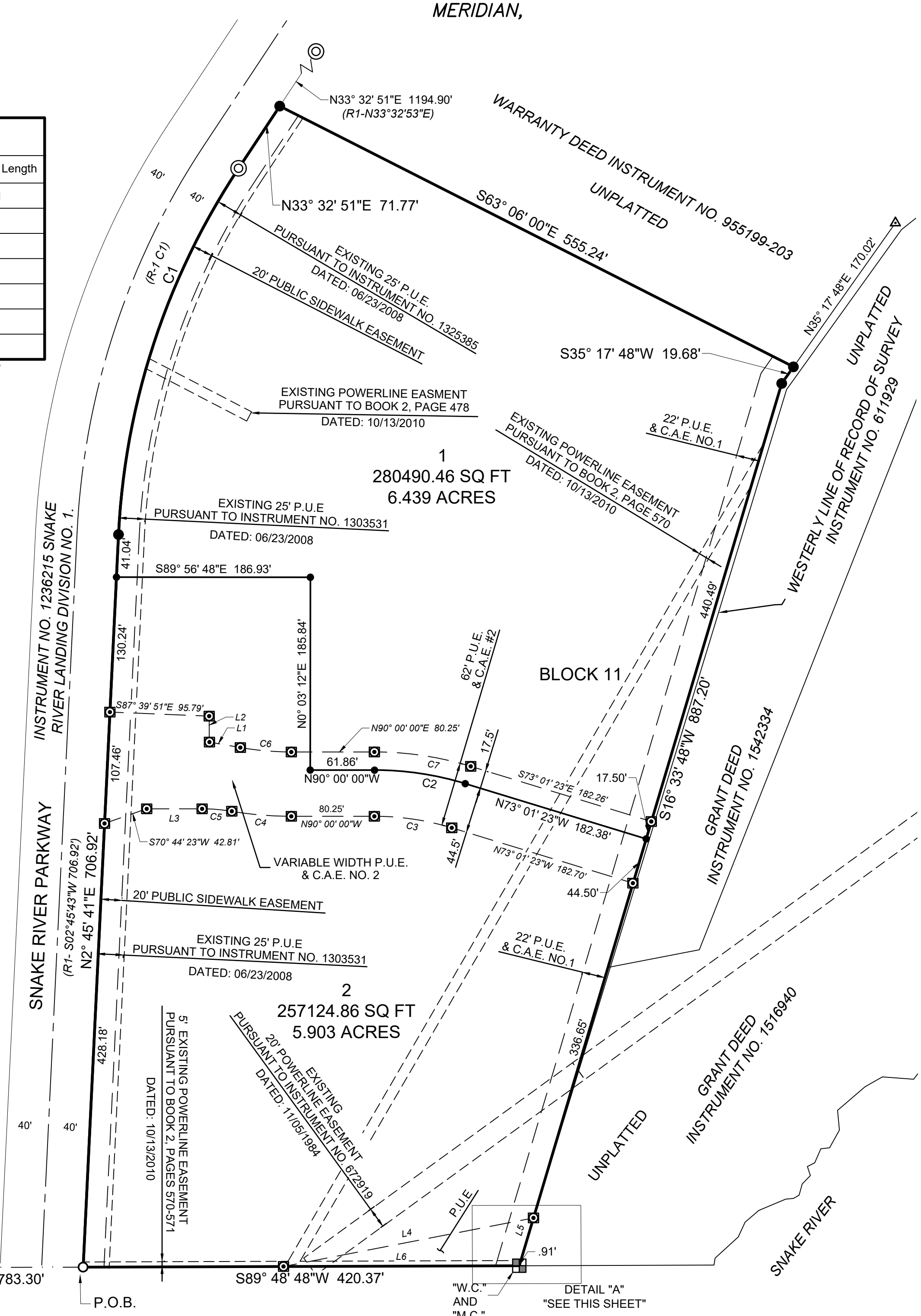
IDAHO FALLS

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

N

SNAKE RIVER LANDING DIVISION NO. 15

A SUBDIVISION OF THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO. LOCATED IN SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 37 EAST, BOISE MERIDIAN,



IDAHO FALLS PLANNING AND ZONING COMMISSION STAFF REPORT

Final Plat

Snake River Landing Division 15

March 3, 2020

IDAHO FALLS

Community Development Services

Applicant: Horrocks Engineers

Project Manager: Brian J. Stevens

Location: Generally North of W Sunnyside Road, East of Snake River Parkway, South of Event Center Drive, West of The Snake River.

Size: Approx. 12.34 acres
Lots: 2

Existing Zoning:
Site: HC/LC
North: LC
South: P
East: P
West: HC

Existing Land Uses:
Site: Vacant
North: Vacant
South: Park
East: Future Park
West: Vacant

Future Land Use Map:
Higher Density

Attachments:
1. Maps
2. Aerial photos
3. Exhibit
4. Photos

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

History: This property was annexed in 2005 and given the initial zone of C-1. The bulk of this division was also rezoned to HC in 2018 when a city wide rezone was completed.

Staff Comments: This is vacant piece of land along Sunnyside Road and Snake River Parkway. The plat includes two lots. The lots will meet the minimum requirements for the LC and HC Zones. Dual zoning on lot 2 is not a concern as development standards are similar. The property has frontage on both Sunnyside Road and Snake River Parkway. Access to this lot will be from Snake River Parkway via a shared or individual approach at time on of site plan review. Snake River Parkway is designated as a minor arterial.

Staff Recommendation: Staff has reviewed the final plat and finds that it complies with the subdivision ordinance. Staff recommends approval of the plat.

Subdivision Ordinance: Boxes: with an "X" indicated compliance with the ordinance

REQUIREMENTS	Staff Review
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.	NA
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 a1terial or otherwise create an unsafe condition; 2) There is no reasonable alternative for access to the a1terial 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 proposes access.	X
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 R3, 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.	NA
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 a1terial 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 150ft 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 a1terial 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.	NA
Planning Director to classify street on basis of zoning, traffic volume, function, growth, vehicular & pedestrian safety, and population density.	No New Streets

Comprehensive Plan Policies:

Encourage development in areas served by public utilities or where extensions of facilities are least costly. (p. 67)

Develop nodes of clustered development. Nodes, rather than strips, provide a hub around which we can center development at a human scale. (p. 67)

Zoning:

(C) LC Limited Commercial Zone. This zone provides a commercial zone for retail and service uses which supply the daily household needs of the City's residents. This Zone is usually located on major streets contiguous to residential uses. This zone is characterized by smaller scale commercial uses which are easily accessible by pedestrians and non-motorized vehicles from the surrounding residential neighborhoods, although larger scale developments such as big-box stores may still serve as anchors. Connectivity is provided with walkways that provide access to and through the development site. Parking for vehicles is understated by the use of landscaping, location, and provision of pedestrian walkways to the businesses.

(D) HC Highway and General Commercial Zone. This zone provides a commercial zone for retail and service uses serving the traveling public. Characteristics of the Zone are buildings set back from the right-of-way line to promote safety on the highway and maintain maximum use of highway right-ofway for travel purposes, and a wide variety of architectural forms and shapes. This Zone should be located at specifi c locations along highways leading into the City.

Table 11-3-5: Dimensional Standards for Commercial Zones

	CC	PB	LC	HC
Site width at front setback - Minimum in ft.		50	50	50
Setbacks – Minimum in ft.				
Front		20	20*	20
Side				
Rear				
Landscape buffer contiguous to street* in ft.		15	20*	20*
Landscape buffer contiguous to a residential Zones* in ft.	10	10	20/10	30/10
Building height – Maximum in ft.		*	*	
Lot Coverage- Maximum in %		80	80	
*See explanations, exceptions and qualifications that follow in Section 11-3-6A (1-3) of this Zoning Code.				

(1) In the LC Zone, structures may encroach into the twenty foot (20') setback up to ten feet (10') when designed with a pedestrian walkway a minimum of five feet (5') in width connecting the public sidewalk to the structure's entrance. Parking is not permitted to encroach into the twenty foot (20') setback.

(2) In the HC Zone, display space may encroach into the landscape buffer contiguous to the street. Such encroachments may not exceed twenty five percent (25%) of the linear frontage contiguous to the street.

(3) In all commercial zones, when a development adjoins a residential zone or unincorporated land designated for residential land use in the City's Comprehensive Plan and the height of the building is over twenty-four feet (24'), the building shall set back thirty feet (30') from the property line contiguous to such Zones or land designated for residential land uses.

(4) For commercial uses, lot coverage shall include all areas under roofs and paved surfaces including driveways, walks, and parking areas. The remaining lot area shall be landscaped as required by this Code.

11-2-4: ALLOWED USES IN COMMERCIAL ZONES.

Table 11-2-2: Allowed Uses in Commercial Zones

P = permitted use. C_1 = administrative conditional use. C_2 = Planning Commission conditional use. C_3 = City Council conditional use. A blank denotes a use that is not allowed in that zone.

*Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.

	Commercial				
Proposed Land Use Classification	**PB**	**CC**	**LC**	**HC**	**PT**
Accessory use*	P	P	P	P	P
Accessory use, Fuel Station*		P	P	P	
Accessory use, Storage Yard*		P	P	P	
Amusement Center, Indoor		P	P	P	
Amusement Center, Indoor Shooting Range*		P	P	P	
Amusement Center, Outdoor*				P	
Animal Care Clinic*	P	P	P	P	
Animal Care Facility*				P	
Bed and Breakfast*		P	P		P
Boarding /Rooming House		P	P		P
Building Material, Garden and Farm Supplies			P	P	
Cemetery*		C_2	C_2	C_2	
Club*		P	P	P	
Communication Facility		P	P	P	
Day Care, all Types*	P	P	P	P	P
Drinking establishment		P		P	
Drive-through Establishment *	P*	P	P	P	P
Dwelling, accessory unit *		P	P	P	P
Dwelling, multi-unit*		P	P		P
Dwelling, single unit attached			P		
Dwelling, single unit detached			P		
Dwelling, two unit			P		P
Eating establishment		P	P	P	P
Eating Establishment, limited	P	P	P	P	P
Financial Institutions	P	P	P	P	P
Entertainment and Cultural Facilities	P	P	P	P	P

Proposed Land Use Classification	PB	CC	LC	HC	PT
Equipment Sales, Rental and Services			P	P	
Food Processing, small scale				P	
Food store		P	P	P	P
Health Care and Social Services	P	P	P	P	P
Higher Education Center		P	P	P	P
Home Occupation*	P	P	P	P	P
Hospital*	C_2	C_2	C_2	C_2	C_2
Industry, craftsman	P	P	P	P	
Industry, light		P		P	
Information Technology	P	P	P	P	P
Laundry and Dry Cleaning		P			P
Live-Work*	C_2	P	P	P	P
Lodging Facility		P	P	P	P
Mortuary				P	P
Parking Facility		P	P	P	P
Pawn Shop		P			
Personal Service	P	P	P	P	P
Professional Service	P	P	P	P	P
Planned Unit Development*		C_3	C_3		C_3
Public Service Facility*	C_2	C_2	C_2	C_2	C_2
Public Service Facility, Limited	P	P	P	P	P
Public Service Use	P	P	P	P	P
Recreation Vehicle Park*				P	
Religious Institution*		P	P	P	P
Residential Care Facility	P	P	P	P	P
Retail		P	P	P	P
School*		P	P	P	P
Short Term Rental*		P	P		P
Fuel Station		P	P	P	
Fuel Station, Super		C_2	P	P	
Storage Facility, Indoor		P	P	P	P
Storage Facility, Outdoor				P	
Storage Yard*				P	
Transit Station		P	P	P	P
Vehicle and Equipment Sales			P	P	
Vehicle Body Shop				P	
Vehicle Repair and Service		P	P	P	
Vehicle Sales, Rental and Service		P		P	
Vehicle Washing Facility		C_2	C_2	P	

(Ord. 3210, 8-23-18) (Ord. 3218, 9-13-18) (Ord. 3233, 12-20-18) (Ord. 3277, 10-10-19)

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. PLAT 20-003: FINAL PLAT. Snake River Landing Division No. 15. Stephens presented the staff report, a part of the record.

Applicant: Justin Scott, 901 Pier View Drive, Idaho Falls, Idaho. Scott stood for questions.

Romankiw moved to recommend to the Mayor and City Council approval of the Final Plat for Snake River Landing Division No. 15.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FINAL PLAT Snake River Landing Division No. 15, LOCATED GENERALLY North of W Sunnyside Road, East of Snake River Parkway, South of Event Center Drive, West of The Snake River.

WHEREAS, the applicant filed an application for a final plat on January 27, 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 August 13, 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 12.343. Acre parcel located generally North of W Sunnyside Road, East of Snake River Parkway, South of Event Center Drive, West of The Snake River.
3. The plat complies with all requirements of the Subdivision Ordinance and Zoning Ordinance.
4. The proposed development is consistent with the principles of the City's Comprehensive Plan.

II. DECISION

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

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2020

_____

Rebecca L. Noah Casper, Mayor

DEVELOPMENT AGREEMENT
SNAKE RIVER LANDING, DIV. NO. 15

This DEVELOPMENT AGREEMENT SNAKE RIVER LANDING, DIV. NO. 15 (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 SUNNYVIEW, LLC, an Idaho limited liability corporation (hereinafter "DEVELOPER"), whose mailing address is P.O. Box 51298, Idaho Falls, Idaho 83405-1298.

W I T N E S S E T H:

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

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)

SUNNYVIEW, LLC

By: BV Management Services, Inc., an Idaho corporation, the Manager

By _____
Cortney Liddiard

STATE OF Idaho)
) ss:
County of Bonneville)

On this 7th day of August, 2020, before me, the undersigned, a notary public, in and for said State, personally appeared Cortney Liddiard, known or identified to me to be the Manager of SRL Development, 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.

TANA BARNEY
COMMISSION NO. 63256
(Seal)NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 03/17/2026

Tana Barney
Notary Public of Idaho
Residing at: Bonneville County
My Commission Expires: 3.17.2026

EXHIBIT "A"
PROPERTY

SNAKE RIVER LANDING, DIVISION NO. 15

Legal Description

A PARCEL OF LAND LOCATED IN SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 37 EAST, BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 26, THENCE ALONG THE SOUTH LINE OF SAID SECTION 26 NORTH 89°48'48" EAST 1362.93 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SNAKE RIVER PARKWAY AS SHOWN ON SNAKE RIVER LANDING DIVISION NO. 1, INSTRUMENT NO. 1236215, BEING THE **POINT OF BEGINNING**; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; (1) THENCE NORTH 02°45'41" EAST 706.92 FEET TO A POINT OF TANGENCY WITH A 700.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST OF WHICH RADIUS BEARS SOUTH 87°14'19" EAST; (2) THENCE NORTHEASTERLY 376.12 FEET ALONG THE ARC OF SAID 700.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 30°52'32" AND A LONG CHORD THAT BEARS NORTH 18°09'16" EAST 371.61 FEET; (3) THENCE NORTH 33°32'51" EAST 71.77 FEET; THENCE SOUTH 63°06'00" EAST 555.24 FEET TO THE WESTERLY LINE OF GRANT DEED, INSTRUMENT NO. 1542334; THENCE ALONG SAID WESTERLY LINE, SOUTH 35°17'48" WEST 19.68 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE AND ALSO THE WESTERLY LINE OF GRANT DEED, INSTRUMENT NO. 1516940, SOUTH 16°33'48" WEST 887.20 FEET TO THE SOUTH LINE OF SECTION 26; THENCE ALONG SAID SOUTH LINE, SOUTH 89°48'48" WEST 420.37 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 12.342 ACRES, MORE OR LESS.

EXHIBIT "B"

SPECIAL CONDITIONS
SNAKE RIVER LANDING, DIVISION NO. 15

S-C 1.00 Arterial Street and Bridge Fees. The Bridge and Arterial Streets fee for this Subdivision is thirty thousand eight hundred fifty-five dollars ($30,855) (12.342 acres of C1 zone at two thousand five hundred dollars ($2,500) per acre), payable as follows:

Due Date	Payment Amount
Upon execution of this Agreement	$ 3,086.00
October 1, 2020	$ 4,628.00
April 1, 2021	$ 4,628.00
July 1, 2021	$ 4,628.00
October 1, 2021	$ 4,628.00
January 1, 2022	$ 4,628.00
April 1, 2022	$ 4,629.00
TOTAL	$ 30,855.00

S-C 2.00 Surface Drainage Fees. The surface drainage fee for this Subdivision is four thousand thirty-two dollars and seventy-five cents ($4,032.75) (537,699.85 square feet net area at $.0075 per square foot), payable as follows:

Due Date	Payment Amount
Upon execution of this Agreement	$ 403.28
October 1, 2020	$ 604.91
April 1, 2021	$ 604.91
July 1, 2021	$ 604.91
October 1, 2021	$ 604.91
January 1, 2022	$ 604.91
April 1, 2022	$ 604.92
TOTAL	$ 4,032.75

S-C 3.00 Storm Drainage. Storm Drainage will be designed and constructed to accommodate drainage of the roads and lots within the Development by DEVELOPER. The storm drainage system

shall meet CITY Storm Drainage policy and be maintained by DEVELOPER.

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 East Boundary Construction Coordination. The east boundary of this Subdivision borders Heritage Park, a CITY park that is being developed and constructed concurrently by CITY. DEVELOPER shall coordinate utility and fill construction activities per the approved Improvement Drawings with the Heritage Park development.

IDAHO FALLS

MEMORANDUM

FROM: Brad Cramer, Director

DATE: Monday, August 3, 2020

RE: Rezone from RE to LC, Zoning Ordinance, Reasoned Statement of Relevant Criteria and Standards, M&B: 1.48 Acres, E1/2 NE1/4 SE1/4, Sec 25, T2N, R37

Council Action Desired

☒ Ordinance ☐ Resolution ☒ Public Hearing

☐ Other Action (Approval, Authorization, Ratification, etc)

1. Approve the Ordinance Rezoning M&B: 1.48 Acres, E1/2 NE1/4 SE1/4, Sec 25, T2N, R37 under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the ordinance on the first reading and that it be read by title, reject the ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from RE to LC of M&B: 1.48 Acres, E1/2 NE1/4 SE1/4, Sec 25, T2N, R37 and give authorization for the Mayor to execute the necessary documents.

Description, Background Information & Purpose

Attached is the application for Rezone from RE to LC, Zoning Ordinance, Reasoned Statement of Relevant Criteria and Standards, M&B: 1.48 Acres, E1/2 NE1/4 SE1/4, Sec 25, T2N, R37. The Planning and Zoning Commission considered this item at its July 21, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Relevant PBB Results & Department Strategic Plan

☐ ☒ ☒ ☐ ☒ ☐ ☒ ☐

Consideration of the rezone must be done consistent with the principles of the Comprehensive Plan, which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

Interdepartmental Coordination

NA

Fiscal Impact

NA

Legal Review

This application and ordinance have been reviewed by Legal pursuant to applicable law.

Rezone RE to LC

RZON20-005 ~ 1.48 A E1/2 NE1/4 SE1/4, SEC 25, T 2N, R 37

Legend

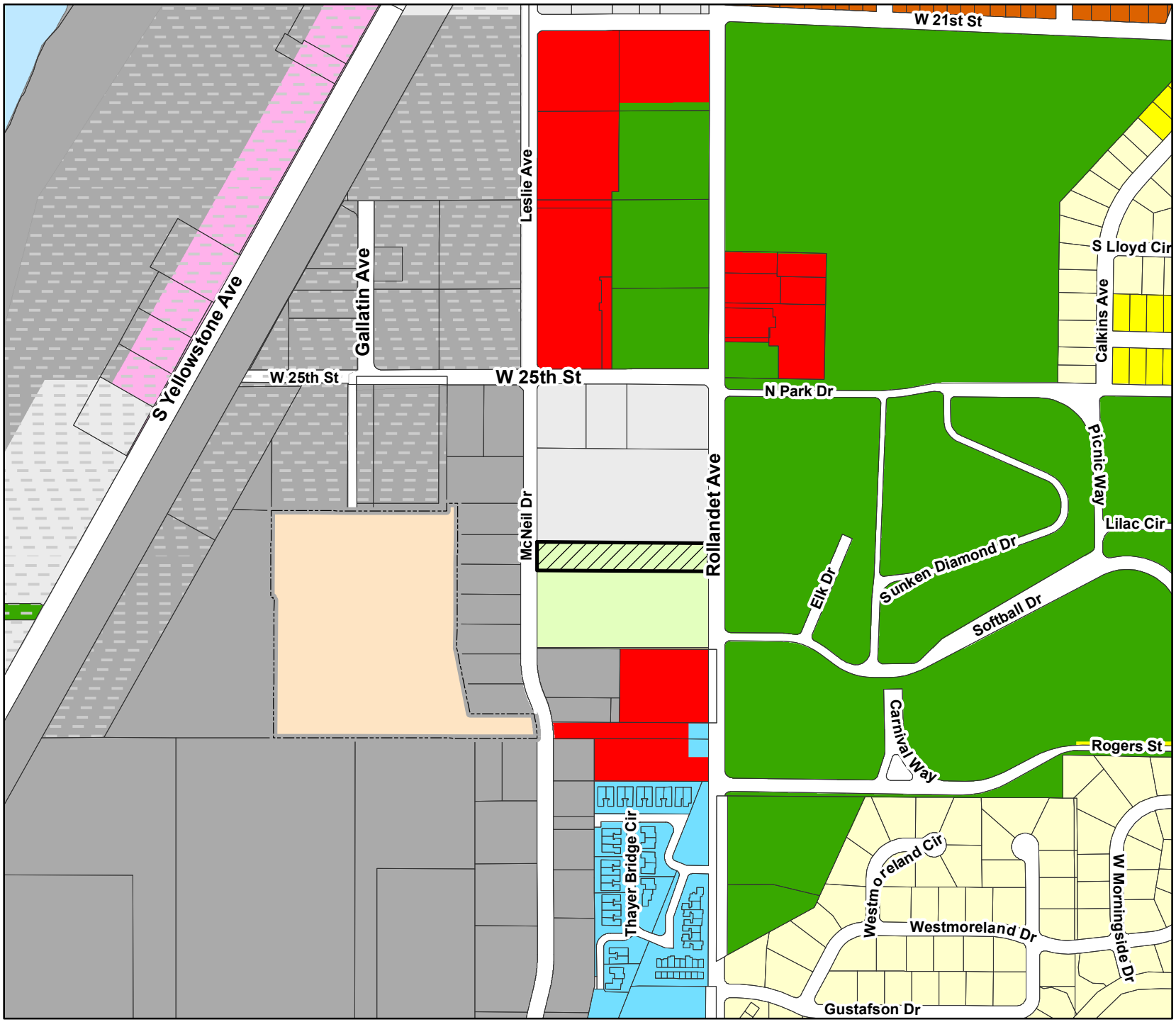
- Site - CP
- City Limits
- Area of Impact

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

IDAHO FALLS

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



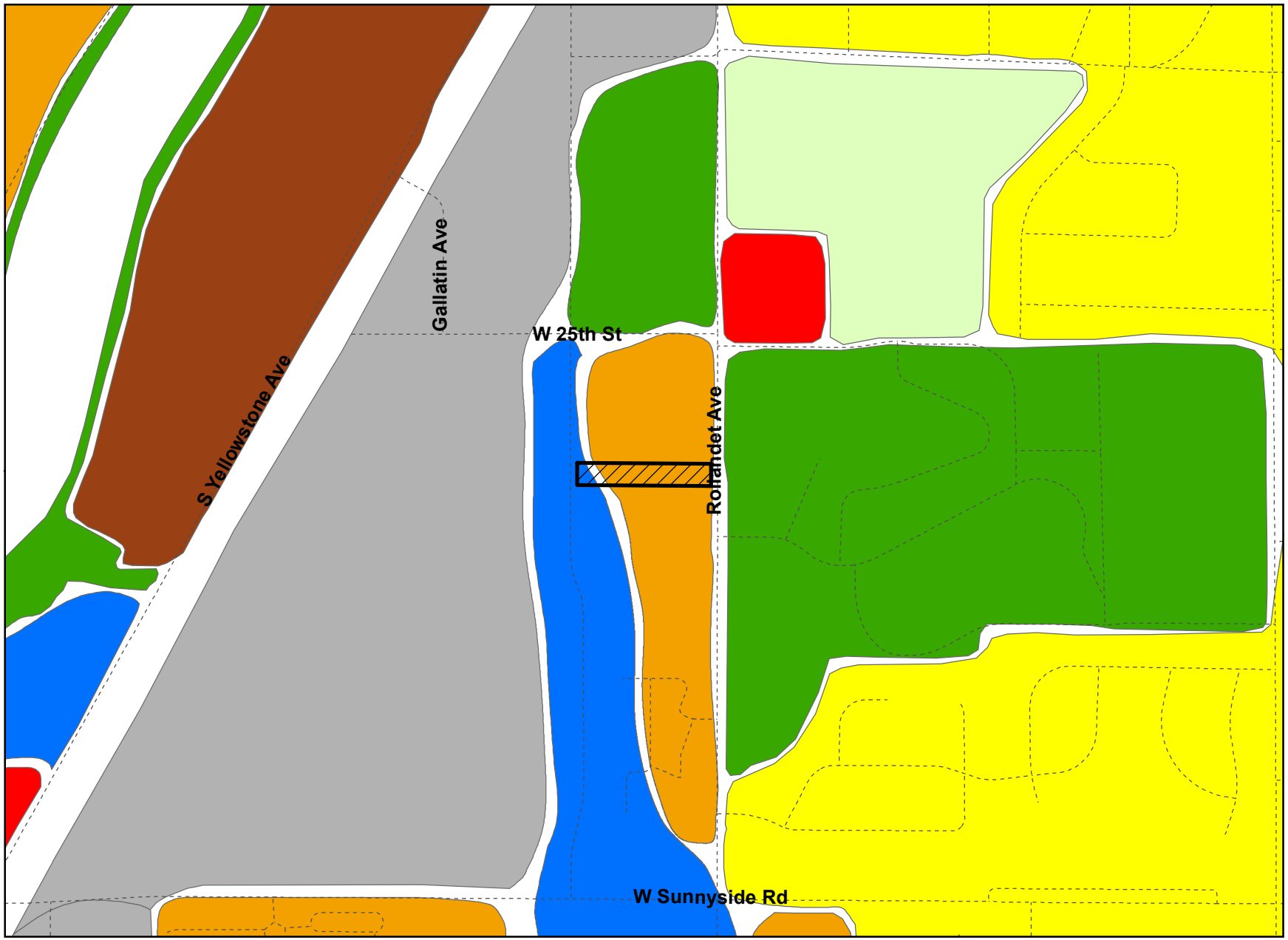
Gallatin Ave
Leslie Ave
W 25th St
W 25th St
N Park Dr
McNeil Dr
Rollandet Ave
Elk Dr
Sunken Diamond Dr
Softball Dr
Carnival Way
Thayer Bridge Cir

Rezone RE to LC

RZON20-005 ~ 1.48 A E1/2 NE1/4 SE1/4, SEC 25, T 2N, R 37

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

Comprehensive Plan



IDAHO FALLS

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

N

IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT

REZONE FROM RE TO LC

1.48 A E1/2 NE1/4 SE1/4, SEC 25, T 2N, R 37

July 21, 2020

IDAHO FALLS

Community Development Services

Applicant: Melanie Eskelsen

Project Manager: Brent McLane

Location: Generally located North of W Sunnyside Rd, East of S Yellowstone Ave, South of W 25th St, West of Rollandet Ave

Size: Approx. 1.48 acres

Existing Zoning:
Site: RE
North: LM
South: RE
East: P
West: IM

Existing Land Uses:
Site: Residential
North: Vacant
South: Residential
East: Park
West: Vacant Industrial

Future Land Use Map: Higher Density Residential and Employment Center

Attachments:
1. Zoning Ordinance Information
2. Comprehensive Plan Policies
3. Maps and aerial photos

Requested Action: To recommend approval of the rezone from RE to LC to the Mayor and City Council.

Staff Recommendation: Staff recommends approval of rezone from RE to LC as it is consistent with Comprehensive Plan policies and the purposes of the LC Zone

History: This parcel was part of a City initiated annexation that was approved by the City Council in December of 2019. At that time the property was zoned RE, Residential Estate, due to the residence located on the property and that the property was larger than one acre.

Staff Comments: The property is proposed to be rezoned from RE (Residential Estate) to LC (Limited Commercial). The LC zone provides a mixed-use commercial zone for retail and service in addition to a variety of residential uses. The RE zone has been established primarily as a holding zone for large county residential properties that come into the City until such time it is appropriate for them to redevelop. The LC designation is consistent with Comprehensive Plan designations of Higher Density Residential and Employment Center and with Comprehensive Plan policies.

Comprehensive Plan Policies:

Create a node of higher density housing and mixed uses to provide a ready market and to add interest to our arterial streets. If a failing retail environment still includes or is near grocery stores, drug stores, small restaurants, and recreational amenities, encouraging redevelopment to higher density housing with limited retail may be an alternative which revitalizes the commercial strip. Effective design can minimize the negative impacts of traffic, and the ugliness of an older commercial strip can be reduced or eliminated by architectural quality, landscaping and trees including median landscaping, street lamps and furniture, wide sidewalks, and placement of restaurant, retail, and two or three story buildings near the street right-of-way. (p. 34)

Understand the demand for industrial uses in our community. There are many types of heavy commercial or industrial uses in a community. Just as the retail market has demanded new types of facilities in different locations, the industrial market has changed. In most communities, the demand has moved to a campus like setting for manufacturing, warehousing and distribution, and research and development. The North Boulevard – Technology Drive area was created to provide this type of environment but the remaining land is limited. University Boulevard in northern Idaho Falls may provide this type of facility for research and development. The area south of York Road was annexed and zoned for light industry but the need has not materialized on this site. Land in the northeast of the City near Yellowstone Highway also has railroad access. We need to identify our industrial potential as a community, develop criteria for the sites needed, identify the applicable locations, and protect those areas. (p. 34)

Arterial corners shall support higher density housing, quasi-public services, or community/neighborhood commercial services. (p.41)

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)

Plan for different commercial functions within the City of Idaho Falls. Private developers recognize there are different types of commercial development serving different customers. In our planning, we need to understand these different functions and require different site standards. (p. 46)

Revise the zoning ordinance to encourage the creation of employment centers. Employment centers are an extension of industrial and office parks carefully planned to facilitate interaction between light industrial uses, offices, and limited commercial activities. Such centers offer services for the employee and visitor, such as day care centers, restaurants, and business services. The zones which have been used for employment centers are M-1, R&D-1, and C-1 as well as PB. Again, we need to monitor the results of development to determine if these zones promote the mix of land uses envisioned in this comprehensive plan. (p.52)

Encourage a number of locations in the City for industry and large employers. There should be a number of modestly sized sites to offer employers a greater choice of locations and convenience to employees. (p. 52)

Encourage development in areas served by public utilities or where extensions of facilities are least costly. Not only is a compact city convenient but the provision of public facilities is less expensive. Growth does not always occur at the fringe of a community. Vacant lands or underutilized parcels may redevelop to more intensive uses which use existing utilities. (Page 67)

Commercial Retail shops, restaurants, and offices.

Higher density residential Homes, apartments, and condominiums developed at densities of 8 to 35 units per acre.

Rezoning Considerations: Because the comprehensive plan provides only general guidance for zoning decisions, the Planning Commission shall also take the following considerations into account:

	Applicant Comment	**Staff Comment**
Explain how the proposed change is in accordance with the City's Comprehensive Plan.	It shows that it's high density LC surrounding LC	The Comprehensive Plan identifies this area as High Density Residential and Employment Center. The requested LC Zone is a zone that will allow for commercial development or high density residential which is consistent with the Comprehensive Plan Designations.
What Changes have occurred in the area to justify the request for a rezone?	The development of McNiel Road	The recent City initiated annexation zoned the property RE as a holding zone for future rezoning requests and development.
Are there existing land uses in the area similar to the proposed use?	Yes	There is currently a mix of uses surrounding the property and is located as a transition area from industrial areas to the city park.
Is the site large enough to accommodate required access, Parking, landscaping, etc. for the proposed use?	Yes	The size of the property would allow for multiple uses allowed in the LC Zone.
		Staff Comment
The potential for traffic congestion as a result of development or changing land use in the area and need that may be created for wider streets, additional turning lanes and signals, and other transportation improvements		Development in this area has the potential to generate traffic, but will have immediate access to Rollandet Ave, a major arterial, and McNiel Dr, a minor collector, both of which are designed to manage traffic loads. Additionally, traffic will not be required to go through any existing residential neighborhoods to access the transportation network.
The potential for exceeding the capacity of existing public services, including, but not limited to: schools, public safety services, emergency medical services, solid waste collection and disposal, water and sewer		Staff unaware of capacity issues in this area that would be exceeded by development.

services, other public utilities, and parks and recreational services	
The potential for nuisances or health and safety hazards that could have an adverse effect on adjoining properties	Staff is unaware of any nuisances that development might create on adjoining properties.
Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment	Recent annexations in this area promotes a mix of commercial uses and higher density residential uses.

Transportation Plan: Rollandet Ave. – Major Arterial
McNiel Drive – Collector

Zoning Ordinance:

11-3-3: PURPOSES OF RESIDENTIAL ZONES.

(A) RE Residential Estate Zone. This zone provides a residential zone that permits the continuance of areas which are characterized by lots of sufficient size to accommodate single dwelling units and limited agricultural uses, including animal husbandry. The Zone is generally intended for rural residential areas which were previously developed in the County. This zone is generally not intended for new subdivisions within the City.

11-3-5: PURPOSE OF COMMERCIAL ZONES.

(C) LC Limited Commercial Zone. This zone provides a commercial zone for retail and service uses which supply the daily household needs of the City's residents. This Zone is usually located on major streets contiguous to residential uses. This zone is characterized by smaller scale commercial uses which are easily accessible by pedestrians and non-motorized vehicles from the surrounding residential neighborhoods, although larger scale developments such as big-box stores may still serve as anchors. Connectivity is provided with walkways that provide access to and through the development site. Parking for vehicles is understated by the use of landscaping, location, and provision of pedestrian walkways to the businesses.

11-2-4: ALLOWED USES IN COMMERCIAL ZONES.

Table 11-2-2: Allowed Uses in Commercial Zones

P = permitted use. C1 = administrative conditional use. C2 = Planning Commission conditional use. C3 = City Council conditional use. A blank denotes a use that is not allowed in that zone.

*Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.

	Commercial				
Proposed Land Use Classification	**PB**	**CC**	**LC**	**HC**	**PT**
Accessory use*	P	P	P	P	P
Amusement Center, Indoor		P	P	P	
Amusement Center, Indoor Shooting Range*		P	P	P	
Amusement Center, Outdoor*				P	
Animal Care Clinic*	P	P	P	P	
Animal Care Facility*				P	
Bed and Breakfast*		P	P		P
Boarding /Rooming House		P	P		P
Building Material, Garden and Farm Supplies			P	P	
Cemetery*		C_2	C_2	C_2	
Club*		P	P	P	
Communication Facility		P	P	P	
Day Care, all Types*	P	P	P	P	P
Drinking establishment		P		P	
Drive-through Establishment *	P*	P	P	P	P
Dwelling, accessory unit *		P	P	P	P
Dwelling, multi-unit*		P	P		P
Dwelling, two unit					P
Eating establishment		P	P		P
Eating Establishment, limited	P	P	P	P	P
Financial Institutions	P	P	P	P	P
Entertainment and Cultural Facilities	P	P	P	P	P
Equipment Sales, Rental and Services			P	P	
Food Processing, small scale				P	
Food store		P	P	P	P
Health Care and Social Services	P	P	P	P	P

Proposed Land Use Classification	PB	CC	LC	HC	PT
Higher Education Center		P	P	P	P
Home Occupation*	P	P	P	P	P
Hospital*	C_2	C_2	C_2	C_2	C_2
Industry, craftsman	P	P	P	P	
Industry, light		P		P	
Information Technology	P	P	P	P	P
Laundry and Dry Cleaning		P			P
Live-Work*	C_2	P	P	P	P
Lodging Facility		P	P	P	P
Mortuary				P	P
Parking Facility		P	P	P	P
Pawn Shop		P			
Personal Service	P	P	P	P	P
Professional Service	P	P	P	P	P
Planned Unit Development*		C_3	C_3		C_3
Public Service Facility*	C_2	C_2	C_2	C_2	C_2
Public Service Facility, Limited	P	P	P	P	P
Public Service Use	P	P	P	P	P
Recreation Vehicle Park*				P	
Religious Institution*		P	P	P	P
Residential Care Facility	P	P	P	P	P
Retail		P	P	P	P
School*		P	P	P	P
Short Term Rental*		P	P		P
Fuel Station		P	P	P	
Fuel Station, Super		C_2	P	P	
Storage Facility, self-service				P	P
Storage Yard*				P	
Transit Station		P	P	P	P
Vehicle and Equipment Sales			P	P	
Vehicle Body Shop				P	
Vehicle Repair and Service		P	P	P	
Vehicle Sales, Rental and Service		P		P	
Vehicle Washing Facility		C_2	C_2	P	

July 21, 2020 7:00 p.m. Planning Department

Council Chambers

Notice: Due to Governor Little's proclamation on March 19, 2020 and the Stay-At-Home Order given on March 25, 2020, the doors to the meeting were locked, but notice was given to the public on how to participate via any of the following ways: Submit comments in writing; participate via internet through a Webex meeting; participate via phone through Webex meeting; and watch the meeting via live stream on the City's website.

MEMBERS PRESENT: Commissioners Natalie Black, Arnold Cantu, Gene Hicks, Brent Dixon, George Morrison, Margaret Wimborne

MEMBERS ABSENT: Joanne Denney, Lindsey Romankiw.

ALSO PRESENT: Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Brent McLane; 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: The minutes for the July 7, 2020 meeting were tabled until the August meeting.

Public Hearing(s):

4. RZON 20-005: REZONE. Rezone from Residential Estate RE to Limited Commercial LC for 1.48 Acres in the E ½ NE ¼ SE ¼, Section 25, Township 2 North, Range 37 and known as 2636 Rollandet Ave.

Black opened the public hearing.

No applicant appeared

McLane presented the staff report, a part of the record.

Dixon asked how wide the property is. McLane stated it is a unique property with street access on both ends. Dixon asked what could be developed and if the zone makes a difference on what can be developed with the width. Dixon stated that Thayer Bridge has a non-public street that is narrower and housing on one side and that looks wider than this parcel. Dixon asked what could be developed if a road went through and trying to understand how the zone and the shape of the lot go along with each other. Cramer indicated that the width of the property is 103 feet. Dixon asked what kind of limitations would be presented for a lot that is only 103 feet wide. McLane stated it doesn't need a through roadway because it has access on two streets. McLane stated that it is up to the property owner to fit the property with his development. Dixon stated that the property to the south is zoned residential estate, so it would need a setback to provide a buffer.

McLane confirmed the rezone is requested by the property owner.

No one appeared in support or opposition to the application.

Black closed the public hearing.

Morrison believes the land fits in with the neighborhood with the commercial and housing, so LC is a good zone for this area.

Black indicated that this is the 3rd residential to LC.

Wimborne agreed with Morrison and stated that at first it was jarring to go from RE to LC, but she feels the LC fits in well with the area.

Dixon stated that the Comp Plan identifies this area as higher density residential and residential is a secondary allowed use within LC. Dixon stated that the property already zoned in the area is manufacturing and it does touch on an area in the Comp Plan for employment centers and this area is developing more in a commercial/manufacturing mode than residential. Dixon believes the high density residential was put in because Thayer Bridge was already developed when the Comp Plan was changed, but additional residential has not developed in the area. Dixon believes LC is consistent with the development in the area.

Morrison moved to recommend to the Mayor and City Council approval of the Rezone from RE to LC for 2636 Rollandet, Wimborne seconded the motion and it passed unanimously.

ORDINANCE NO._____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF APPROXIMATELY 1.48 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM RE ZONE TO LC ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed zoning district of lands described in Section 1 is LC Zone for such annexed lands and such zoning is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation "Higher Density Residential, Employment Center;" and

WHEREAS, the proposed zoning district is consistent and compatible with the existing and surrounding zoning districts and is consistent with the City of Idaho Falls Comprehensive Plan; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on July 21, 2020, and recommended approval of zoning the subject property to LC Zone; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on August 13, 2020.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

SECTION 1: LEGAL DESCRIPTION:

This ordinance shall apply to the following described lands in Idaho Falls, Idaho, Bonneville County, to-wit:

APPROXIMATELY 1.48 A E1/2 NE1/4 SE1/4, SEC 25, T 2N, R 37

SECTION 2. Zoning. That the property described in Section 1 of this Ordinance be and the same hereby is zoned "LC" and the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

SECTION 3. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 4. Publication. This Ordinance, or a summary thereof in compliance with Idaho

Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this_____day of_____, 2020.

CITY OF IDAHO FALLS, IDAHO

_____
Rebecca L. Noah Casper, Mayor

ATTEST:

_____
Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

> That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF 1.48 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM RE ZONE TO LC ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

_____
Kathy Hampton, City Clerk

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REZONE FROM RE TO LC OF APPROXIMATELY 1.48 A E1/2 NE1/4 SE1/4, SEC 25, T 2N, R 37

WHEREAS, the applicant filed an application for rezoning on May 26, 2020; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on July 21, 2020; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public hearing on August 13, 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 Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 1.48 acre parcel generally located North of W Sunnyside Rd, East of S Yellowstone Ave, South of W 25th St, West of Rollandet Ave.
3. The Comprehensive Plan designation for this area is Higher Density Residential and Employment Center.
4. The requested LC Zone is consistent with the Higher Density Residential and Employment Center designations. Commercial uses within the LC Zone would be in keeping with the existing land uses in this area. Residential development of the property, also allowed in the LC Zone, aligns with some Comprehensive Plan policies.
5. The Planning and Zoning Commission recommend approval of the rezone from RE to LC Zone.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the rezone from RE to LC as presented.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2020

_____

Rebecca L. Noah Casper, Mayor

IDAHO FALLS

MEMORANDUM

FROM: Brad Cramer, Director

DATE: Monday, August 3, 2020

RE: Amendment of Sections Comprehensive Zoning Ordinance.

Council Action Desired

☒ Ordinance ☐ Resolution ☒ Public Hearing

☐ Other Action (Approval, Authorization, Ratification, etc)

Approve the Ordinance Amending the Comprehensive Zoning Ordinance, Section 11-4-5.E.1, Parking Location in Residential Zones, Section 11-7-1, Definitions, Tables 11-2-1 and 11-2-2, Allowed Uses, and Section 11-2-6(Q) Standards for Attached Dwellings, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the ordinance on the first reading and that it be read by title, reject the ordinance, or take other action deemed appropriate).

Description, Background Information & Purpose

Attached is an Ordinance amending Sections 11-4-5.E.1, Parking Location in Residential Zones, Section 11-7-1, Definitions, Tables 11-2-1 and 11-2-2, Allowed Uses, and Section 11-2-6(Q) Standards for Attached Dwellings of the Comprehensive Zoning Ordinance. Full details and reasoning of the changes are included in the attached staff report. The Planning and Zoning Commission considered this item at its July 21, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Relevant PBB Results & Department Strategic Plan

☐ ☒ ☒ ☐ ☒ ☐ ☒ ☐

Consideration of code amendments must be done consistent with the principles of the Comprehensive Plan, which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

Interdepartmental Coordination

NA

Fiscal Impact

NA

Legal Review

This ordinance have been reviewed by Legal pursuant to applicable law.

Brad Cramer

From: Annette Jones <a_v_jones@yahoo.com>
Sent: Sunday, August 9, 2020 8:20 PM
To: Brad Cramer
Subject: Taylorview Homes Development - Holmes and 49th

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom it may concern:

I have heard that Taylorview Homes plans to build several 4-plexes and/or townhomes off of Holmes (behind Taylorview MS) and 49th South - in an L shape. To populate this area that densely will significantly alter all of the surrounding area: more traffic, less privacy etc. Please DO NOT change the rules for zoning! Please KEEP the current policy that an R1 designation allows for single family detached homes and duplexes only.

Sincerely,
Annette Jones

TJ & Lisa Baker
715 Castlerock Lane
Idaho Falls, ID 83404

August 10, 2020

To Idaho Falls City Council:

We are writing concerning the proposed change to the Residential R1 zoning ordinance language to allow for more than 2 attached single-unit dwellings. We request that the City Council please keep the zoning language as currently written since 2018, or delay this decision. We feel strongly that during the current pandemic it is neither fair nor ethical timing for a change of zone language which directly, and retroactively, affects neighborhood zoning. This is not protective of citizens.

We have read the zoning ordinances several times over the last two years in relation to other proposed developments. Admittedly the language is very confusing, but we understood the zoning language to allow 1 single-unit detached dwelling or duplexes only. City Staff now agrees that this is indeed how the language currently reads.

They also inform us that this was only due to a mistake on their part during the 2018 zoning adjustments. Please consider that in the two years since then, hundreds of citizens like us have made housing decisions based on that language. Families and individuals have purchased properties with the understanding of current zoning language. Changing the language retroactively, and redefining zoning, is like changing the rules once a game has begun. Isn't that the very definition of disenfranchised?

Another big concern is that most residents are currently preoccupied with Covid-19 and the very real danger to their families. Shouldn't a major change to the zoning language, which potentially affects the zoning of thousands of city home owners, be delayed to a safer time when the public can be actively engaged and aware of public notices, discussion and debate? In a recent Planning & Zoning Public Hearing, Commissioner Wimborne mentioned that within the next year or so the Comprehensive Plan will undergo review by the City. She encouraged those present to participate in both public workshops and hearings that would be held as part of that comprehensive update. This would be an opportunity for citizens to voice how they would prefer our city grows and develops. By waiting to change zone language until that update, the City Council would allow the public to have a voice in how our city develops.

Alternatively, City Council could make an immediate change to zoning language with the addition of an R1 sub-zone such as R1A. This could be done without affecting those who are already been zoned R1, because this would ONLY affect new zoning applications going forward. R1A could allow for the requested addition of 3-4 attached single-unit dwellings.

Neighboring communities use this sub zone approach in addition to clear definitions:

The City of Ammon recently simplified their zoning definitions in January 2020 to eliminate confusion.

- They added sub-zones, specifically R1A to allow for duplexes.
- R1 is single family detached only.
- Attached homes of more than 2 are not allowed until the R2 zone.

The City of Rexburg uses density to further simplify code and classify with sub-codes in Low Density Residential:

- LDR1 - Single family detached (1 single family dwelling per lot)
- LDR2- allowance added for duplex or townhome - max 2 units per building.
- LDR3 - STILL only 2 units per building - but density to 8 dwelling units per acre.
- ONLY AT the MEDIUM Density (MD) zoned does Rexburg allow more than 2 units per dwelling.

The new language changes that have been recommended to the Council are still unclear and hard to understand. City staff has proposed "single-unit attached dwelling" to mean 2-4 units, and adds a new definition of "multi-unit attached" which is for anything more than 4. These definitions are not clear without additional explaining. We feel that "single-unit attached dwelling" still simply means a duplex to the average person. And "multi-unit attached" could also describe a duplex, 3-plex or 4-plex. If City Council makes a decision, we encourage language that is clear. Terms such as single-unit detached dwelling, duplex, 3-plex and 4-plex are clear and easily understand. This could help misunderstandings going forward.

We chose to buy our home within the City of Idaho Falls, rather than the county, specifically because we felt that City zoning was protective of both our investment and the identity of our chosen neighborhood. We made a conscious choice to pay the higher City of Idaho Falls taxes partly because of that zoning protection. Many others have likely done the same. We hope the Council will take that into consideration

Thank you for your time and service to our community, and for considering our concerns and suggestions.

Sincerely,

TJ & Lisa Baker
715 Castlerock Lane

Below we attached links to zone ordinances from City of Ammon and Rexburg. Both show simply and clearly what is allowed in low density residential. Neither allows attached units beyond 2 attached until the R2 or Medium Density classification.

City of Ammon:
http://laserfiche.ci.ammon.id.us/weblink/0/doc/84093/Page1.aspx

City of Rexburg;
https://rexburg.municipalcodeonline.com/book?type=development#name=CHAPTER_4_RESIDENTIAL_ZONE_STANDARDS

Brad Cramer

From: spencer brasher <brasherspencer@gmail.com>
Sent: Sunday, August 9, 2020 9:53 PM
To: Brad Cramer
Subject: Taylorview Homes Plat

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

IF City Council Members,

In regards to the Taylorview Homes PUD, I would like to express my opinion that this PUD should not be approved and that the basic fundamentals of the R1 zone should be enforced in our area. I have respect for the planning and zoning commission's responsibility to make a recommendation for this PUD, but believe that it is a bad recommendation.

Although the purpose of this PUD may be to increase inclusivity and provide access to affordable housing in this beautiful part of Idaho Falls, building overpriced townhomes and four-plexes (that will likely be owned by investors/landlords) will not accomplish that goal. A key part of the American dream is to own and care for a house. Owning/renting a town home or a four-plex unit is not the same thing. The R1 zones should be enhanced for single family homes, as this is the key fundamental housing unit that helps families build wealth and independence.

In my opinion, this development is nothing more than an effort by a real estate developer to make money by taking advantage of a nicer area of the city for their project.

Overall, this PUD is not needed in this area. To those who may say that wealthy homeowners in the area are trying to keep outsiders away, I am a normal middle-class person who purchased my home for 200k. I am not a wealthy person; I merely believe that neighborhoods with single family homes are the foundation of the American dream and that disregarding the basic tenents of the R1 zoning rules through the use of a PUD is disrespectful to all homeowners in the area. The area was designated as low density in the long term plan. The city should do everything they can to follow that plan and to meet the basic expectations that the homeowners in this area have. Having access to affordable housing is important. Having access to affordable housing anywhere in the city at the behest of a real estate developer is a farce.

I would request that the city council vote against this PUD and if desired, focus their efforts on increasing affordable housing in the city in a manner that does not disregard the opinions and feelings of an entire community of home owners.

Yours truly,
Spencer and Mackenzie Brasher
210 Harrisburg Ln, Idaho Falls, ID
(208)521-9238

Brad Cramer

From: Curtis R. Smith <curtis@eastidaholaw.net>
Sent: Monday, August 10, 2020 8:49 AM
To: Brad Cramer
Subject: R-1 Zone language change

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Council Members,
I am writing this to let you all know that I am against the language change proposed for the R-1 zone. It does not make sense to add four plexes to the existing description. There are no four Plex units currently in any R-1 zone in Idaho Falls. It would best follow the cities master development plan to keep it as it currently reads. There are other great reasons Not to make this change, which we believe can be discussed at the upcoming meeting. I appreciate all you do for our community.

Curtis R Smith

Brad Cramer

From: Candice Ybarguen <cybarguen@yahoo.com>
Sent: Sunday, August 9, 2020 9:38 PM
To: Brad Cramer
Subject: Taylorview Homes Development

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Idaho Falls City Council Members,

As a resident and tax payer of Idaho Falls I would like to express my concerns with the density and scale of homes planned for the Taylorview Homes Development. The current language for an R1 designation allows for single family detached homes and duplexes only. I request that the language remain the same.

Thank you,

Candice Ybarguen
795 Castlerock Lane
Idaho Falls, Idaho 83404
208-680-3853
cybarguen@yahoo.com

Brad Cramer

From: jcrofts90@gmail.com
Sent: Monday, August 10, 2020 9:49 AM
To: Brad Cramer
Subject: Development plans

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

My name is Jason Crofts and I live on Paris Court.

The current language for an R1 designation allows for single family detached homes and duplexes only. We request that the language remain the same.

Thank you for your time

Jason Crofts

Brad Cramer

From: emily crofts <ejcrofts@gmail.com>
Sent: Monday, August 10, 2020 7:35 AM
To: Brad Cramer
Subject: Taylorview Homes Development

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am emailing concerning the density and scale of homes planned for the Taylorview Homes Development. The current language for an R1 designation allows for single family detached homes and duplexes only. We request that the language remain the same.

Thank You.
Emily Crofts
670 Paris Court

Virus-free. www.avast.com

Brad Cramer

From: Jeanie Elison <pianogirljeanie@gmail.com>
Sent: Saturday, August 8, 2020 9:37 PM
To: Brad Cramer
Subject: R-1 Zoning parameters

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,
Please do not change the R-1 Zoning parameters allowing for single family detached homes and duplexes only.
Please do not change the language to accommodate a developer. This would be favortism and would not be just nor right.
Thanks,
Jeanie Elison
4475 S. Holmes Ave.
Idaho Falls, ID 83404
208-520-4631

Brad Cramer

From: Todd Harris <t_harris_md@hotmail.com>
Sent: Monday, August 10, 2020 9:05 AM
To: Brad Cramer
Subject: Zoning change

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Brad,

Apparently there is a zoning change proposal that will be presented at city council this Thursday. How do I get a look at the changes?

In the low density category are currently RE, RP, and R1. When people move here fleeing California Oregon Washington they typically do so seeking open space. When my wife and I bought a home in an R1 zone we expected the open space that zone was advertised by your development plan to have.

When the p&z changes the rules the taxpayers and neighbors should know.

I AM OPPOSED TO ANY CHANGES IN THE THREE LOW DENSITY ZONES I MENTIONED ABOVE.

I would also like to understand the PUD guidelines. It looks to me like they make zoning meaningless. Consumers like to understand what they are purchasing, what the rules are so that their choices are informed.

Please include this letter in the information that will be rolling into the city council packets For Thursday's meeting.

Thank you,

Todd and Marina Harris
608 Roxbury
Ivywood subdivision

Sent from my iPhone

Brad Cramer

From: Jeff Ybarguen <jybarguen@gmail.com>
Sent: Sunday, August 9, 2020 9:47 PM
To: Brad Cramer
Subject: Taylorview Homes Development

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Idaho Falls City Council,

As a resident and taxpayer of Idaho Falls, I would like to express my concerns with the density and scale of homes planned for the Taylorview Homes Development. The current language for the R1 designation allows for single-family detached homes and duplexes only. I request that the language remain the same.

Thank you.

Jeff Ybarguen
795 Castlerock Lane
Idaho Falls, ID. 83404
208-520-6103
jybarguen@gmail.com

Brad Cramer

From: Jeremy Jones <jeremyljonesdpt@me.com>
Sent: Sunday, August 9, 2020 8:33 PM
To: Brad Cramer
Subject: Taylorview Homes development

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom it may concern:

I have heard that Taylorview Homes plans to build several 4-plexes and/or townhomes off of Holmes (behind Taylorview MS) and 49th South - in an L shape. To populate this area that densely will significantly alter all of the surrounding area: more traffic, less privacy etc. Please DO NOT change the rules for zoning! Please KEEP the current policy that an R1 designation allows for single family detached homes and duplexes only.

Sincerely,
Jeremy Jones

Sent from my iPhone

Brad Cramer

From: Kris Smith <krissmith@cableone.net>
Sent: Monday, August 10, 2020 8:24 AM
To: Brad Cramer
Cc: Kerry Beutler
Subject: R-1 designation language change

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To City Council,

I am writing this to let you all know that I am against the language change proposed for the R-1 Zone. It does not make sense to add 4 plexes to the existing description. There are NO 4 plexes currently in ANY R-1 Zone in Idaho Falls. It would best follow the city's master development plan to keep it as it currently stands.

I appreciate all you do for our city.

Sincerely,
Kristine Clark Smith

Brad Cramer

From: Leah Anderson <leah3401@gmail.com>
Sent: Monday, August 10, 2020 7:26 AM
To: Brad Cramer
Subject: Fwd: URGENT- for inclusion of packet in regards to redefining R1 zoning on 49th S

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Cramer,

A situation has been brought to my attention that I strongly oppose and wish to speak out about. I live off of 49th street between Holmes and 5th West. I new development of very high density housing has been planned for a section of land on the north side of 49th street near Taylorview Middle School. This new development concerns me because it seems that the R1 zoning is not being upheld. The developers' current plan is to build 40-50 fourplexes on the narrow strip of undeveloped land. To my understanding this has always been zoned as R1 which is for single family homes or duplexes. We bought our property near this proposed development assuming it would stay low density housing for the safety of our family. Currently 49th street and Holmes are not capable of handling much more traffic than is currently there. At the stop sign corner of 49th and Holmes there have been a dozen accidents since we moved here a couple years ago. As a mother of young teenage drivers, it concerns me to add a hundred more drivers to this areas that already struggles to maintain safety. Do not forget that Belmont Estates is in this area and has recently added almost 100 homes to the traffic situation.

Another issue concerns school safety. If the fourplexes are built, how will these children safely get to school? There are no sidewalks on Holmes. How will the parents make a left turn onto Holmes every morning to get their kids to school- it is already chaotic and dicey with the current amount of traffic. Our elementary school is already overburdened with school enrollment numbers.

Please consider refusing the redefinition of R1 zoning that the building developers are pursuing. It's unethical and unfair to current homeowners in the area for multiple reasons.

Thank you,

Leah Anderson

P.S. I wish to attend the city council meeting on Thursday evening via Webex. Please send me information regarding how to logon.

Brad Cramer

From: Lacie Pearson <supermomma83@yahoo.com>
Sent: Monday, August 10, 2020 9:01 AM
To: Brad Cramer
Subject: Taylorview Homes Development

Categories: Zoning Ordinance Update

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To Whom It May Concern:

We live in the Sunterra Subdivision on the corner of Holmes and 49th South. With the potential Taylorview Homes Development coming to the area, we would like our voice to be heard, as it would directly affect our subdivision and traffic in the area. The proposed development would be set up in four-plex type buildings.The current language for an R1 designation allows for single-family detached homes and duplexes only. We request that the language remain the same. This many homes in such a small area with only one outlet on Holmes and one on 49th S would significantly increase the traffic in the area. Many of us in the area have children that ride bikes to either Sunnyside Elementary or Taylorview Middle School to attend school each day and have to cross 49th South and/or Holmes in order to get there from our subdivision. An increase in traffic would be very concerning for our children's safety. In addition, the intersection at 49th South and Holmes does not have a four-way stop or a traffic light and there are consistent accidents at this intersection. An increase in traffic in the area would only exacerbate the problem. Thank you for giving these concerns your utmost concern and attention when considering the language for an R1 designation and the proposed Taylorview Homes Development.

Sincerely,
Lacie Pearson, Homeowner
411 Sunterra Dr.
Idaho Falls, ID 83404

Brad Cramer

From: Marvin M Smith <mmsmith@hawleytroxell.com>
Sent: Monday, August 10, 2020 9:47 AM
To: Brad Cramer
Subject: Letter of Objection Taylorview Homes
Attachments: image001.png; image002.png; image003.png; image004.jpg; image005.png; image006.png

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please accept this letter as an objection to the current application of Taylorview Homes. The current language for R1 allows for single family detached homes and duplexes only. This is the language that was relied upon by the neighborhood in previous hearings. The present plan is contrary to the time honored time of application rule and presents a contradiction to the terms usually associated with a R1 designation: low density; compatible with surrounding area; compatible with surrounding neighborhood bulk, scale, structural mass and with similar building types. Please reject this plan and application.

MARVIN M. SMITH
Partner
2010 Jennie Lee Drive, Idaho Falls, ID 83404
Telephone 208.529.3005
Facsimile 208.529.3065
Email mmsmith@hawleytroxell.com

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Attorneys and Counselors

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Please consider the environment before printing this email.

Brad Cramer

From: Madalyn Smith <madalynraesmith@gmail.com>
Sent: Sunday, August 9, 2020 11:35 AM
To: Brad Cramer
Subject: Taylorview Homes Development

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

My name is Madalyn Smith and my husband and I are building a home in Castlerock across from the Taylorview sports fields. We want to take this opportunity to object the current plans for the Taylorview Homes Development. Our primary concern is the overwhelmingly large number of units that are being proposed for this small area which will, in turn, increase the ready unsafe traffic on Holmes. Our other concern is this:

The current language for an R1 designation allows for single family detached homes and duplexes only. We request that the language remain the same.

Thank you for your time,

Madalyn Smith

Brad Cramer

From: Nick Pearson <nick.b.pearson@gmail.com>
Sent: Monday, August 10, 2020 9:03 AM
To: Brad Cramer
Subject: Taylorview Homes Development

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern:

We live in the Sunterra Subdivision on the corner of Holmes and 49th South. With the potential Taylorview Homes Development coming to the area, we would like our voice to be heard, as it would directly affect our subdivision and traffic in the area. The proposed development would be set up in four-plex type buildings.The current language for an R1 designation allows for single-family detached homes and duplexes only. We request that the language remain the same. This many homes in such a small area with only one outlet on Holmes and one on 49th S would significantly increase the traffic in the area. Many of us in the area have children that ride bikes to either Sunnyside Elementary or Taylorview Middle School to attend school each day and have to cross 49th South and/or Holmes in order to get there from our subdivision. An increase in traffic would be very concerning for our children's safety. In addition, the intersection at 49th South and Holmes does not have a four-way stop or a traffic light and there are consistent accidents at this intersection. An increase in traffic in the area would only exacerbate the problem. Thank you for giving these concerns your utmost concern and attention when considering the language for an R1 designation and the proposed Taylorview Homes Development.

Sincerely,
Nick Pearson, Homeowner
411 Sunterra Dr.
Idaho Falls, ID 83404

We oppose the recommended change to the R-1 Zone. We do not believe these proposed changes have been handled fairly. The changes create a zone that is far too broad and confusing.

Brief background as to what has brought us to this point:

The purpose of giving notice and holding a public hearing is to create an environment for the public to be educated about the topic for which they were notified.

We were notified that an initial zoning request was being made in our neighborhood for a TN Zone. Based on this notice, we citizens educated ourselves on this specific zone proposal.

During the middle of that P&Z meeting, the commission decided to recommend the R1 zone. The public was uneducated on this particular zone because we were not notified that it would be discussed.

This is completely unfair and denies citizens of a proper hearing and due process rights.

After the hearing we citizens educated ourselves about what the R1 designation and were somewhat relieved to learn that the zone only allows for single family detached homes and duplexes.

The city did not notify affected citizens of the council hearing that approved the R-1 Zone proposal, except by advertising in the paper. As opposed to notifying people within 300 feet of the parcel in question. This makes citizens believe that the city is really NOT interested in hearing the opinions of those neighbors who will be most affected by a zoning request.

We then saw a proposed plat that included 4 plexes. We pointed out to the planning department that 4 plexes are not allowed in the R-1 zone. Once we pointed this out, we were then told they would change the zone to allow for 4 plexes." We believe calling this to their attention is what prompted the the language change to the R-1 designation.

We were never notified or even given the opportunity to weigh in on the R1 zone being appropriate or not and the definition of the R1 zone is now proposed to be changed to allow 4 plexes, after this parcel had already been zoned.

The P&Z commission then held a hearing and recommended approval of a PUD and plat that includes 28 total units of 4 plexes although the current R-1 zone does not allow 4 plexes. This is another major procedural error. Once again, this public hearing did not meet the hearing requirement. Technical difficulties were numerous and it was very clear that the commission members listening remotely did not hear part of the presentation.

At this same P&Z hearing a gentlemen read a petition signed by 83 neighbors opposing a different zoning request of a parcel next to his home. The P&Z then recommended the approval of a different zone than the neighbors were notified about. The exact situation that had happened previously to us. The commission asked the gentlemen if the group he was representing would be OK with this new proposed zone. His response was perfect. He said, " I don't know because we don't know any of the details of that zone because we were not notified that zone was going to be discussed." The staff then approved the new zone anyway and told him not to worry because he would be notified and would have a chance to be heard at the city council hearing. We know from our own experience, that this is simply not true.

We believe that developers are now playing games with the city and requesting a higher density zone and then compromising at a lower density zone without allowing any public input on the compromise. Coincidentally, the same engineer was involved in both of the above situations.

In our opinion, the council should rectify this by not changing the R1 zone to allow for 4 plexes. There are currently no 4 plexes, anywhere in an R1 designation in the entire city.

The comprehensive plan is the controlling document and the only planning document that receives wide spread input from the citizens of Idaho Falls. The plan designates R1 as low density. An example of what allowing 4 plexes in an R-1 zone can become is the following: A developer can propose a PUD in the R-1 zone and be allowed 10 units per net acre. This does not meet the city's comprehensive plan or definition of low density, being 7 units or less per net acre.

It would make more sense to have a sub-zone like the city of Ammon. They have an R-1 zone that only allows detached homes. They then have an R-1a zone that allows for single family attached homes. This makes more sense. A clear and understandable zoning ordinance should be a priority for responsible planning.

Although the technical definition of single family attached according to the FHA includes 4 plexes, this does not mean that 4 plexes should be allowed in the R-1 zone. These are two unrelated issues. The city can align the definition of single family attached with the FHA definition and still not allow 4 plexes in the R-1 zone.

The R-1 zone is already broad and confusing. Our city needs both an R-1 and R-1a designations to delineate different neighborhoods. The city's comprehensive plan is consistent with our request. It should be the councils responsibility to listen to citizens concerns and have clear and concise zoning definitions that are understandable to the public?

We respectfully that the language in the R-1 designation not allow 4 plexes. It would make more sense to make an additional designation of R-1a.

Curtis Smith 4417 S Holmes

Kristine Smith	4417 S Holmes
Dave Higham	4349 S Holmes
Jacque Higham	4349 S Holmes
Rees Nave	4658 S Holmes
Joseph Elison	4475 S Holmes
Jeannie Elison	4475 S Holmes
Justin Hall	4053 S Holmes
Nicole Hall	4053 S Holmes
Chris Browning	4529 S Holmes
Debra Browning	4529 S Holmes
Russell Robison	4717 S Holmes
Michelle Robison	4717 S Holmes
Dale Jensen	4881 S Holmes
Linda Jensen	4881 S Holmes
Jim Humphrey	4585 S Holmes
Aloha Humphrey	4585 S Holmes
Don Neville	4791 S Holmes
Mozelle Neville	4791 S Holmes
Payton Smith	5226 Thatcher Ave.
Leslie Smith	5226 Thatcher Ave.
April Everett	3742 S 5th W
Bryndon Everett	3742 S 5th W
Brock Higham	665 Paris Ct
John Treasure	702 Paris Ct
Molly Treasure	702 Paris Ct
Jason Crofts	670 Paris Ct
Emily Crofts	670 Paris Ct
Eric Beck	701 Paris Ct
Natalie Beck	701 Paris Ct
Natalie Adams	135 Ronglyn Ave.
Gator Zaug	590 Castlerock Lane
Jessica Zaug	590 Castlerock Lane
John Chambers	710 Castlerock Lane
Allison Chambers	710 Castlerock Lane
Jan Strobel	615 Castlerock Lane
Mike Elison	655 Castlerock Lane
Jamie Elison	655 Castlerock Lane
Lisa Baker	715 Castlerock Lane
TJ Baker	715 Castlerock Lane
Marvin Smith	585 Castlerock Lane
Janet Smith	585 Castlerock Lane
Mardell Burton	650 Castlerock Lane
Brady Burton	650 Castlerock Lane
Jeff Ybarguen	795 Castlerock Lane
Candice Ybarguen	795 Castlerock Lane
Mike Groberg	540 Castlerock Lane

Natalie Groberg	540 Castlerock Lane
Dick Groberg	620 Castlerock Lane
Ronda Groberg	620 Castlerock Lane
Heather Matheson	3804 Kinsman Lane
Todd Matheson	3804 Kinsman Lane
Dan Herway	3809 Kinsman Lane
Lara Herway	3809 Kinsman Lane
Madalyn Smith	3811 Kinsman Lane
Chandler Smith	3811 Kinsman Lane
Drew Facer	3931 Kinsman Lane
Sonja Facer	3931 Kinsman Lane
Bart Morrison	3804 Kinsman Lane
Nicole Morrison	3804 Kinsman Lane
David Kuhn	1176 E Kinswood St.
Monica Kuhn	1176 E Kinswood St.
Wayne Peterson	362 Cranbrook Lane
Marlene Peterson	362 Cranbrook Lane
Mark Peterson	365 Sheffield Dr.
Penny Peterson	365 Sheffield Dr.
Jason Stolworthy	335 Sheffield Circle
Tiffany Stolworthy	335 Sheffield Circle
Lori Chermak	345 Sheffield Circle
Vince Chermak	345 Sheffield Circle
Keith Walker	470 Coventry
Allyson Walker	470 Coventry
Craig Hill	120 E Woodhaven
Leann Hill	120 E Woodhaven
Ruth Lords	311 E 49th S
Timothy Hopkins	188 E 49th S
Anne Hopkins	188 E 49th S
Brett O’Connell	447 E 49th S
Cheryl O’Connell	447 E 49th S
Deanne Casperson	5300 Mauna Lani Lane
Craig Lords	5300 Mauna Lani Lane
Marina Harris	608 Roxbury (Ivywood)
Todd Harris	608 Roxbury (Ivywood)
Steve Bird	427 SunTerra Dr
Steve Ball	336 SunTerra Dr
Christine Ball	336 SunTerra Dr
Cliff Whyte	337 SunTerra Dr
Marilyn Whyte	337 SunTerra Dr
Brian Wilcken	389 SunTerra Dr
Liz Wilcken	389 SunTerra Dr
Walter Trudo	343 SunTerra Dr
Michelle Trudo	343 SunTerra Dr
Nick Pearson	411 SunTerra Dr

Lacie Pearson	411 SunTerra Dr
Annette Jones	5063 Pahala Drive
Jeremy Jones	5063 Pahala Drive
Christina Stubbs	164 Sadona Summit Dr.
Jeffrey Stubbs	164 Sadona Summit Dr.

Brad Cramer

From: Brittany Standley <bstandley5@gmail.com>
Sent: Monday, August 10, 2020 9:06 AM
To: Brad Cramer
Subject: Housing off 49th

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am against the development due to the already OVER CROWDED schools, high traffic and I agree the stop sign on 49th and Holmes is already VERY DANGEROUS. The last thing we need is MORE housing, if anything we need less!

-Brittany Standley

Brad Cramer

From: Jon A. Stenquist <JStenquist@parsonsbehle.com>
Sent: Monday, August 10, 2020 9:26 AM
To: Brad Cramer
Subject: R1 Definition Expansion

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Cramer:

Please circulate to the City Council:

It is my understanding that the City Council is taking up a proposal by P&Z to expand the R1 zone to include 4-plex units and other high-density housing. This action would destroy the purpose of the zoning ordinance and open the floodgates to all kinds of odd building applications. It is imperative that the City adhere to a long-term plan for its growth and development that properly notices the County, School District and the public in where each housing type will be built. Adhering to the long-term zoning definitions allows Bonneville County to properly allocate resources to roadways and infrastructure. The School District can better understand the population centers when planning for growth, and the general population will make important, life altering decisions on how to spend their money on real estate investments including residences and multi-housing investments.

By expanding the definition of R1 to include high-density housing, the City will create significant uncertainty and will make the city a less desirable place to live. It is not good for either density. It will lower the property values of landowners and homeowners while increasing the price of the high-density housing, being located in a traditional R1 Zone. It will allow for all sorts of haphazard development. It defeats the purpose of low income housing while making R1 housing less desirable.

By way of example, I lived in Houston. During the 70's, and maybe earlier, Houston and Baton Rouge were competing for oil industry development and jobs. In order to entice the oil industry to Houston, the City did away with all zoning requirements. Houston made the decision to allow anyone to build anything anywhere. I was often surprised to drive down a street and see a church next to a refinery next to a subdivision and then a school, all in what appeared to be a commercial zone. The haphazard development has kept Houston's real estate values flat, which clearly lags the rest of the country. To protect themselves from the destruction of property values by haphazard building, investors in the Houston

area purchase large swaths of land and plan communities with all types of housing. The Woodlands is the best example. There are expensive, medium and lower income housing neighborhoods in the Woodlands which are pre-planned and make sense for each economic situation. Housing prices in the Woodlands increase over time. The Woodlands is a much better place to live than Houston because the planning is long-term and protects all property values while providing for high-density housing in a smart way.

If the City of Idaho Falls expands the definition of R1 to include 4-plex units and other high density housing, it will fall into the Houston trap. People interested in Idaho Falls will be surprised to drive through R1 housing developments mixed in with R3 high density housing. This reduces the desirability of the traditional R1 neighborhoods and therefore the City of Idaho Falls in general because it will have the unintended consequence of pricing the high-density housing out of reach for those we are seeking to house, while reducing the tax base for the surrounding R1 neighborhoods who lose property value due to the high-density neighbors.

In sum, the City of Idaho Falls should not expand the definition of R1 to include high density housing because:

1. Taxpayers have purchased homes at great personal sacrifice in reliance on the existing zoning system. Expanding the definition will reduce the valuation of those properties and lower their confidence in the stability of the Zoning system;
2. High-density housing built in R1 zones will be more expensive, and less affordable than traditional R3 areas, defeating the purpose of the City's affordable housing goals;
3. The County roads and intersections are not engineered to handle the increased traffic in excess of R1 historical plans;
4. Lack of infrastructure in R1 zones, such as sidewalks, crosswalks and traffic lights do not allow pedestrian travel;
5. R3 housing requires more parking than is typically available in R1 areas, which will result in on-street parking;
6. High-density housing in R1 zones will increase traffic and require more reliance on automobiles. They are not in areas where people work and shop;
7. The schools are not equipped to handle a larger than expected influx of students;
8. Crime will increase in these areas, stretching the police.

Thank you for your attention to this point of view.

Jon Stenquist

PARSONS BEHLE & LATIMER

A Professional Law Corporation

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Brad Cramer

From: Walter Trudo <wtrudo@gmail.com>
Sent: Monday, August 10, 2020 10:08 AM
To: Brad Cramer
Subject: R1 Zone

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To city council members,

The current language for an R1 designation allows for single family detached homes and duplexes only. With the current discussions, we are requesting that the language remain the same. Your help with this matter would be greatly appreciated.

Walter and Michelle Trudo
343 Sunterra Drive
Idaho Falls, ID 83404

Sent from my iPhone

Brad Cramer

From: Marilyn Whyte <marilynwhyte@gmail.com>
Sent: Monday, August 10, 2020 8:36 AM
To: Brad Cramer
Subject: Taylorview Home Development

Categories: Zoning Ordinance Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council Members
This email is in regards to the proposed Taylorview Home Development that would adversely effect our Sunterra neighborhood.

The current language for an R1 designation allows for single family detached homes and duplexes only. We are requesting that the language remain the same.
Thank You
Cliff and Marilyn Whyte
337 Sunterra Drive
Idaho Falls, Idaho 83404

Sent from my iPhone

Residential Development: Where We Live

Through their feedback, residents told us they wanted treed residential areas to be:

- With a strong sense of identity
- Served by neighborhood parks and schools
- Linked by sidewalks and trails to facilities both within and outside the neighborhood
- Shielded from but convenient to attractive, landscaped shopping areas
- Offering affordable housing available to all income ranges

To reach these images, commitment of parties other than the City will be necessary. Developers, businesses, schools, and residents will have to assist us in reaching the communities future vision.

Our plan for Residential Development:

Implementation Strategies

1. Develop a program to involve neighbors in the community development process early.

2. Evaluate present impact fees to see if public costs are covered.

3. Develop a zone to accommodate existing homes on lots of one acre or larger.

Standards

1. A park sufficient to meet neighborhood needs shall be provided to serve residential development.

2. Residential development should reflect the economic and social diversity of Idaho Falls.

3. Arterial streets should be located along the perimeter of residential neighborhoods, preferably at the square mile. At least one east-west collector and one north-south collector street should be located in every square mile of residential development. If such collector streets provide access to homes, the design of the collector shall discourage through traffic.

4. Residential lots adjacent to arterial streets shall have reverse frontage and deeper lots than typical lots within the subdivision. Such lots shall have larger rear yard, or side yard if applicable, setbacks.

5. Limited neighborhood services shall be provided at the intersection of arterial streets and collector streets. Access to such services shall only be from collectors.

6. Arterial corners shall support higher density housing, quasi-public services, or community/neighborhood commercial services.

7. Study innovative approaches to residential development within the context of the preferred residential alternative pattern.

8. Neighborhood and community services shall be buffered from the residential neighborhood by fencing and landscaping.

9. High schools, junior high, and middle schools should not be located in the core of the neighborhood.

10. Walkways shall be provided from schools and parks to those portions of residential subdivisions in which homes back such facilities.

11. On collectors, sidewalks and pedestrian ways should be clearly separated from vehicular access and be designed to convey pedestrians to schools and neighborhood services.

12. 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.

13. Bikeways should tie residential neighborhoods to schools, shopping, and employment.

Implementation Strategies:

Develop a program to involve neighbors in the community development process early.

Unresolved opposition to land use development projects does not help us move towards our goals nor does it provide a predictable environment for investment and growth. We need to develop a process to move to resolution of issues early in the development process.

Evaluate present impact fees to see if public costs are covered.

The City of Idaho Falls presently has annexation fees for arterial roads and storm water drainage. We need to reassess these fees to assure development is paying for its portion of the cost of public facilities.

Develop a zone to accommodate existing homes on lots of one acre or larger.

Revise the zoning ordinance to include a residential zone which recognizes existing homes on lots of one acre or more and permits horses.

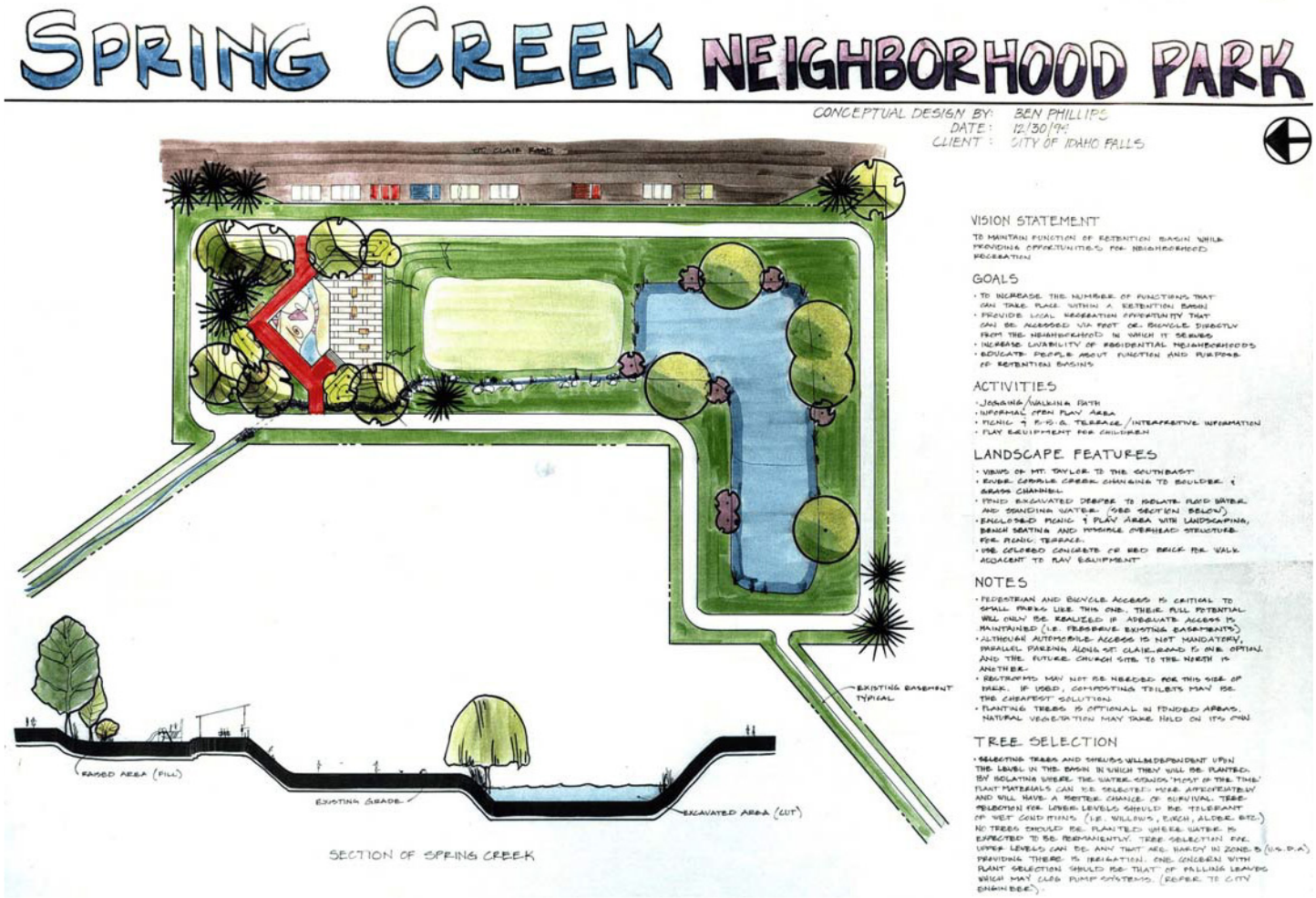
Standards:

A park sufficient to meet neighborhood needs shall be provided to serve residential development.

To meet our projected needs by 2035, Idaho Falls will need 78 additional acres of neighborhood parks. Such parks should be smaller, four acres or less, with a tot lot, picnic areas, landscaping, including trees, and passive green space. If designed properly, such facilities should be provided in conjunction with storm water retention ponds. The sketch below illustrates the principles to be incorporated into pond design to encourage the use of these areas as neighborhood parks.

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.



Arterial streets should be located along the perimeter of residential neighborhoods, preferably at the square mile. At least one east-west collector and one north-south collector street should be located in every square mile of residential development. If such collector streets provide access to homes, the design of the collector shall discourage through traffic.

At community participation events, we were asked by the participants to design policies and standards to reduce the conflict between through traffic and residential neighborhoods. One goal of residential subdivision layout shall be to reduce through traffic in residential areas.

Residential lots adjacent to arterial streets shall have reverse frontage and deeper lots than typical lots within the subdivision. Such lots shall have larger rear yard, or side yard setbacks, if applicable.

The zoning ordinance should be modified to require greater setbacks from arterial streets on residential properties. The subdivision ordinance should be modified to require a landscape buffer and uniform fencing along arterial streets. This buffer should be maintained by a homeowners' association.

Limited neighborhood services shall be provided at the intersection of arterial streets and collector streets. Access to such services shall only be from collectors.

Convenience stores, dry cleaners, and other small retail stores designed to serve the immediate neighborhood should be located at an entrance of the neighborhood to be served by such development.

Arterial corners shall support higher density housing, quasi-public services, or community/neighborhood commercial services.

Lots at the corners shall be of sufficient size to assure any access to the arterial, if permitted, shall be in accordance with the guidelines of *2012 Updated Access Management Plan* prepared by the Bonneville Metropolitan Planning Organization.

Neighborhood and community services shall be buffered from the residential neighborhood by fencing and landscaping.

The zoning ordinance shall be modified to specify fencing and landscaping requirements to reduce

the noise and light from commercial uses that may affect residential neighbors.

Study innovative approaches to residential development within the context of the preferred residential alternative pattern.

This plan is based on citizen comments and ideas, which generally reflect planning principles described as the suburban neighborhood model. This model consists of low-density homogeneous neighborhoods comprised of single-family homes, lawns, curving streets, and cul-de-sacs. Schools, employment, shopping, and parks are located within convenient commuting distance by car. Since many have also spoken to us about convenience, facilities within walking distance, and higher density housing, the plan also incorporates some principles first discussed by Clarence Perry in 1929 in his neighborhood unit. Perry's neighborhood unit consists of 1,000 to 5,000 people, has clear boundaries, and contains pedestrian paths which connect the elementary school and park facilities. This suburban neighborhood is illustrated on the following page. However, new trends in residential development may meet citizen goals of convenient, pedestrian friendly development, i.e., a residential neighborhood which is walkable. One trend, new urbanism, encourages higher densities,environments where all things needed to meet the daily needs of residents are located within walking distance, a variety of housing types in residential neighborhoods, and an orientation to the street and public spaces to encourage interaction between neighbors. New urbanism or neo-traditional neighborhoods abandon cul-de-sacs and return to the gridiron pattern found in the late 19th century. The purpose of new urbanism is to foster neighborhood interaction and reduce dependency on automobiles. It is a trend which might be described as "back to the future."

The Commission will keep abreast of such creative approaches to land development which provide alternatives for our residents, especially those alternatives which lessen our dependence on the car and do not isolate those who cannot drive.

High schools, junior high, and middle schools should not be located in the core of the neighborhood.

Such schools generate significant traffic. If secondary and middle schools are located adjacent or within one block from the nearest minor arterial street, traffic will move efficiently from the arterial street to the school on local collectors and not through the neighborhood. Elementary schools should be located on a residential collector within the neighborhood. Examples of locations which work well for elementary schools and the neighborhood are Westside Elementary and Fox Hollow Elementary.

Walkways shall be provided from schools and parks to those portions of residential subdivisions in which homes back such facilities.

By providing such facilities, children will have access to parks and schools without walking around residential blocks.

On collectors, sidewalks and pedestrian ways should be clearly separated from vehicular access and be designed to convey pedestrians to schools and neighborhood services.

Parking strips on collectors separate pedestrians from vehicular access. Parking strips are also an alternative to deeper setbacks on residential properties fronting collectors. Residential collectors should also be designed to include bike lanes if such collectors have sufficient width, will connect to neighborhood schools or parks, and provide clear access to the arterial network. If the residential collector provides clear traffic flow east-west or north-south, the bike lanes offer a means to travel on a low volume roadway through a neighborhood to the major streets surrounding the neighborhood. Nathan Lane and Stonebrook Lane are illustrations of this principle.

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.

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.

IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT

RZON20-009 ZONING ORDINANCE AMENDMENTS
SINGLE-UNIT ATTACHED DWELLINGS AND RESIDENTIAL PARKING
JULY 21, 2020

IDAHO FALLS
Community Development Services

Applicant: City of Idaho Falls
Project Manager: Brad Cramer
Future Land Use Map:
Attachments:
1. Zoning Ordinance Information
2. Comprehensive Plan Policies
3. Maps and aerial photos

Requested Action: To **recommend** approval of amendments to Sections 11-7-1 and 11-4-5 to the Mayor and City Council.

Summary: These two proposed changes address recently identified issues with the updated zoning code. These issues were brought to light with two recent applications. For the purposes of this staff report, the history, comments, and recommendations will be handled separately for each proposed change.

11-7-1: DEFINITIONS. DWELLING, SINGLE-UNIT ATTACHED

History: Under the previous zoning code, a single-unit attached dwelling was defined as dwelling units which were physically attached, shared a common party wall, and had open space on at least two sides (see full definition in attachments). It did not address number of units, density, or that such units must be located on individual lots. Some of those requirements were listed in the zones in which they were allowed. Typically, the supplemental requirements would include a maximum number of units. These types of units were added to the zoning code in single-unit zones such as R1 in 1999.

The new code used a new definition that attempted to be clearer and address the individual lots and number of units but inadvertently omitted two important words "or more." Further, in the supplemental standards, these were consolidated for all zones and instead of putting a maximum number of units, the standards stated that the density where the attached units were located could not exceed the maximum allowed density of the zone.

Staff Comments: The issue with the definition as currently written without "or more" or some other clarifier is that it specifies that only 2 units can be connected. This has never been a limitation since single-unit attached units were introduced to the R1 in 1999. In that first introduction, units were limited to 3. But it is not just an R1 issue. These types of units are allowed in all residential zones, but are now limited to 2 units or else they are considered multi-unit dwellings. This is inconsistent not only with historic practice and

(See following pages for further information)

the intent of other code changes made with the recent update, but also with common practice and Federal Housing Administration (FHA) definitions and lending practices. The FHA considers attached units as single-family or single-unit for any structure with up to 4 units. Staff recommends the code at least be consistent with this definition.

When the code updates were being considered, staff and the steering committee discussed the limitation on units that previously existed, such as the 3-unit limit in R1. The recommendation was to focus on density, not number of units. Density, lot coverage requirements, and setbacks, all become natural limiters for units and lot sizes within each zone. The intent was to allow the zone to control what might be appropriate for that zone by keeping with the same maximum density. However, the definition omitted "or more" and now limits the number of units to 2 per building.

Staff has prepared two options to the definition change for consideration. First, is to simply add "or more" to the definition along with language about open space which is consistent with the building code. This is the simplest approach, allows the zone to control for density, and requires no other changes to the code. However, given that federal guidelines limit consideration of single-unit to up to 4 units, staff has also drafted a second option. This option defines single-unit attached dwellings as between 2-4 units and creates a new definition for multi-unit attached which is for anything more than 4. This option will necessitate a change to the land use tables. A recommended land use table change is also included in the attachments for this option.

Staff Recommendation: Staff recommends approval of Option 2. Although both options will address the immediate issue, Option 2 differentiates between single- and multi-attached units and prevents more than 4 attached units from being developed in single-unit zones.

Comprehensive Plan Policies: The full section of Residential Development policies from the Comprehensive Plan is included as an attachment.

11-4-5.E.1 RESIDENTIAL PARKING LOCATION

History: For many years the previous zoning code addressed permitted locations for residential parking with two requirements. First, that such parking could not be in a front yard setback or a side yard setback which faced a street. Second, that all residential parking had to be either inside a garage or carport or where a future garage or carport could legally be built. This code functioned well for locating the required parking on a site, but ignored the fact that many residents park their vehicle in their driveway. A strict reading of this code is that such parking was illegal.

To address this issue, the updated code kept the first part of the original language which said that parking couldn't be in the setback facing a street, but added the words "except for permitted driveways." A permitted driveway is being interpreted as the width of the allowed curb-cut. The new code left out the requirement that the parking be in a garage or carport or where such a structure could legally be built, because it seemed redundant. A garage or carport cannot be built in setbacks so there was really no need for the additional requirement.

Staff Comments: While adding "except for permitted driveways" addressed the concerns with parking in the driveway, a recent application demonstrated a newly created issue. The application was to enclose the garage and convert it to living space. The result is that the only parking available on the site will be in the driveway. It was never the intent of the code change to allow the enclosure of garages that have historically been required leaving only parking in the driveway for a residential property. To address this

issue, staff proposes the code be modified to allow parking in the driveway, but not count it towards the required parking for the property.

Staff Recommendation: Staff recommends approval of the proposed code change.

Comprehensive Plan Policies: As noted with the proposed change to single-unit attached dwellings, the full section of Residential Development policies from the Comprehensive Plan is included as an attachment.

SINGLE-UNIT ATTACHED DWELLINGS

Language from Previous Zoning Code

SINGLE-FAMILY ATTACHED DWELLING: A dwelling unit which is physically attached to or shares a common party wall with another dwelling unit and which has open space on at least two sides.

RESIDENTIAL PARKING LOCATION

Language from Previous Zoning Code

(5) Required Parking for Residential Uses – Two (2) parking spaces shall be provided for each dwelling unit except as provided in this section.

> (d) In all Zones, the parking area required for a dwelling shall be enclosed in a garage or carport, or open parking and yard areas that are large enough to permit the future construction of a garage or carport that will comply with all provisions of this Zoning Code shall be provided.

(17) Location of Parking Facilities. The location of parking and loading facilities shall comply with the following:

> (a) In residential Zones parking shall not be permitted in the required front yard or the required side yard that faces on a street. Parking may be permitted in other required side and rear yards in the residential Zones, providing all other requirements of this Zoning Code are met.

FHA Single Family Housing Policy Handbook

GLOSSARY

30-Day Account
A 30-Day Account refers to a credit arrangement that requires the Borrower to pay off the outstanding balance on the account every month.

30-Day Advance Prepayment Notice Period
The 30-Day Advance Prepayment Notice Period refers to the time requirement for the Borrower to provide advance notice to the Mortgagee for prepayment of an FHA-insured Mortgage insured prior to August 2, 1985.

90-Day Review
The 90-Day Review is a Mortgagee's required evaluation, occurring before four monthly installments are due and unpaid, of a Defaulted Mortgage for appropriate Loss Mitigation Options.

Acceptable Conveyance Condition
An Acceptable Conveyance Condition refers to how at the time of conveyance to HUD, the Mortgagee must ensure that the Property meets all of the following conditions:

- The Property is undamaged by fire, flood, earthquake, hurricane, tornado, boiler explosion (if a condominium) or Mortgagee Neglect.
- The Property is secured and, if applicable, winterized.
- All insured damages including theft and vandalism, if any, are repaired per the scope of work indicated on the insurance documents.
- Interior and exterior debris is removed, with the Property's interior maintained in Broom-swept Condition, the lawn is maintained, and all vehicles and any other personal property are removed in accordance with state and local requirements.
- The Mortgagee has good and marketable title.

Accessory Dwelling Unit (ADU)
An Accessory Dwelling Unit (ADU) refers to a habitable living unit added to, created within, or detached from a primary one-unit Single Family dwelling, which together constitute a single interest in real estate. It is a separate additional living unit, including kitchen, sleeping, and bathroom facilities.

Acquisition Cost
The Acquisition Cost is the purchase price of the Property, including closing costs, prepaid costs, and commissions, if paid by the purchaser, but not including the cost of any repairs that the purchaser makes to the Property subsequent to acquisition.

Active Duty
Active Duty refers to a status where a person has a full-time military occupation.

Adequate Vehicular Access

Adequate Vehicular Access to Property refers to an all-weather road surface over which emergency and typical passenger vehicles can pass at all times.

Adjustable Rate Mortgage

An Adjustable Rate Mortgage (ARM) refers to a Mortgage in which the interest rate can change annually based on an index plus a margin.

Adjusted As-Is Value (applicable to 203(k) only)

For purchase transactions, the Adjusted As-Is Value refers to the lesser of:

- the purchase price less any inducements to purchase; or
- the As-Is Property Value.

For Refinance transactions, the Mortgagee must obtain an as-is appraisal to determine the Adjusted As-Is Value when the existing debt on the Property plus the cost of repairs exceeds the After Improved Value, or the Property was acquired within 12 months of the case number assignment date.

For Properties acquired greater than or equal to 12 months prior to the case number assignment date:

- When an appraisal is obtained, the Adjusted As-Is Value is the As-Is Property Value.
- When the existing debt on the Property plus the cost of repairs does not exceed the after-improved value, the Mortgagee has the option of using the existing debt plus fees associated with the new Mortgage or obtaining an as-is appraisal to determine the Adjusted As-Is Value.

For Properties acquired within 12 months of the case number assignment date, an as-is appraisal must be obtained. The Adjusted As-Is Value is the As-Is Property Value.

For Properties acquired by the Borrower within 12 months of the case number assignment date by inheritance or through a gift from a Family Member, the Mortgagee may utilize the calculation of Adjusted As-Is Value for Properties acquired greater than or equal to 12 months prior to the case number assignment date.

Adjusted Value (not for 203(k) Mortgages)

For purchase transactions, the Adjusted Value is the lesser of:

- purchase price less any inducements to purchase; or
- the Property Value.

For refinance transactions:

- For Properties acquired by the Borrower within 12 months of the case number assignment date, the Adjusted Value is the lesser of:
    - the Borrower's purchase price, plus any documented improvements made subsequent to the purchase; or
    - the Property Value.

- Properties acquired by the Borrower within 12 months of case number assignment by inheritance or through a gift from a Family Member may utilize the calculation of Adjusted Value for Properties purchased 12 months or greater.
- For Properties acquired by the Borrower greater than or equal to 12 months prior to the case number assignment date, the Adjusted Value is the Property Value.

Advertising Device
An Advertising Device is a channel or instrument used to solicit, promote or advertise FHA products or programs. Advertising Devices are present in the entire range of electronic and print media utilized by Mortgagees, including, but not limited to, websites, website addresses, business names, aliases, DBA names, domain names, email addresses, direct mail advertisements, solicitations, promotional materials and correspondence.

Affiliate
An Affiliate is a contractor, agent, vendor, subservicer, or Sponsored Third-Party Originator (TPO) who participates in FHA programs on behalf of an FHA-approved Mortgagee.

Affordable Housing Program Plan
Affordable Housing Program Plan (AHPP) refers to a program plan, as described in a written proposal submitted to FHA, operated by a nonprofit in specific geographical areas in which the nonprofit provides affordable homeownership opportunities for low- to moderate-income buyers by purchasing, rehabilitating, and reselling HUD Homes to these buyers. The program can include other homeownership activities, such as counseling.

After Improved Value
After Improved Value refers to the value as determined by the Appraiser based on a hypothetical condition that the repairs or alterations have been completed.

Alimony, Child Support, and Maintenance Income
Alimony, Child Support, and Maintenance Income refers to income received from a former spouse or partner or from a non-custodial parent of the Borrower's minor dependent.

Annuity Income
Annuity Income refers to a fixed sum of money periodically paid to the Borrower from a source other than employment.

Appraisal Conditions
Appraisal Conditions refer to anything the Appraiser requires to occur or be known before the value of conclusion can be considered valid.

Appraiser
Appraiser refers to an FHA Roster Appraiser who observes, analyzes, and reports the physical and economic characteristics of a Property and provides an opinion of value to FHA. An Appraiser's observation is limited to readily observable conditions and is not as comprehensive an inspection as one performed by a licensed home inspector.

Appropriate HOC
The Appropriate HOC jurisdiction is determined by the location of the Property securing the FHA Mortgage.

Approved Mortgage
An Approved Mortgage is a Mortgage underwritten and approved by a Direct Endorsement (DE) underwriter, or covered by a firm commitment issued by HUD.

Arm's Length PFS Transaction
An Arm's Length Pre-Foreclosure Sale (PFS) Transaction is between two unrelated parties that is characterized by a selling price and other conditions that would prevail in an open market environment and without hidden terms or special understandings existing between any of the parties (e.g., buyer, seller, Appraiser, sales agent, closing agent, and Mortgagee).

Arm's Length Transaction
An Arm's Length Transaction refers to a transaction between unrelated parties who are each acting in their own best interest.

Articles of Organization
Articles of Organization refers to articles of incorporation, charter, articles of association, constitution, trust instrument, or any other written instrument by which an organization is created.

As-Is Property Value (applicable to 203(k) only)
As-Is Property Value refers to the Adjusted As-Is Value as determined by the FHA Roster Appraiser except in the case of Property Flipping.

Authoritative Copy
The Authoritative Copy refers to the controlling reference copy. The Authoritative Copy of an electronically signed document refers to the electronic record that is designated by the Mortgagee or holder as the controlling reference copy.

Authorized Third Party
Authorized Third Parties are parties who are not Borrowers on the Mortgage but who are authorized to communicate with Mortgagees regarding a Mortgage.

Automobile Allowance
Automobile Allowance refers to the funds provided by the Borrower's employer for automobile related expenses.

Base Loan Amount
The Base Loan Amount is the mortgage amount prior to the addition of any financed Upfront Mortgage Insurance Premium (UFMIP). Unless otherwise stated in this *SF Handbook*, all references to maximum mortgage amount or mortgage amount shall refer to the Base Loan Amount.

Basis Point
A Basis Point (bps) is one one-hundredth of one percent.

Boarder
Boarder refers to an individual renting space inside the Borrower's Dwelling Unit.

Borrower
Borrower refers to each and every Borrower on the mortgage application. The term Borrower does not include a Cosigner.

Borrower (applicable to Servicing)
For the purposes of servicing the Mortgage, Borrower refers to the original Borrower who signs the Note and their heirs, executors, administrators, assigns, and approved Substitute Borrowers.

Bracketing
Bracketing refers to selecting comparable properties with features that are superior to and inferior to the subject features.

Broom-swept Condition
Broom-swept Condition is the condition of a Property that is, at a minimum, reasonably free of dust and dirt and free of hazardous materials or conditions, personal belongings, and interior and exterior debris.

Business Formation Documents
Business Formation Documents are an entity's articles of incorporation, bylaws, organization charter, operating agreement, partnership agreement, and similar documentation.

Business Relationship
Business Relationship refers to an association between individuals or companies entered into for commercial purposes.

Cash for Keys
Cash for Keys is a monetary consideration offered as an alternative to legal eviction to property occupants after foreclosure.

Cash on Hand
Cash on Hand refers to cash held by the Borrower outside of a financial institution.

Cash Reserves
Cash Reserves include all non-retirement liquid assets available for withdrawal or liquidation from all financial institutions. Such accounts include, but are not limited to, the following:

- brokerage, mutual funds, checking, savings, money market or certificate of deposits, other depository accounts, and stocks;
- other equity instruments such as marketable debt of federal, state, or local governments, Government-Sponsored Enterprises, corporations and other businesses; and

- other securities and commodities (including futures, traded on an exchange or marketplace generally available to the public) for which values can be readily verified using Schedules B (Interest & Dividends), D (Capital Gains & Losses) and E (Supplemental Income & Loss) of the Borrower's most recent federal tax return.

Certification Period
The Certification Period is the one-year period, beginning on the first day of the Mortgagee's prior fiscal year and ending on the last calendar day thereof.

Change Date
The Change Date is the effective date of an adjustment to the interest rate, as shown in Paragraph 4(a) of the model Adjustable Rate Note form.

Change Request
A Change Request is the method of submitting information and/or business changes to FHA that requires FHA review and approval before acceptance. Any update or change that cannot be made by the Mortgagee directly is submitted as a Change Request.

Charge Off Account
A Charge Off Account refers to a Borrower's loan or debt that has been written off by the creditor.

Child Support
See **Alimony, Child Support, and Maintenance Income**.

Claims without Conveyance of Title
A Claim without Conveyance of Title (CWCOT) is a procedure under which the Mortgagee attempts to secure a third party purchaser for the mortgaged Property so that conveyance to HUD is not required in exchange for mortgage insurance benefits.

Closing Agent
A Closing Agent is the Entity responsible for conducting the closing of a HUD REO property sales transaction, including submitting closing packages, and wiring sales proceeds to the U.S. Treasury.

Closing Date
The Closing Date is the settlement date on the Closing Disclosure or similar legal document. This is also known as the origination date.

Closing Disclosure
Closing Disclosure refers to a form containing the final statement of loan terms and closing costs that is required under the TILA-RESPA Integrated Disclosure Rule.

Combined Loan-to-Value (CLTV)
The CLTV is computed as the Base Loan Amount plus the outstanding principal balance of all subordinate Mortgage(s) divided by the Adjusted Value.

Combined Rate
Combined Rate refers to the interest rate on the Mortgage plus the Mortgage Insurance Premium rate.

Commission Income
Commission Income refers to income that is paid contingent upon the conducting of a business transaction or the performance of a service.

Commissioner's Adjusted Fair Market Value
The Commissioner's Adjusted Fair Market Value (CAFMV) is the estimate of the fair market value of the mortgaged Property, less adjustments, which may include without limitation, HUD's estimate of holding costs and resale costs that would be incurred if title to the mortgaged Property were conveyed to HUD.

Community Water System
A Community Water System refers to a central system that is owned, operated and maintained by a private corporation or a nonprofit property owners' association.

Complete Loss Mitigation Request
A Complete Loss Mitigation Request is a request for loss mitigation assistance that contains all information the Mortgagee requires from the Borrower in order to evaluate Loss Mitigation Options.

Complete Nonprofit Application
A Complete Nonprofit Application refers to an application that satisfies all general application requirements and all program specific application requirements for the programs in which the nonprofit seeks approval.

Condominium Project
A Condominium Project refers to a multi-unit Property in which persons hold title to individual units and an undivided interest in common elements. Common elements (areas) include underlying land and buildings, driveways, parking areas, elevators, outside hallways, recreation and landscaped areas, and other elements described in the condominium declaration. Common areas are typically managed by a condominium association.

Conformed Copy
A Conformed Copy is a copy that agrees with the original and all amendments to it.

Contingency Reserve
Contingency Reserve refers to funds that are set aside to cover unforeseen project costs.

Continuous Income
Continuous Income is income received by the Borrower that is reasonably likely to continue from the date of the Mortgagee's loss mitigation evaluation through at least the next 12 months.

Contract Execution Date
Contract Execution Date refers to the date the contract has been executed by all parties.

Contributory Value
Contributory Value refers to the change in the value of a Property as a whole, whether positive or negative, resulting from the addition or deletion of a property component.

Corporate Officer
A Corporate Officer of a Nonsupervised or Investing Mortgagee refers to a natural person who serves as one of the following positions for the Mortgagee: Owner, President, Vice President, Chief Operating Officer, Chief Financial Officer, Director, Corporate Secretary, Chief Executive Officer, General Counsel, Chairman of the Board, General Partner, or Member or Manager of an LLC.

A Corporate Officer of a Supervised or Government Mortgagee refers to a natural person who serves as one of the following positions for the Mortgagee: President, Vice President in charge of managing or overseeing any aspect of the Mortgagee's FHA business, Chief Operating Officer, Chief Financial Officer, Director, Corporate Secretary, Chief Executive Officer, General Counsel, Chairman of the Board, General Partner, or specifically designated staff member(s) of a Government Mortgagee.

Cosigner
Cosigner refers to a third party to a debt that provides a guarantee that a debt will be repaid.

Cost Estimate
Cost Estimate refers to a breakdown of the cost for each proposed Work Item, prepared by a 203(k) Consultant.

Credit-qualifying Loans
Credit-qualifying Loans refer to any loan(s) (e.g., mortgage loan, consumer credit card, automobile, etc.) where one or more of the borrowers have obtained and qualified for credit.

Current Index Figure
The Current Index Figure is:

- the most recent index figure available 30 Days before the date of each interest rate adjustment, for Mortgages closed before January 10, 2015, and
- the most recent figure available 45 days before the date of each interest rate adjustment, for Mortgages closed on or after January 10, 2015.

Data Plate
Data Plate refers to a paper document located on the interior of the Property that contains specific information about the unit and its manufacturer.

Days
Days refer to calendar Days.

Decision Credit Score
Decision Credit Score refers to the credit score selected from the credit repositories (i.e., Equifax, Trans Union, and Experian) for use when underwriting the loan. A "decision credit score" is determined for each applicant according to the following rule: when three scores are available (one from each repository), the median (middle) value is used; when only two are available, the lesser of the two is chosen; when only one is available that score is used.

Declining Market
A Declining Market refers to any neighborhood, market area or region that demonstrates a decline in prices or deterioration in other market conditions as evidenced by an oversupply of existing inventory or extended marketing times.

Deed-in-Lieu of Foreclosure
A Deed-In-Lieu (DIL) of Foreclosure is a Loss Mitigation Home Disposition Option in which a Borrower voluntarily offers the deed as collateral Property to HUD in exchange for a release from all obligations under the Mortgage.

Deed Restriction
A Deed Restriction refers to a private agreement that restricts the use of real estate in some way, and is listed in the deed.

Default
A Mortgage is in Default when the Borrower fails to make any payment or to perform any other obligation under the Mortgage for a period of 30 Days.

Deficit Income Test
The Deficit Income Test (DIT) is a financial analysis test used for Standard PFS transactions to determine if a Borrower can sustain their Mortgage.

Delinquent
A mortgage account is Delinquent any time a payment is due and not paid.

Disbursement
Disbursement refers to the release of mortgage proceeds to the Borrower.

Disbursement Date
The Disbursement Date refers to the date the proceeds of the Mortgage are made available to the Borrower.

Disbursement Date (applicable to Claims)
The Disbursement Date, as applicable to claims, is the date the Mortgagee paid for an expense.

Disputed Derogatory Credit Account
Disputed Derogatory Credit Account refers to disputed charge off accounts, disputed collection accounts, and disputed accounts with late payments in the last 24 months.

Distributive Share
A Distributive Share is a share of any excess earnings from the Mutual Mortgage Insurance Fund that may be distributed to a Borrower after mortgage insurance termination.

Dwelling Unit
Dwelling Unit refers to a single unit of residence for a household of one or more persons.

Early Payment Defaults
Early Payment Defaults refer to all Mortgages that become 60 Days Delinquent within the first six payments.

Early Start Letter
Early Start Letter refers to the document issued by the Mortgagee in response to a builder's request to start construction before the appraisal is completed.

Easement
An Easement refers to an interest in land owned by another person, consisting of the right to use or control the land, or an area above or below it, for a specific limited purpose.

Economic Event
Economic Event refers to any occurrence beyond the Borrower's control that results in loss of employment, loss of income, or a combination of both, which causes a reduction in the Borrower's household income of 20 percent or more for a period of at least six months.

Effective Income
Effective Income refers to income that may be used to qualify a Borrower for a Mortgage.

Electronic Appraisal Delivery
The Electronic Appraisal Delivery (EAD) portal is a web-based platform where Mortgagees or their designated third-party service providers electronically deliver FHA appraisal reports prior to endorsement.

Eligible Contractor
Eligible Contractor refers to a contractor that meets all state and local licensing requirements and, if applicable, federal certification requirements.

Employer Assistance
Employer Assistance refers to benefits provided by an employer to relocate the Borrower or assist in the Borrower's housing purchase, including closing costs, Mortgage Insurance Premiums, or any portion of the Minimum Required Investment.

Employer Housing Subsidy
Employer Housing Subsidy refers to employer-provided mortgage assistance.

Employment Authorization Document
Employment Authorization Document refers to the form provided by the U.S. Citizenship and Immigration Services (USCIS) that proves an individual is allowed to work in the United States for a specific period of time.

Employment Income
Employment Income refers to income received as an employee of a business that is reported on IRS Form W-2.

Encroachment
An Encroachment refers to an interference with or intrusion onto another's property.

Entity
Entity refers to a business Entity such as a corporation, trust, partnership, or sole proprietorship.

Equivalent System
A system equivalent to the Credit Alert Verification Reporting System (CAIVRS) provided by HUD that Mortgagees may use to obtain information on delinquent Federal Debts from public records, credit reports or other sources.

Excess Land
Excess Land refers to land that is not needed to serve or support the existing improvement. The highest and best use of the Excess Land may or may not be the same as the highest and best use of the improved parcel. Excess Land may have the potential to be sold separately.

Excluded Parties
Excluded Parties refer to business parties that have been suspended and/or debarred from further participation in HUD and other federal government programs due to unethical business practice.

Executed SFB-Unemployment Agreement
The SFB-Unemployment Agreement is considered "executed" when:

- at least one of the Borrowers has signed and dated the Agreement;
- the Agreement has been returned to the Mortgagee; and
- the authorized Mortgagee representative has signed and dated the Agreement as well.

Existing Construction
Existing Construction refers to a Property that has been 100 percent complete for over one year or has been completed for less than one year and was previously occupied.

Existing Construction for Manufactured Housing
Existing Construction for Manufactured Housing refers to a Manufactured Home that has been permanently installed on a site for one year or more prior to the case number assignment date.

Existing Less than One Year
Existing Less than One Year refers to a Property that is 100 percent complete and has been completed less than one year from the date of the issuance of the Certificate of Occupancy (CO) or equivalent. The Property must have never been occupied.

Expected Income
Expected Income refers to income from cost-of-living adjustments, performance raises, a new job, or retirement that has not been, but will be received within 60 Days of mortgage closing.

Externalities
Externalities refer to off-site conditions that affect a Property's value. Externalities include heavy traffic, airport noise and hazards, special airport hazards, proximity to high pressure gas lines, Overhead Electric Power Transmission Lines and Local Distribution Lines, smoke, fumes, and other offensive or noxious odors, and stationary storage tanks.

Family Member
Family Member is defined as follows, regardless of actual or perceived sexual orientation, gender identity, or legal marital status:

- child, parent, or grandparent;
  - a child is defined as a son, stepson, daughter, or stepdaughter;
  - a parent or grandparent includes a step-parent/grandparent or foster parent/grandparent;
- spouse or domestic partner;
- legally adopted son or daughter, including a child who is placed with the Borrower by an authorized agency for legal adoption;
- foster child;
- brother, stepbrother;
- sister, stepsister;
- uncle;
- aunt; or
- son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law of the Borrower.

Family-Owned Business Income
Family-Owned Business Income refers to Employment Income earned from a business owned by the Borrower's family, but in which the Borrower is not an owner.

Federal Banking Agencies
The Federal Banking Agencies are the Federal Reserve System (FRS), Federal Deposit Insurance Corporation (FDIC), and the Credit Union Administration (NCUA).

Federal Debt
Federal Debt refers to debt owed to the federal government for which regular payments are being made.

Federal Tax Debt
Federal Tax Debt refers to tax debt owed to the federal government for which regular payments are required.

Fee Simple
Fee Simple refers to an absolute ownership unencumbered by any other interest or estate.

FHA-HAMP
The FHA-HAMP Option is a Loss Mitigation Option using a Loan Modification and/or Partial Claim to allow the Mortgage to be reinstated, by establishing an affordable monthly payment and providing for principal deferment as needed.

Final Reconciliation
Final Reconciliation refers to the process by which an Appraiser evaluates and selects from among alternative conclusions to reach a final value estimate, and reports the results of the analysis.

Finding
A Finding refers to a final determination of defect by the lender (for Title I), Mortgagee (for Title II), or other participants, as applicable.

Forbearance Plans
Forbearance Plans are arrangements between a Mortgagee and Borrower that may allow for a period of reduced or suspended payments and may provide specific terms for repayment.

Formal Forbearance Plans
Formal Forbearance Plans are written agreements executed by one or more of the Borrowers, allowing for reduced or suspended payments for a period greater than three months, but not more than six months, unless otherwise authorized by HUD, and such plans may include specific terms for repayment.

Funding Date
The Funding Date is the date the proceeds of the Mortgage are made available to the borrower.

Government Mortgagee
A Government Mortgagee is a federal, state, or municipal governmental agency, a Federal Reserve Bank, a Federal Home Loan Bank, the Federal Home Loan Mortgage Corporation (FHLMC, or Freddie Mac), or the Federal National Mortgage Association (FNMA, or Fannie Mae).

Governmental Entity
A Governmental Entity refers to any federal, state, or local government agency or instrumentality. To be considered an instrumentality of the government, the Entity must be established by a governmental body or with governmental approval or under special law to serve a particular public purpose or designated by law (statute or court opinion). HUD deems Section

115 Entities to be instrumentalities of government for the purpose of providing secondary financing.

Grass Cuts
Grass Cuts are the Property P&P actions of mowing, weeding, edge trimming, sweeping of all paved areas, and removing all lawn clippings, related cuttings, and debris.

Gross Living Area
Gross Living Area (GLA) refers to the total area of finished, above-grade residential space calculated by measuring the outside perimeter of the Structure. It includes only finished, habitable, above-grade living space.

Grossing Up
Grossing Up refers to the process of adjusting tax-exempt income upward by the effective tax rate to compute an equivalent taxable income amount.

Ground Rent
Ground Rent refers to the rent paid for the right to use and occupy the land. Improvements made by the ground lessee typically revert to the ground lessor at the end of the lease term.

Home Disposition Option
Home Disposition Options are the Loss Mitigation Options of Pre-Foreclosure Sales (PFS) and Deed-in-Lieu (DIL).

Home Retention Option
Home Retention Options are the Loss Mitigation Options of Informal and Formal Forbearances, SFB-Unemployment, Loan Modification, and FHA-HAMP.

Homeowners' Association/Condominium Assessment
A Homeowners' Association (HOA)/Condominium Assessment is a periodic payment required of property owners by an HOA or condominium association.

Homeowners' Association /Condominium Fees
Homeowners' Association (HOA)/Condominium Fees are HOA/Condominium Assessments plus interest, Late Charges, collection/attorney fees, and other penalties.

Homeownership and Opportunity for People Everywhere (HOPE) Grantee
Homeownership and Opportunity for People Everywhere (HOPE) Grantee refers to an Entity designated in the homeownership plan submitted by an applicant for an implementation grant under the HOPE program.

Housing Development Experience
Housing Development Experience is defined as acquisition, rehabilitation, and sale to low-to-moderate income persons.

Housing Obligation/Mortgage Payment
A Housing Obligation/Mortgage Payment refers to the monthly payment due for rental or Properties owned. For the purposes of servicing the Mortgage, Mortgage Payment refers to the total monthly payment on the FHA-insured Mortgage.

HUD-approved Nonprofit
A HUD-approved Nonprofit is a nonprofit agency approved by HUD to act as a mortgagor using FHA mortgage insurance, purchase the Department's Real Estate Owned (REO) Properties (HUD Homes) at a discount, and provide secondary financing.

HUD Certification Label
HUD Certification Label, also known as a HUD seal or HUD tag, refers to a two inch by four inch aluminum plate permanently attached to Manufactured Housing.

HUD Real Estate Owned Property
A HUD Real Estate Owned (REO) Property, also known as a HUD Home or a HUD-owned home, refers to a one- to four-unit residential Property acquired by HUD as a result of a foreclosure on an FHA-insured Mortgage or other means of acquisition, whereby the Secretary of HUD becomes the property owner and offers it for sale to recover the mortgage insurance claim that HUD paid to the Mortgagee.

Identity of Interest
Identity of Interest refers to a transaction between family members, business partners or other business affiliates.

Imminent Default
A Borrower facing Imminent Default is defined as a Borrower who is current or less than 30 Days past due on their Mortgage Payment and is experiencing a significant, documented reduction in income or some other hardship that will prevent them from making the next required Mortgage Payment during the month that it is due.

Indian Land
Indian Land refers to those lands that are held by or for the benefit of Indian Tribes under some restriction or with some attribute peculiar to the legal status of its owners.

Indian Tribe
Indian Tribe refers to any Indian or Alaskan native tribe, band, nation, or other organized group or community of Indians or Alaskan natives recognized as eligible for the services provided to Indians or Alaskan natives by the Secretary of Interior because of its status as such an Entity, or that was an eligible recipient under Chapter 67 of title 31, United States Code, prior to the repeal of this section.

Individual Property Files
Individual Property Files refer to files that Governmental Entities and HUD-approved Nonprofits participating in the HUD Homes program must maintain for each Property purchased, sold, or leased when a discount of 10 percent or greater is obtained at the time of purchase.

Individual Retirement Account (IRA)/401(k) Income
An Individual Retirement Account (IRA)/401(k) Income refers to income received from an IRA.

Individual Water Supply System
An Individual Water Supply System refers to a potable water source providing water to an individual Property.

Informal Forbearance Plans
Informal Forbearance Plans are oral agreements allowing for reduced or suspended payments for a period of three months or less and may provide specific terms for repayment.

Initial Index Figure
The Initial Index Figure is the most recent figure available before the Closing Date of Mortgage.

Initial Vacant Property Inspection
An Initial Vacant Property Inspection is the first inspection performed by the Mortgagee to ascertain the condition of a vacant or abandoned Property.

Installment Due Date
The Installment Due Date is the first Day of the month, as provided for in the security instrument.

Installment Loans
Installment Loans (excluding Student Loans) refer to loans, not secured by real estate, that require the periodic payment of principal and interest. A loan secured by an interest in a timeshare must be considered an Installment Loan.

Instrumentality of Government
An Instrumentality of Government refers to an Entity that was established by a governmental body or with governmental approval or under special law to serve a particular public purpose or designated by law (statute or court opinion) and does not have 501(c)(3) status.

Insured HUD REO Property Purchase
An Insured HUD REO Property Purchase refers to the purchase of a HUD REO Property by a Borrower with a new FHA-insured Mortgage.

Interested Parties
Interested Parties refer to sellers, real estate agents, builders, developers or other parties with an interest in the transaction.

Interested Party Contribution
Interested Party Contribution refers to a payment by an Interested Party, or combination of parties, toward the Borrower's origination fees, other closing costs and discount points.

Investing Mortgagee
An Investing Mortgagee is an organization that invests funds under its own control.

Investment Income
Investment Income refers to interest and dividend income received from assets such as certificates of deposits, mutual funds, stocks, bonds, money markets, and savings and checking accounts.

Investment Property
Investment Property refers to a Property that is not occupied by the Borrower as a Principal or Secondary Residence.

Investor Buyer
An Investor Buyer is a buyer who will not occupy the HUD REO Property as their Principal Residence.

Judgment
Judgment refers to any debt or monetary liability of the Borrower, and the Borrower's spouse in a community property state unless excluded by state law, created by a court, or other adjudicating body.

Jurisdictional HOC
Jurisdictional HOC refers to the Homeownership Center (HOC) whose jurisdiction includes the state in which the Property is located.

Land Subsidence
Land Subsidence refers to the lowering of the land-surface elevation from changes that take place underground, including damage caused by sinkholes.

Land Use Restriction Addendum
The Land Use Restriction Addendum (LURA) is a legally binding contractual agreement between HUD and the Governmental Entities or nonprofits imposing restrictions on the resale of a HUD Home that the nonprofit organization or Governmental Entity purchased at a discount of 10 percent or greater.

Large Supervised Mortgagee
A Large Supervised Mortgagee is a Supervised Mortgagee that has consolidated assets greater than or equal to the threshold for audited financial reporting established by the Federal Banking Agency with oversight of the Mortgagee. Thresholds are codified at 12 CFR §§ 363.1(a), 562.4(b)(2), and 715.4(c), and are subject to change.

Last Action Taken
Last Action Taken refers to one of the following steps in the application to endorsement process that is used to refer to the step in the process that was the last completed: (1) case number assigned; (2) appraisal information entered; (3) firm commitment issued by FHA; (4) insurance application received and subsequent updates; and (5) Notice of Return (NOR) and

resubmissions. Last Action Taken does not include updates to Borrowers' names and/or property addresses, an appraisal update, or a transmission of the Upfront Mortgage Insurance Premium (UFMIP) to FHA.

Late Charges
Late Charges are charges assessed if a Mortgage Payment is received more than 15 Days after the due date.

Leased Fee
Leased Fee refers to an ownership interest held by a landlord with the right of use and occupancy conveyed by lease to others.

Leasehold
Leasehold refers to the right to hold or use Property for a fixed period of time at a given price, without transfer of ownership, on the basis of a lease contract.

Leasehold Estate
Leasehold Estate refers to the right to use and occupy real estate for a stated term and under certain conditions that have been conveyed by a lease.

Leasehold Interests
Leasehold Interests refer to real estate where the residential improvements are located on land that is subject to long-term lease from the underlying fee owner, creating a divided estate in the Property.

Lender Electronic Assessment Portal (LEAP)
The Lender Electronic Assessment Portal (LEAP) is an FHA system created to facilitate automated lender approval application.

Lender Insurance (LI) Compare Ratio
The LI Compare Ratio is the percentage of Mortgages underwritten by the Mortgagee that are in claim or Default status compared with the percentage of Mortgages in claim or Default status for all Mortgagees operating in the same state(s) over the preceding two-year period.

Lien Waiver
A Lien Waiver is a document that releases a consumer (homeowner) from any further obligation for payment of a debt once it has been paid in full. Lien Waivers typically are used by homeowners who hire a contractor to provide work and materials to prevent any subcontractors or suppliers of materials from filing a lien against the homeowner for nonpayment.

Loan Administration
Loan Administration refers to all aspects of the FHA Mortgage lifecycle, including origination, underwriting, closing, endorsement, and servicing of FHA-insured Mortgages that are governed by FHA policies and procedures.

Loan Modification
A Loan Modification is a permanent change in one or more terms of a Borrower's Mortgage.

Loan Sample Risk Assessment
A Loan Sample Risk Assessment is a method of evaluating loans selected for QC on the basis of the severity of the violations found during QC reviews.

Loan-to-Value (LTV)
The LTV is computed as the Base Loan Amount divided by the Adjusted Value.

Local Distribution Lines
Local Distribution Lines refer to electric lines that commonly supply power to residential housing developments, similar facilities and individual Properties.

Loss Mitigation Option
A Loss Mitigation Option is one of the following strategies under FHA's Loss Mitigation Program requirements intended to minimize economic impact to the Mutual Mortgage Insurance Fund (MMIF) and to avoid foreclosure, if possible:

- Informal and Formal Forbearances
- Special Forbearances-Unemployment
- Loan Modifications
- FHA - Home Affordable Modification Program (FHA-HAMP) Loan Modifications, Partial Claims, and Combination Loan Modification/Partial Claims
- Pre-Foreclosure Sales (PFS),
- Deeds-in-Lieu (DIL) of Foreclosure

Low- to Moderate-Income
Low- to Moderate-Income individuals or families refer to individuals or families whose household income does not exceed 115 percent of the median income for the area when adjusted for family size.

Maintenance Income
See **Alimony, Child Support, and Maintenance Income**.

Manufactured Housing
Manufactured Housing refers to Structures that are transportable in one or more sections. They are designed to be used as a dwelling when connected to the required utilities, which include the plumbing, heating, air-conditioning and electrical systems contained therein. Manufactured Housing is designed and constructed to the federal Manufactured Home Construction and Safety Standards (MHCSS) as evidenced by an affixed HUD Certification Label. Manufactured Housing may also be referred to as mobile housing, sectionals, multi-sectionals, double-wide, triple-wide or single-wide.

Manufactured Home
A Manufactured Home refers to a single dwelling unit of Manufactured Housing.

Market Condition Adjustments
Market Condition Adjustments refer to adjustments made to reflect value changes in the market between the date of the contract for the comparable sale and the effective date of the appraisal.

Market Rate
Market Rate is a rate that is no more than 25 bps greater than the most recent Freddie Mac Weekly Primary Mortgage Market Survey (PMMS) Rate for 30 year fixed-rate conforming Mortgages (U.S. average), rounded to the nearest one-eighth of 1 percent (0.125 percent), as of the date a Trial Payment Plan (TPP) is offered to a Borrower.

Market Value
Market Value refers to the most probable price which a Property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the Property sold unaffected by special or creative financing or Sales Concessions granted by anyone associated with the sale.

Adjustments to the comparables must be made for special or creative financing or Sales Concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third-party institutional lender that is not already involved in the Property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

Material Finding
In the context of Mortgage origination and underwriting, a Finding is Material if disclosure of the Finding would have altered the Mortgagee's decision to approve the Mortgage or to endorse or seek endorsement from FHA for insurance of the Mortgage. In the context of mortgage servicing, a Finding is Material if it has an adverse impact on the Property and/or FHA.

Maximum Property Preservation Allowance
The Maximum Property Preservation Allowance is a pre-approved reimbursement for the aggregate of all property preservation expenses that do not exceed the line item allowable amounts listed in HUD's Property Preservation Allowances schedule.

Military Income
Military Income refers to income received by military personnel during their period of active, Reserve, or National Guard service, including:

- base pay
- Basic Allowance for Housing
- clothing allowances
- flight or hazard pay
- Basic Allowance for Subsistence
- proficiency pay

Minimum Decision Credit Score (MDCS)
Minimum Decision Credit Score (MDCS) refers to the credit score reported on the Borrower's credit report when all reported scores are the same. Where three differing scores are reported, the middle score is the MDCS. Where two differing scores are reported, the MDCS is the lowest score. Where only one score is reported, that score is the MDCS.

Minimum Property Requirements
Minimum Property Requirements (MPR) refer to general requirements that all homes insured by FHA be safe, sound, and secure.

Minimum Property Standards
Minimum Property Standards (MPS) refer to regulatory requirements relating to the safety, soundness and security of New Construction.

Minimum Required Investment (MRI)
Minimum Required Investment (MRI) refers to the Borrower's contribution in cash or its equivalent required by Section 203(b)(9) of the National Housing Act (NHA), which represents at least 3.5 percent of the Adjusted Value of the Property.

Mitigated Finding
A Finding has been Mitigated if the Mortgagee has adequately addressed the deficiencies underlying the Finding, and such deficiencies have been remedied so that the Mortgagee's decision to approve the Mortgage or to endorse or seek endorsement from FHA for insurance of the Mortgage is acceptable to FHA.

Mixed Use
Mixed Use refers to a Property suitable for a combination of uses including any of the following: commercial, residential, retail, office or parking space.

Modular Housing
Modular Housing refers to Structures constructed according to state and local codes off-site in a factory, transported to a building lot, and assembled by a contractor into a finished house.

Mortgage
Mortgage refers to any form of security instrument that is commonly used in a jurisdiction in connection with a loan secured by a one- to four-family residential Property and the land on which it is situated, such as a deed of trust or security deed or land contract.

Mortgage Charge
Mortgage Charge refers to the interest rate, discount points, origination fee, and any other amount charged to the Borrower for an insured Mortgage.

Mortgage Charge Rate
Mortgage Charge Rate refers to the total amount of Mortgage Charges for a Mortgage expressed as a percentage of the initial principal of the Mortgage.

Mortgage Insurance Premium Cancellation
A Mortgage Insurance Premium (MIP) cancellation is the ending of MIP payments on an FHA-insured Mortgage closed on or after January 1, 2001, and assigned a case number before June 3, 2013.

Mortgage on Indian Land
A Section 248 Mortgage on Indian Land refers to a purchase or refinance Mortgage covering one- to four-family dwellings on Indian Lands.

Mortgage Payment
See **Housing Obligation**.

Mortgage Payment Reserve
Mortgage Payment Reserve refers to an amount set aside to make Mortgage Payments when the Property cannot be occupied during rehabilitation.

Mortgagee
See **Title I Mortgagee** or **Title II Mortgagee**.

Mortgagee Neglect
Mortgagee Neglect is the Mortgagee's failure to take action to preserve and protect the Property from the time it is determined (or should have been determined) to be vacant or abandoned, until the time it is conveyed to HUD.

Mortgages Delinquent within the First Two Years
Mortgages Delinquent within the First Two Years are Mortgages that were reported to HUD as 90 days or more Delinquent in the 24-month period; this delinquent status includes Mortgages that went into default but have subsequently cured.

Name and Address Identification (NAID)
A Name and Address Identification number is used by HUD to track the payee of HUD funds.

Net Sale Proceeds
Net Sale Proceeds are the proceeds of a PFS sale, calculated by subtracting reasonable and customary closing and settlement costs from the property sales price.

Net Self-Sufficiency Rental Income
Net Self-Sufficiency Rental Income refers to the Rental Income produced by the subject Property over and above the Principal, Interest, Taxes, and Insurance (PITI).

New Construction
New Construction refers to Proposed Construction, Properties Under Construction, and Properties Existing Less than One Year as defined below:

- Proposed Construction refers to a Property where no concrete or permanent material has been placed. Digging of footing is not considered permanent.
- Under Construction refers to the period from the first placement of permanent material to 100 percent completion with no Certificate of Occupancy (CO) or equivalent.
- Existing Less than One Year refers to a Property that is 100 percent complete and has been completed less than one year from the date of issuance of the CO or equivalent. The Property must have never been occupied.

New Construction for Manufactured Housing
New Construction for Manufactured Housing refers to a Manufactured Home that has been permanently erected on a site for less than one year prior to the case number assignment date.

Non-Borrowing Spouse Debt
Non-Borrowing Spouse Debt refers to debts owed by a spouse that are not owed by, or in the name of the Borrower.

Non-Monetary Default
Non-Monetary Default is a Default where the Borrower fails to perform obligations, other than making monthly payments, contained in the mortgage security instrument for a period of 30 Days.

Non-Occupant Borrower
A Non-Occupant Borrower is a Borrower on a Mortgage securing a Property that is not occupied by any Borrower.

Non-Occupying Borrower Transaction
Non-Occupying Borrower Transaction refers to a transaction involving two or more Borrowers in which one or more of the Borrower(s) will not occupy the Property as their Principal Residence.

Nonprofit Instrumentality of Government
A Nonprofit Instrumentality of Government (NPIOG) refers to a 501(c)(3) organization that was established by a governmental body or with governmental approval or under special law to serve a particular public purpose or designated as an instrumentality by law (statute or court opinion). FHA requires the unit of government that established the nonprofit to exercise Organizational Control, Operational Control or Financial Control of the nonprofit in its entirety or, at minimum, the specific homebuyer assistance program that is using FHA's credit enhancement.

Organizational Control refers to the majority of the governing board and/or Principal Officers that are named or approved by governmental body/officials.

Operational Control refers to the requirement that the government body approves all major decisions and/or expenditures.

Financial Control refers to the requirement that the government body provides funds through direct appropriations, grants, or loans, with related controls applicable to all activities of the Entity.

Nonsupervised Mortgagee
A Nonsupervised Mortgagee is a lending institution that has as its principal activity the lending or investing of funds in real estate Mortgages, consumer installment notes, or similar advances of credit, the purchase of consumer installment contracts, or from a directly related field. A directly related field is something directly related to the lending or investing of funds in real estate Mortgages, not simply actions relating to real estate in general.

Non-Surchargeable Damage
Non-Surchargeable Damage is damage to a Property that is not Surchargeable Damage.

Non-Taxable Income
Non-Taxable Income refers to types of income not subject to federal taxes, which includes, but is not limited to:

- some portion of Social Security income;
- some federal government employee Retirement Income;
- Railroad Retirement benefits;
- some state government Retirement Income;
- certain types of disability and Public Assistance payments;
- Child Support;
- military allowances; and
- other income that is documented as being exempt from federal income taxes.

Non-Traditional Mortgage Credit Report (NTMCR)
A type of credit report designed to access the credit history of a Borrower without the types of trade references normally appearing on a traditional credit report. It is used as a substitute for the traditional credit report.

Note
Note refers to any form of credit instrument commonly used in a jurisdiction to evidence a Mortgage.

Notes Receivable Income
Notes Receivable Income refers to income received by the Borrower as payee or holder in due course of a promissory Note or similar credit instrument.

Notice of Deficiency
A Notice of Deficiency (NOD) refers to a formal notification from FHA to an appraiser when a review identifies an error or lack of compliance. An NOD is not a sanction and is not considered severe enough to require remedial education or removal.

Notice of Intent to Prepay
Notice of Intent to Prepay refers to the advance notice that Borrowers on Mortgages insured before August 2, 1985 must provide in order to prepay their FHA-insured Mortgages in full without penalty.

Obligor
Obligor refers to a person or entity who is legally or contractually obliged to make all principal and interest payments on a debt.

Occupancy Follow-Up
An Occupancy Follow-Up is an attempt to communicate with the Borrower via letter, telephone, or other method of communication, other than on-site inspection, to determine occupancy when the Mortgage remains in Default after the initial inspection and the Mortgagee has not determined the Borrower's occupancy status.

Occupancy Inspection
An Occupancy Inspection is a visual inspection of a mortgaged Property by the Mortgagee to determine if the mortgaged Property has become vacant or abandoned and to confirm the identity of any occupants.

Occupied Conveyance
An Occupied Conveyance is the conveyance to HUD of a Property that is not vacant.

Onset of an Economic Event
Onset of an Economic Event refers to the month of loss of employment/income.

Onsite Sewage Disposal System
An Onsite Sewage Disposal System refers to wastewater systems designed to treat and dispose of effluent on the same Property that produces the wastewater.

Overhead Electric Power Transmission Lines
Overhead Electric Power Transmission Lines refer to electric lines that supply power from power generation stations to Local Distribution Lines.

Overtime and Bonus Income
Overtime and Bonus Income refers to income that the Borrower receives in addition to the Borrower's normal salary.

Owner-Occupant Borrower
An Owner-Occupant Borrower is a Borrower residing in the Property secured by the FHA-insured Mortgage as a Principal Residence.

Owner-Occupant Buyer
An Owner-Occupant Buyer is a buyer who intends to use the Property as their Principal Residence.

Partial Claim
A Partial Claim is FHA's reimbursement of a Mortgagee advancement of funds on behalf of the Borrower in an amount necessary to assist in reinstating the Delinquent Mortgage under the FHA-HAMP Option.

Partial Payment
A Partial Payment is a payment of any amount less than the full amount due under the Mortgage at the time the payment is tendered, including late charges and amounts advanced by the Mortgagee on behalf of the Borrower (such as for the payment of taxes).

Partial Prepayment
A Partial Prepayment is a payment of part of the principal amount before the date on which the principal is due.

Partially Below-Grade Habitable Space
Partially Below-Grade Habitable Space refers to living area constructed partially below grade, but has the full utility of GLA.

Part-Time Employment
Part-Time Employment refers to employment that is not the Borrower's primary employment and is generally performed for less than 40 hours per week.

Payoff
See **Prepayment in Full.**

Payoff Disclosure
A Payoff Disclosure is a disclosure accompanying the payoff statement and, for Mortgages closed before January 21, 2015, describing the procedures for prepayment of a Mortgage.

Pension
Pension refers to income received from the Borrower's former employer(s).

Personal Property
Personal Property refers to tangible property, other than Real Property, such as cars, recreational vehicles, stamps, coins or other collectibles.

Planned Unit Development (PUD)
A Planned Unit Development (PUD) refers to a residential development that contains, within the overall boundary of the subdivision, common areas and facilities owned by a Homeowners' Association (HOA), to which all homeowners must belong and to which they must pay lien-supported assessments. A unit in a PUD consists of the fee title to the real estate represented by

the land and the improvements thereon plus the benefits arising from ownership of an interest in the HOA.

Pre-Conveyance Inspection
A Pre-Conveyance Inspection is an inspection performed by HUD, at the Mortgagee's request, before conveyance to determine if a Property meets HUD's conveyance standards.

Pre-Foreclosure Sales
Pre-Foreclosure Sales, also known as Short Sales, refer to the sales of real estate that generate proceeds that are less than the amount owed on the Property and the lien holders agree to release their liens and forgive the deficiency balance on the real estate.

Pre-Foreclosure Sale Approval to Participate
A Pre-Foreclosure Sale (PFS) Approval to Participate is an agreement signed by the Borrower to confirm their willingness to comply with the PFS Program requirements.

Premium Pricing
Premium Pricing refers to a credit from a Mortgagee for the interest rate chosen.

Prepayment in Full
A Prepayment in Full or Payoff is the payment in whole of the principal amount of the mortgage Note in advance of expiration of the term of the mortgage Note.

Primary Obligor
Primary Obligor refers to a person or entity who is legally or contractually obliged to make all principal and interest payments on a debt.

Principal Officer
See **Corporate Officer**.

Principal Owner
A Principal Owner is any individual or Entity meeting the following thresholds or roles for the applicable business form:

Business Form	Principal Owners
Publicly Traded Corporation	10% or more ownership
Private or Close Corporation	25% or more ownership
Limited Liability Company	All Members
Partnerships	All Partners

Principal Residence
A Principal Residence refers to a dwelling where the Borrower maintains or will maintain their permanent place of abode, and which the Borrower typically occupies or will occupy for the majority of the calendar year. A person may have only one Principal Residence at any one time.

Private Savings Club
A Private Savings Club refers to a non-traditional method of saving by making deposits into a member-managed resource pool.

Property
Property refers to the real estate entity that will serve as adequate security for a specific FHA-insured Mortgage.

Property Assessed Clean Energy (PACE)
Property Assessed Clean Energy (PACE) refers to an alternative means of financing energy and other PACE-allowed improvements to residential properties using financing provided by private enterprises in conjunction with state and local governments. Generally, the repayment of the PACE obligation is collected in the same manner as a special assessment taxes is collected by the local government rather than paid directly by the Borrower to the party providing the PACE financing.

Generally, the PACE obligation is also secured in the same manner as a special assessment against the property. In the event of a sale, including a foreclosure sale, of the property with outstanding PACE financing, the obligation will continue with the property causing the new homeowner to be responsible for the payments on the outstanding PACE amount. In cases of foreclosure, priority collection of delinquent payments for the PACE assessment may be waived or relinquished.

Property Flipping
Property Flipping refers to the purchase and subsequent resale of a Property in a short period of time.

Property Preservation and Protection
Property Preservation and Protection (P&P) actions are those maintenance, security, and repair actions required by HUD in order to ensure that the Property meets HUD's conveyance condition standards.

Property Value
Property Value refers to the value as determined by the FHA Roster Appraiser.

Proposed Construction
Proposed Construction refers to a Property where no concrete or permanent material has been placed. Digging of footing is not considered permanent.

Public Assistance
Public Assistance refers to income received from government assistance programs.

Purchasing Mortgagee
The Purchasing Mortgagee is the Mortgagee that purchases the Mortgage and thereby succeeds to all rights and obligations of the Selling Mortgagee under the contract for mortgage insurance.

Quality Control (QC) Plan
A Quality Control (QC) Plan is a written plan that sets forth a Mortgagee's procedures for ensuring quality control. A QC Plan is the written element of a Mortgagee's QC Program.

Quality Control (QC) Plan (applicable to nonprofits)
A Quality Control (QC) Plan outlines the processes and procedures used by the nonprofit to monitor its compliance with FHA nonprofit program guidelines.

Quality Control (QC) Program
A Quality Control (QC) Program is the process and written procedures through which the Mortgagee seeks to ensure that FHA operations and Loan Administration are in compliance with all applicable requirements.

Rate and Term
Rate and Term refers to a no cash-out refinance of any Mortgage in which all proceeds are used to pay existing mortgage liens on the subject Property and costs associated with the transaction.

Real Estate Commission from Sale of Subject Property
Real Estate Commission from Sale of Subject Property refers to the Borrower's (i.e., buyer's) portion of a real estate commission earned from the sale of the Property being purchased.

Real Property
Real Property refers to the interests, benefits, and rights inherent in the ownership of physical real estate.

Reasonable Diligence Timeframe
The Reasonable Diligence Timeframe is the period of time beginning with the first legal action required by the jurisdiction to commence foreclosure, and ending with the later date of acquiring good marketable title to and possession of the Property.

Reconveyance
A Reconveyance is a conveyance of a Property from HUD back to the Mortgagee due to the Mortgagee's failure to comply with HUD's conveyance requirements.

Recovery from an Economic Event
Recovery from an Economic Event refers to the re-establishment of Satisfactory Credit.

Re-Default
A Re-Default is a mortgage Default occurring within six months after reinstatement or the successful use of a permanent Home Retention Option.

Rental Income
Rental Income refers to income received or to be received from the subject Property or other real estate holdings.

Reserves
Reserves refer to the sum of the Borrower's verified and documented liquid assets minus the total funds the Borrower is required to pay at closing.

Residential Mortgage Credit Report (RMCR)
RMCR refers to a credit report that provides details on items that have been flagged in a merged report as a result of combining reports from the three credit repositories (Equifax, Trans Union, and Experian).

Residential Real Estate-Related Transactions
Residential Real Estate-Related Transactions are transactions related to the making or purchasing of Mortgages or providing other financial assistance to a Borrower for purchasing, constructing, improving, repairing, or maintaining a dwelling or securing residential real estate, and similar transactions.

Retirement Income
Retirement Income refers to income received from Pensions, 401(k) distributions, and Social Security.

Revitalization Area
A Revitalization Area is a designated geographic area in which HUD identifies Properties eligible for disposition through discount sales programs.

Revolving Charge Accounts
A Revolving Charge Account refers to a credit arrangement that requires the Borrower to make periodic payments but does not require full repayment by a specified point of time.

Running Gear
Running Gear refers to a mechanical system designed to allow the Manufactured Housing unit to be towed over public roads.

Sale of Real Property
The Sale of Real Property refers to the sale of Property currently owned by the Borrower.

Sales Concessions
Sales Concessions refer to non-realty items, upgraded features in newly constructed houses, and special financing incentives.

Sales Contract Date
Sales Contract Date refers to the date the sales contract is executed by all parties.

Seasonal Employment
Seasonal Employment refers to employment that is not year round, regardless of the number of hours per week the Borrower works on the job.

Secondary Residence
Secondary Residence refers to a Structure that a Borrower occupies in addition to their Principal Residence, but less than a majority of the calendar year. A Secondary Residence does not include a Vacation Home.

Self-Employment Income
Self-Employment Income refers to income generated by a business in which the Borrower has a 25 percent or greater ownership interest.

There are four basic types of business structures. They include:

- sole proprietorships
- corporations
- limited liability or "S" corporations
- partnerships

Selling Mortgagee
The Selling Mortgagee is the Mortgagee that sells the Mortgage and thereby relinquishes all rights and obligations under the contract for mortgage insurance.

Servicer
A Servicer is an FHA-approved Mortgagee performing servicing actions on FHA-insured Mortgages on its behalf or on behalf of or at the direction of another FHA-approved Mortgagee.

Settlement Statement
Settlement Statement refers to the closing disclosure required under Section 4 of the Real Estate Settlement Procedures Act.

Shared Well
A Shared Well refers to a well that services two to four homes where there is a binding Shared Well Agreement between the property owners that meets FHA requirements.

Short Sales
See **Pre-Foreclosure Sales**.

Simple Refinance
Simple Refinance refers to a no cash-out refinance of an existing FHA-insured Mortgage in which all proceeds are used to pay the existing FHA-insured mortgage lien on the subject Property and costs associated with the transaction.

Single Family
Single Family refers to one- to four-unit dwellings.

Site Condominium
A Site Condominium refers to a project of Single Family, totally detached dwellings encumbered by a declaration of condominium covenants or a condominium form of ownership. They have no

shared garages or any other attached buildings. Project approval is required for Site Condominiums that do not meet this definition.

Slush Pit
A Slush Pit refers to a basin in which drilling "mud" is mixed and circulated during drilling to lubricate and cool the drill bit and to flush away rock cuttings.

Small Supervised Mortgagee
A Small Supervised Mortgagee is a Supervised Mortgagee that has consolidated assets below the threshold for audited financial reporting established by the Federal Banking Agency with oversight of the Mortgagee. Thresholds are codified at 12 CFR §§ 363.1(a), 562.4(b)(2), and 715.4(c) and are subject to change.

Social Security Income
Social Security Income or Supplemental Security Income (SSI) refers to income received from the SSA other than disability income.

Soil Contamination
Soil Contamination refers to the presence of manmade chemicals or other alterations to the natural soil environment.

Special Energy System
A Special Energy System refers to any addition, alteration, or improvement to an existing or new Structure that is designed to utilize wind, geothermal or solar energy to produce energy to support the habitability of the Structure.

Special Forbearance - Unemployment
The Special Forbearance – Unemployment Option is a Home Retention Option available when one or more of the Borrowers has become unemployed and this loss of employment has negatively affected the Borrower's ability to continue to make their monthly Mortgage Payment.

Special Forbearance – Unemployment Agreement
The SFB-Unemployment Agreement is a written agreement between a Mortgagee and the Borrowers, one or more of whom has become unemployed, allowing for reduced and/or suspended Mortgage Payments.

Standard DIL
A Standard Deed-in-Lieu (DIL) is a DIL available for Owner-Occupant Borrowers who experienced a verifiable hardship that has affected their ability to sustain their Mortgage but who do not meet the requirements of a Streamlined DIL Option.

Standard PFS
A Standard Pre-Foreclosure Sale (PFS) Option is a PFS Option available for Owner-Occupant Borrowers who are experiencing a hardship affecting their ability to sustain their Mortgage, as determined by the Deficit Income Test (DIT) and:

- are in Default; or
- are current or less than 30 Days past due but facing Imminent Default due to a hardship as described in the Eligible Borrowers section.

Streamline Refinance
Streamline Refinance refers to the refinance of an existing FHA-insured Mortgage requiring limited Borrower credit documentation and underwriting.

Streamlined DIL
A Streamlined Deed-in-Lieu (DIL) is a DIL transaction for Owner-Occupant Borrowers and Non-Occupant Borrowers and does not require verification of hardship.

Streamlined DIL for Servicemembers with PCS Orders
A Streamlined Deed-in-Lieu (DIL) for Servicemembers with Permanent Change of Station (PCS) Orders Option is a Streamlined DIL that may be offered to servicemembers who must relocate to a new duty station at least 50 miles away from their existing residence, without the Mortgagee verifying hardship.

Streamlined PFS
A Streamlined Pre-Foreclosure Sale (PFS) is a PFS Option available for Owner-Occupant and Non-Occupant Borrowers and does not require verification of hardship.

Streamlined PFS for Servicemembers with PCS Orders
A Streamlined Pre-Foreclosure Sale (PFS) for Servicemembers with Permanent Change of Station (PCS) Orders is a Streamlined PFS that may be offered to servicemembers who must relocate to a new duty station at least 50 miles away from their existing residence, without the Mortgagee verifying hardship.

Structure
Structure refers to a building that has a roof and walls, stands permanently in one place, and contains single or multiple housing units that are used for human habitation.

Student Loan
Student Loan refers to liabilities incurred for educational purposes.

Substantially Damaged
A building is considered to be “Substantially Damaged,” as defined in the National Flood Insurance Program (NFIP) regulations, when “damage of any origin is sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.”

Supervised Mortgagee
A Supervised Mortgagee is a financial institution that is a member of the Federal Reserve System (FRS) or whose accounts are insured by the Federal Deposit Insurance Corporation (FDIC) or the National Credit Union Administration (NCUA) (collectively, “Federal Banking Agencies”).

Surchargeable Damage
Surchargeable Damage is damage to a Property caused by fire, flood, earthquake, tornado, boiler explosion (for condominiums only) or Mortgagee Neglect.

Surplus Income Percentage
Surplus Income Percentage is a percentage calculated in the Mortgagee's financial analysis to determine which Loss Mitigation Options are appropriate based on the Borrower's income.

Surplus Land
Surplus Land refers to land that is not currently needed to support the existing improvement but cannot be separated from the Property and sold off. Surplus Land does not have an independent highest and best use and may or may not contribute to the value of the improved parcels.

Sweat Equity
Sweat Equity refers to labor performed, or materials furnished, by or on behalf of the Borrower before closing on the Property being purchased.

Test Case
Test Case refers to a Mortgage loan used by a Mortgagee when requesting an Unconditional Direct Endorsement (DE) approval. These loans must be processed per the Direct Endorsement eligibility requirements and approved by HUD for endorsement.

Third Party Documents
Third Party Documents refer to those documents that are originated and signed outside of the control of the Mortgagee, such as the sales contract.

Third-Party Originator (TPO)
A Third-Party Originator (TPO) is an entity that originates FHA Mortgages for an FHA-approved Mortgagee acting as its sponsor. A TPO may be an FHA-approved Mortgagee or a non-FHA-approved entity.

Tier Ranking System
The Tier Ranking System (TRS) II is a methodology for measuring a Mortgagee's performance in complying with HUD's Loss Mitigation Program.

Tiered Pricing
Tiered Pricing refers to any variance in Mortgage Charge Rates of more than two percentage points from the Mortgagee's reasonable and customary rate for insured Mortgages for dwellings located within the area.

Title I Mortgagee
A Title I Mortgagee is a Mortgagee that (a) holds a valid Title I contract of insurance and is approved by FHA or (b) held a Title I contract that has been terminated or suspended but remains responsible for servicing or selling the Title I Mortgages that it holds and is authorized to file insurance claims on these Mortgages.

Title II Mortgagee
A Title II Mortgagee is a Mortgagee that has been approved to participate in Title II and/or Title XI programs under the National Housing Act (12 U.S.C. § 1707 et seq. and 12 U.S.C. § 1749aaa et seq.).

TOTAL
TOTAL refers to "Technology Open To Approved Lenders." FHA's TOTAL Mortgage Scorecard evaluates the overall creditworthiness of the borrower, based on a number of credit variables and, when combined with the functionalities of the Automated Underwriting System (AUS), indicates a recommended level of underwriting and documentation to determine a loan's eligibility for insurance by the FHA.

Total Loan Amount
Total Loan Amount of the FHA Mortgage is the mortgage amount including the amount of any financed UFMIP. The insured mortgage amount is the Total Loan Amount.

Total Required Investment
Total Required Investment refers to the amount the Borrower must contribute to the transaction including the Borrower's downpayment and the Borrower-paid transaction costs. The Total Required Investment includes the MRI.

Trade Equity
Trade Equity refers to when a Borrower trades their Real Property to the seller as part of the cash investment.

Trade-In of Manufactured Housing
Trade-In of Manufactured Housing refers to the Borrower's sale or trade-in of another Manufactured House that is not considered real estate to a Manufactured Housing dealer or an independent third party.

Transfer Date
The Transfer Date is the date on which the Borrower's Mortgage Payment is first due to the Transferee Servicing Mortgagee.

Transferee Servicing Mortgagee
The Transferee Servicing Mortgagee is the Mortgagee to which the servicing responsibilities have been transferred.

Transferor Servicing Mortgagee
The Transferor Servicing Mortgagee is the Mortgagee that transfers servicing responsibilities.

Trial Payment Plan
A Trial Payment Plan (TPP) is a payment plan for a minimum period of three months, during which the Borrower must make the agreed-upon consecutive monthly payments prior to final execution of the Loan Modification or FHA-HAMP.

Tri-Merged Credit Report (TRMCR)
TRMCR refers to a credit report that contains the data from all three credit repositories into one report.

Trust Income
Trust Income refers to income that is regularly distributed to a Borrower from a trust.

Unaudited Regulatory Report
An Unaudited Regulatory Report refers to a report of condition and income, also known as the "call report," which is submitted on the Federal Financial Institutions Examination Council forms 031 and 041, or a consolidated or fourth quarter NCUA call report, submitted on NCUA Form 5300 or 5310.

Under Construction
Under Construction refers to the period from the first placement of permanent material to 100 percent completion with no Certificate of Occupancy (CO) or equivalent.

Underserved Census Tracts
Underserved Census Tracts are those areas identified by HUD as meeting the definition found at 24 CFR § 81.2. Underserved Census Tract areas are: 1) tracts in metropolitan areas a) having a median income of no more than 90 percent of the area as a whole, or b) having a median income of no more than 120 percent and minorities comprise at least 30 percent of the tract's population; 2) all tracts in any nonmetropolitan area which a) have a median income of no more than 95 percent of the nonmetropolitan part of the state or nation, whichever is greater, or b) have a median income of no more than 120 percent and minorities comprise at least 30 percent of the area's population.

Uniform Residential Appraisal Report (URAR)
The *URAR* is the standard appraisal reporting form available through all lenders. Fannie Mae and Freddie Mac *URAR* forms are acceptable.

Unimproved Property Appraisal
Unimproved Property Appraisal refers to the valuation of an interest in land without human made Structures.

Unresolved Finding
An Unresolved Finding is a material, adverse written Finding, to include fair lending violations of the Fair Housing Act or Equal Credit Opportunity Act, contained in a lawsuit or report produced in connection with an investigation, audit, or review conducted by HUD, another federal, state, or local governmental agency, or by any other regulatory or oversight Entity with jurisdiction over the Mortgagee or its officers, partners, directors, principals, managers, supervisors, loan processors, loan underwriters, or loan originators, that has not yet been resolved through final agency or judicial action.

Vacant Property Inspection
A Vacant Property Inspection is an inspection by the Mortgagee of a Property that is not occupied.

Vacation Home
Vacation Home refers to a dwelling used primarily for recreational purposes and enjoyment and that is not a Principal or Secondary Residence.

Viable Repair Plan
A Viable Repair Plan is a plan for repairs of a mortgaged Property within the amounts available through insurance proceeds and borrower funds.

Work Item
Work Item refers to a specific repair or improvement that will be performed.

Work Write-Up
The Work Write-Up refers to the report prepared by a 203(k) Consultant that identifies each Work Item to be performed and the specifications for completion of the repair.

FHA Single Family Housing Policy Handbook

ACRONYMS

A

AAFB - Area Approved for Business
ACA - Asset Control Area
ACD - Accelerated Claims Disposition
ADP Codes - Automated Data Processing Codes
ADU - Accessory Dwelling Unit
AHJ - Authority Having Jurisdiction
AHP - Affordable Housing Program
AHPP - Affordable Housing Program Plan
AM - Asset Management
AMC - Appraisal Management Company
APZ - Accident Potential Zone
AQB - Appraiser Qualifications Board
ARM - Adjustable Rate Mortgage
ASC - Appraisal Subcommittee
AUS - Automated Underwriting System
AVM - Automated Valuation Model
AWEA - American Wind Energy Association

B

B2G - Business to Government
BIA - Bureau of Indian Affairs
BPO - Broker's Price Opinion
BPS - Basis Points

C

CAFMV - Commissioner's Adjusted Fair Market Value
CAIVRS - Credit Alert Verification Reporting System
CBRS - Coastal Barrier Resources System
CDBG - Community Development Block Grant
CEO - Chief Executive Officer
CFO - Chief Financial Officer
CFPB - Consumer Financial Protection Bureau
CFR - Code of Federal Regulations
CHUMS - Computerized Homes Underwriting Management System
CLTV - Combined Loan-to-Value
CMT - Constant Maturity Treasury
CO - Certificate of Occupancy
COO - Chief Operating Officer
CPA - Certified Public Accountant
CPL - Closing Protection Letter
CVS - Certificate of Veteran Status

CWCOT - Claims Without Conveyance of Title

D

DAS - Deputy Assistant Secretary
DASP - Distressed Asset Stabilization Program
DBA - Doing Business As
DDR - Delinquency/Default Reason
DDS - Delinquency/Default Status
DE - Direct Endorsement
DEC - Departmental Enforcement Center
DHHL - Department of Hawaiian Home Lands
DIL - Deed-in-Lieu
DIT - Deficit Income Test
DoD - Department of Defense
DOM - Days on Market
DTI - Debt-to-Income

E

EAD - Electronic Appraisal Delivery
ECOA - Equal Credit Opportunity Act
eCB - Electronic Case Binder
EDI - Electronic Data Interchange
EEH - Energy Efficient Homes
EEM - Energy Efficient Mortgage
EESA - Emergency Economic Stabilization Act
EFT - Electronic Funds Transfer
EHLP - Emergency Homeowners' Loan Program
EIN - Employer Identification Number
EMT - Emergency Medical Technician
EPA - U.S. Environmental Protection Agency
EPD - Early Payment Default
EPM - Exit Premium Mortgage
E-Sign Act - Electronic Signatures in Global and National Commerce Act
EVARS - Extensions and Variances Automated Requests System

F

FAIR - Fair Access to Insurance Requirements
FAQ - Frequently Asked Questions
FCRA - Fair Credit Reporting Act
FDIC - Federal Deposit Insurance Corporation
FEMA - Federal Emergency Management Agency
FHA - Federal Housing Administration
FHA-HAMP - FHA Home Affordable Modification Program
FHAC - Federal Housing Administration Connection
FHAC-B2G - FHA Connection - Business to Government
FHA Lender ID - FHA Lender Identification Number

FHEO - Office of Fair Housing and Equal Opportunity
FHLB - Federal Home Loan Bank
FHLMC - Federal Home Loan Mortgage Corporation (also known as Freddie Mac)
FICA - Federal Insurance Contributions Act
FIRM - Flood Insurance Rate Map
FMV - Fair Market Value
FNMA - Federal National Mortgage Association (also known as Fannie Mae)
FOC - Financial Operations Center
FRS - Federal Reserve System
FSM - Field Service Manager
FTV - First-Time Vacant

G

GAAP - Generally Accepted Accounting Principles
GAAS - Generally Accepted Auditing Standards
GAGAS - Generally Accepted Government Auditing Standards
GBA - Gross Building Area
GEM - Growing Equity Mortgages
GLA - Gross Living Area
GNMA - Government National Mortgage Association (also known as Ginnie Mae)
GNND - Good Neighbor Next Door
GPM - Graduated Payment Mortgages
GRM - Gross Rent Multiplier
GSA - General Services Administration
GSE - Government-Sponsored Enterprise
GTR - Government Technical Representative

H

H4H - HOPE for Homeowners
HAMP - Home Affordable Modification Program
HECM - Home Equity Conversion Mortgage
HERMIT - Home Equity Reverse Mortgage Information Technology
HERR - Home Energy Rating Report
HERS - Home Energy Rating System
HFA - Housing Finance Agency
HHF - Hardest Hit Fund
HIP - Housing Insurance Premium
HOA - Homeowners' Association
HOC - Homeownership Center
HOPE - Homeownership and Opportunity for People Everywhere
HUD - U.S. Department of Housing and Urban Development
HUDCLIPS - HUD's Client Information and Policy System

I

IBTS - Institute for Building Technology and Safety (IBTS)
ID - Identification

IEC - International Electrotechnical Commission
IECC - International Energy Conservation Code
IHA - Indian Housing Authority
IOG - Instrumentality of Government
IPA - Independent Public Accountant
IRA - Individual Retirement Account
IRC - Internal Revenue Code
IRS - Internal Revenue Service

L

LDP - Limited Denial of Participation
LEAP - Lender Electronic Assessment Portal
LES - Leave and Earnings Statement
LI - Lender Insurance
LIBOR - London Interbank Offered Rate
LLC - Limited Liability Company
LOMA - Letter of Map Amendment
LOMR - Letter of Map Revision
LTV - Loan-to-Value
LURA - Land Use Restriction Addendum

M

M&M - Management and Marketing
MAP - Multifamily Accelerated Processing
MCM - Mortgagee Compliance Manager
MDCS - Minimum Decision Credit Score
MERS - Mortgage Electronic Registration System
MHCSS - Manufactured Home Construction and Safety Standards
MIC - Mortgage Insurance Certificate
MIP - Mortgage Insurance Premium
MISMO - Mortgage Industry Standards Maintenance Organization
ML - Mortgagee Letter
MLS - Multiple Listing Service
MMI - Mutual Mortgage Insurance
MMIF - Mutual Mortgage Insurance Fund
MPR - Minimum Property Requirements
MPS - Minimum Property Standards
MRB - Mortgagee Review Board
MRI - Minimum Required Investment

N

NADA - National Automobile Dealers Association
NAID - Name and Address Identification Number
NAR – National Association of Realtors
NCUA - National Credit Union Administration
NDC - Net Development Cost

NFIP - National Flood Insurance Program
NHOP - Nehemiah Housing Opportunity Grants Program
NMLS - Nationwide Mortgage Licensing System and Registry
NOD - Notice of Deficiency
NOPA - Notice to Occupant of Pending Acquisition
NOR - Notice of Return
NOV - Notice of Violation
NPDMS - Nonprofit Data Management System
NPIOG - Nonprofit Instrumentality of Government
NPMA - National Pest Management Association
NRTL - Nationally Recognized Testing Laboratory
NSC - National Servicing Center
NSP - Neighborhood Stabilization Program
NTMCR - Non-Traditional Mortgage Credit Report

O

OGC - Office of General Counsel
OIG - Office of Inspector General
OLG - Office of Loan Guarantee
ONAP - Office of Native American Program
OSFAM - Office of Single Family Asset Management
OUI - Oldest Unpaid Installment

P

P&I - Principal and Interest
P&L - Profit and Loss
P&P - Preservation and Protection
PCR - Property Condition Report
PCS - Permanent Change of Station
PDF - Portable Document Format
PDMDA - Presidentially-Declared Major Disaster Area
PFGMH - Permanent Foundations Guide for Manufactured Housing
PFS - Pre-Foreclosure Sale
PHA - Public Housing Agency
PIN - Personal Identification Number
PITI - Principal, Interest, Taxes, and Insurance
PMMS - Primary Mortgage Market Survey
POA - Power of Attorney
POC - Paid Outside Closing
PPA - Power Purchase Agreement
PSA - Participating Servicer Agreement
PTI - Total Mortgage Payment to Effective Income Ratio
PUD - Planned Unit Development

Q

QC - Quality Control

QM - Qualified Mortgage
QR - Quick Response

R

REO - Real Estate Owned
RESPA - Real Estate Settlement Procedures Act
RMCR - Residential Mortgage Credit Report
RPZ - Reduced Pressure Zone

S

SAFE Act - Secure and Fair Enforcement for Mortgage Licensing Act of 2008
SAM - System for Award Management
SBA - Small Business Administration
SCRA - Servicemembers Civil Relief Act
SF - Single Family
SFB - Special Forbearance
SFDMS - Single Family Default Monitoring System
SFHA - Special Flood Hazard Area
SFIS - Single Family Insurance System
SFLS - Single Family Loan Sale
SPPA - Solar Power Purchase Agreement
SSA - Social Security Administration
SSI - Supplemental Security Income
SSN - Social Security Number
SWCC - Small Wind Certification Council

T

TDD - Telecommunication Device for the Deaf
TDHE - Tribally Designated Housing Entities
TILA - Truth in Lending Act
TIN - Tax Identification Number
TOTAL - Technology Open To Approved Lenders
TPO - Third-Party Originator
TPP - Trial Payment Plan
TRMCR - Tri-Merged Credit Report
TRS - Tier Ranking System
TS - Transaction Set
TTY - Text Telephone

U

UAD - Uniform Appraisal Dataset
UETA - Uniform Electronic Transactions Act
UFMIP - Upfront Mortgage Insurance Premium
URL - Uniform Resource Locator
URLA - Uniform Residential Loan Application
URAR - Uniform Residential Appraisal Report

U.S.C. - United States Code
USCIS - U.S. Citizenship and Immigration Services
USDA - United States Department of Agriculture
USGS - U.S. Geological Survey
USPAP - Uniform Standards of Professional Appraisal Practice
UST - Underground Storage Tanks

V

VA - Department of Veterans Affairs
VOD - Verification of Deposit
VOE - Verification of Employment

X

XML - Extensible Markup Language

The Difference Between Multifamily and Single-Family Businesses

In certain ways, the Freddie Mac Multifamily business is similar to the Single-Family business. Both buy and securitize mortgages originated by a network of approved lenders; we do not lend money directly to borrowers. By selling mortgage loans to us, lenders receive money that they can use to make loans to additional borrowers. That, basically, is where the similarities end.

What are the main differences between our Multifamily and Single-Family businesses:

	Multifamily	**Single-Family**
Property size	5 or more units	1 to 4 units
Freddie Mac lenders	About 30 Optigo® lenders	More than 1,700
Loan size	$1 million to $100s millions – no current limit	Legislated limit of $424,100 ($636,150 in high-cost areas) for a 1-unit home
Underwriting process	Manual – each loan is unique	Typically automated
Number of parties involved	Many, sometimes including government agencies	One borrower
Source of mortgage payments	Income from rents	Borrower's personal income
Servicing involvement	Active in monitoring each loan's performance	Involved in a loan's performance if it becomes delinquent

Freddie Mac finances all types of multifamily rental properties.

Garden-style: 1-, 2-, or 3-story apartment development built in a garden-like setting in a suburban, rural, or urban location; buildings may or may not have elevators

Walk-up: 4- to 6-story building without an elevator

Mid-rise: Multi-story building with an elevator, typically in an urban area

High-rise: Building with 9 or more floors and at least 1 elevator

Manufactured housing community: Community in which the operator leases ground sites to owners of manufactured homes

Special-purpose housing: Property of any style intended for a certain population segment

- **Seniors housing**: Dedicated to housing older adults; includes independent and assisted living, skilled nursing, memory care, and continuing care communities
- **Student housing**: At least half of the units are intended for students attending a nearby learning institution
- **Subsidized housing**: Caters to renters with low incomes or special needs and is made affordable by rent and income restrictions

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Secondary Residence
Secondary Residence refers to a Structure that a Borrower occupies in addition to their Principal Residence, but less than a majority of the calendar year. A Secondary Residence does not include a Vacation Home.

Self-Employment Income
Self-Employment Income refers to income generated by a business in which the Borrower has a 25 percent or greater ownership interest.

There are four basic types of business structures. They include:

- sole proprietorships
- corporations
- limited liability or "S" corporations
- partnerships

Selling Mortgagee
The Selling Mortgagee is the Mortgagee that sells the Mortgage and thereby relinquishes all rights and obligations under the contract for mortgage insurance.

Servicer
A Servicer is an FHA-approved Mortgagee performing servicing actions on FHA-insured Mortgages on its behalf or on behalf of or at the direction of another FHA-approved Mortgagee.

Settlement Statement
Settlement Statement refers to the closing disclosure required under Section 4 of the Real Estate Settlement Procedures Act.

Shared Well
A Shared Well refers to a well that services two to four homes where there is a binding Shared Well Agreement between the property owners that meets FHA requirements.

Short Sales
See **Pre-Foreclosure Sales**.

Simple Refinance
Simple Refinance refers to a no cash-out refinance of an existing FHA-insured Mortgage in which all proceeds are used to pay the existing FHA-insured mortgage lien on the subject Property and costs associated with the transaction.

Single Family
Single Family refers to one- to four-unit dwellings.

Site Condominium
A Site Condominium refers to a project of Single Family, totally detached dwellings encumbered by a declaration of condominium covenants or a condominium form of ownership. They have no

July 21, 2020 7:00 p.m. Planning Department

Council Chambers

Notice: Due to Governor Little's proclamation on March 19, 2020 and the Stay-At-Home Order given on March 25, 2020, the doors to the meeting were locked, but notice was given to the public on how to participate via any of the following ways: Submit comments in writing; participate via internet through a Webex meeting; participate via phone through Webex meeting; and watch the meeting via live stream on the City's website.

MEMBERS PRESENT: Commissioners Natalie Black, Arnold Cantu, Gene Hicks, Brent Dixon, George Morrison, Margaret Wimborne

MEMBERS ABSENT: Joanne Denney, Lindsey Romankiw.

ALSO PRESENT: Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Brent McLane; 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: The minutes for the July 7, 2020 meeting were tabled until the August meeting.

Public Hearing(s):

5. RZON 20-009: REZONE. Amendment of the Comprehensive Zoning Ordinance, Section 11-4-5. E.1 Parking Location in Residential Zones, and Section 11-7-1: Definitions, Dwelling Single Unit Attached.

Black opened the public hearing.

Applicant: City of Idaho Falls.

Cramer presented the staff report. Cramer indicted that the items on the agenda are time sensitive. Cramer showed the language from the previous Zoning Ordinance that showed two parking spaces and those had to be in a garage or carport, or where a garage or carport could legally be built. Cramer explained that when people park on the side of their garage, it is a place where a garage and carport cannot be built, and the garage and carport requirement was meant for the 2 required stalls. Cramer stated that the language is to show that the required parking needs to be out of the required setbacks from the street. Cramer showed some pictures of people parking in their front yard or walling in a garage and now the only available parking is in the driveway. Cramer stated that this is an issue. Cramer showed that they are proposing to tweak the Code and specify that the required off street parking cannot be in the required front or side set back that faces a public street….and add the wording "Permitted driveways which directly connect required and other approved parking areas to the public and private streets may be used for parking, but shall not be considered as providing the required parking spaces for the use."

Black asked about RV's in driveways and it is legal. Cramer clarified if she is asking about RV's or what the code change accomplishes. Cramer stated that generally they are trying have the two required stalls that are out of the front and side yard spaces. Cramer explained that a

new house today would require two parking stalls outside of the front yard setbacks and then a driveway that connects that parking to the street. Cramer indicted that is to avoid the paving of someone's front yard. Cramer indicated that the driveway will be from the curb cut at the street to the garage or parking area, so they wouldn't allow a home to have a 60' wide curb cut, so they cannot have a 60' wide driveway. Cramer stated that they don't differentiate between and RV, truck, boat, car, so if people have a driveway, they can park in it. Cramer stated that if the RV sticks out over the sidewalk, they do address that with code enforcement and police. Cramer doesn't feel like it is appropriate to say what vehicles are appropriate in a driveway and which ones are not.

Dixon asked where the driveway ends on the street side. Cramer stated that the street is defined as everything between the right of way lines, which includes the park strip and the sidewalk, so the street doesn't end until the grass line of the yard. Cramer stated that the Code for sidewalks just state that you cannot block them and last year they wrote 1700 notes about violations. Dixon asked about a property south of Sunnyside that is multifamily and the guest parking is not deep enough and to park there you block the sidewalk and the roads are noted to be fire lanes and narrower than a regular city road. Dixon asked if tandem parking has the garage 2 vehicles deep. Cramer stated that when they are asking for tandem parking they are asking for a variance. Dixon asked about properties being grandfathered in. Cramer agreed that the property being shown is old enough to be grandfathered in and the single car garage is ok, but if someone wanted to build to today's standards, they would require 2 car garage or a variance to allow tandem parking. McLane confirmed that TN allows it. Dixon stated he knows a lot of places that have added a parking pad next to the driveway. Dixon asked if that is permitted because it is in the front set back, but not within the confines of the curb cut. Cramer stated this comes up regularly, and a technical reading of the code would state that is not permitted, but it does exist all over the place. Cramer has explored maximum lot coverage for concrete, they've tried to define how wide the driveway could be, and there is no good answer, so you are relying on people's sensibility to not pave their front yard. Cramer stated that it would be challenging to get people to rip up concrete that didn't require a permit. Cramer stated this is not a full solution but does address an immediate problem.

Cramer moved on to the second change Single Unit Attached Dwelling definitions. Cramer read the definition of a single unit attached dwelling. Cramer reviewed places it was allowed. Cramer showed pictures of what was allowed in the previous ordinance based on the current definition. Cramer stated that the issue that was created is it specifically states only 2 which was not the intent. Cramer stated that the intent was talking about limits to units, but rather let the zone control the number of units by density and lot coverage. Cramer believes they dropped 2 important words and it should have said 2 or more. Cramer stated that he gave 2 options to consider with one redefining single unit attached as they intended with "two or more" and then rely on the development standards that those were built in, so there wouldn't be a limit to the number of units, but controls within the zone such as density and lot coverage that would limit how many units could be built; the second option is more specific and states that single unit attached is between two and four dwelling units attached with common walls, and add a new definition that would be multi-unit attached that would be more than four.

Dixon asked if option one or two was adopted it would allow for R1 to go from a maximum of 3 units in a building to a new maximum of 4 units, and before 1999 twin units weren't allowed in R1 and now they want to move it up to 4 units. Cramer agreed that option 2 would state that, but

option 1 is not going to have the limit, which is why he included option 2. Cramer agreed that it would allow more than 3 in the R1 zone. Dixon asked if right now in R2 is a multi-unit attached allowed. Cramer stated that right now multi-unit attached doesn't exist in the Code, but you could build a 4-plex and whether those units were on separate lots would mean something different code wise. Cramer stated that right now the way that single unit attached is defined is only 2 units and anything above that is multi-family. Dixon stated that page 6 of 9 of the staff notes states that dwelling multi-unit is allowed in R-2 but it has an asterisk and it is unclear what the asterisk entails because it only says "subject to specific land use provisions as set forth… Cramer indicated that page 8 has the information. Dixon indicated that it has to do with flashing and termination of the roof covering, etc. Cramer stated that information as all taken from the previous code where it was allowed in R1 and R2. Dixon confirmed that the main difference is that it would allow units to be on top of each other, whereas the single attached requires that each one be on its lot and not stacked. Cramer disagreed and indicated that the definition of multi-unit attached you still cannot stack. Cramer indicated that in R-2 you can stack and call it a 4-plex and condominiumize them that way, but it would be defined as a multi-unit dwelling, not a multi-unit attached. Dixon doesn't want the distinction between R-1 and R-2 so small that there is no purpose behind having R-2. Cramer stated that option 2 would have the distinction, that in an R-1 zone you'd be limited to 4 units and in an R-2 there would be no limit other than the density and option 1 only has the difference in density.

No one appeared in support or opposition to the application.

Black closed the public hearing.

Dixon stated that with the clarification provided by staff, that they recognize that this doesn't take care of every issue, but it does resolve an immediate issue, then he is in support of the change, and feels further changes are warranted, but will take more study on how to do them.

Dixon moved to recommend to the Mayor and City Council approval of the proposed Ordinance change concerning Off-Street Parking and Loading as presented on page 9 of 9 of the staff notes including the redline changes on paragraph E, Morrison seconded the motion and it passed unanimously.

Dixon indicated that the language on Option 2 for Dwelling Single Unit Attached was to say 2-4 dwelling units rather than two or more. Cramer agreed with Dixon's corrections. Dixon indicated that the multi-unit attached is more than 4, where as 2-4 is the single unit attached which is consistent with the language presented back on page 31 (FHA Single Family Housing Policy Handbook Glossary, although it doesn't indicate whether those dwellings have to be on their own lots, etc. Dixon is concerned that the name isn't consistent, and the camel's nose got under the tent in 1999 to say R-1 now allows attached housing and it seems like we are moving more and more units of attached housing. Dixon stated that RP doesn't allow for attached so if they want single family detached, they'd go to RP rather than R1. Dixon is more supportive of option 2, because option 1 leaves too much unknown as far as how many units they can fit in and still meet the density requirement.

Morrison agreed with limiting the number specifically.

Wimborne agrees that is a good place to start and they can always go back and revisit if it is needed.

Dixon moved to recommend to the Mayor and City Council, relative to Single Family Attached Dwellings, Option 2 offered in staff notes on page 5 of 9 with the following modification: Dwelling, Single -Unit Attached says 2-4 dwelling units instead of 2 or more dwelling units, as presented, Wimborne seconded the motion and it passed unanimously.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING DWELLING UNIT DEFINITIONS IN TITLE 11, CHAPTERS 2 AND 7 FOR CLARITY AND CONSISTENCY; AMENDING TITLE 11, CHAPTER 4 TO CLARIFY CALCULATION OF REQUIRED OFF-STREET PARKING AND LOADING SPACES AND USES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City desires to have effective and consistent zoning regulations; and

WHEREAS, the City is aware of provisions in the zoning code which create undesirable and unintended consequences and are inconsistent with the principles of the Comprehensive Plan; and

WHEREAS, the City is also aware that the zoning definitions of single-unit attached are inconsistent with federal definitions of this type of housing; and

WHEREAS, the City believes the proposed modifications to the zoning code will address these issues; and

WHEREAS, the City also believes the proposed changes will increase housing choices in residential neighborhoods and define attached housing more consistently with federal definitions.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, THAT:

SECTION 1. Title 8, Chapter 1, of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

. . .

11-2-3: ALLOWED USES IN RESIDENTIAL ZONES

Table 11-2-1: Allowed Uses in Residential Zones

P = permitted use. C1 = administrative conditional use. C2 = Planning Commission conditional use. C3 = City Council conditional use. A blank denotes a use that is not allowed in that zone.

*Indicates uses that are subject to specific land use provisions set forth in the Standards for

	Low Density Residential			Medium Density Residential			High Density Residential	
Proposed Land Use	**RE**	**RP**	**R1**	**R2**	**TN**	**RMH**	**R3**	**R3A**

Accessory Use	P	P	P	P	P	P	P	P
Agriculture* Animal Care Clinic	P				 P*			 P
Artist Studio					P*			
Bed and Breakfast*								P
Boarding /Rooming House							P	P
Day Care, Center*			C_2	P	P		P	P
Day Care, Group*	C_1		C_1	P	P	C_1	P	P
Day Care, Home	C_1		C_1	P	P	C_1	P	P
Dwelling, Accessory Unit*	P			P	P		P	P
Dwelling, Multi-Unit*				P*	P		P	P
Dwelling, Multi-Unit Attached*				P	P		P	P
Dwelling, Single Unit Attached*			P	P	P	P	P	P
Dwelling, Single Unit Detached	P	P	P	P	P	P	P	P
Dwelling, Two Unit				P	P		P	P
Eating Establishment, Limited					P*			P
Financial Institutions					P*			P
Food Processing, Small Scale					P*			
Food Store					P*			
Fuel Station					P*			
Health Care and Social Services					P*			P
Home Occupation*	C_1		C_1	C_1	C_1	C_1	C_1	C_1
Information Technology								P
Laundry and Dry Cleaning					P*			P
Live-Work*					C_1			P
Manufactured Home*	P	P	P	P	P	P	P	P
Mobile Home Park*						C_2		C_2
Mortuary								P
Park and Recreation Facility*	P	P	P	P	P	P	P	P

Parking Facility								P
Personal Service					P*			P
Planned Unit Development*	C_3	C_3	C_3	C_3		C_3	C_3	C_3
Professional Service								P
Public Service Facility*	C_2	C_2	C_2	C_2	C_2	C_2	C_2	C_2
Public Service Facility, Limited	P	P	P	P	P	P	P	P
Public Service Use								P
Recreational Vehicle Park*						C_2		
. . .								

11-2-4: ALLOWED USES IN COMMERCIAL ZONES.

Table 11-2-2: Allowed Uses in Commercial Zones

P = permitted use. C1 = administrative conditional use. C2 = Planning Commission conditional use. C3 = City Council conditional use. A blank denotes a use that is not allowed in that zone.

*Indicates uses that are subject to specific land use provisions set forth in the Standards for

	Commercial				
Proposed Land Use	**PB**	**CC**	**LC**	**HC**	**PT**
Accessory Use*	P	P	P	P	P
Accessory Use, Fuel Station*		P	P	P	
Accessory Use, Storage Yard*		P	P	P	
Amusement Center, Indoor		P	P	P	
Amusement Center, Indoor Shooting Range*		P	P	P	
Amusement Center, Outdoor*				P	
Animal Care Clinic*	P	P	P	P	
Animal Care Facility*				P	
Bed and Breakfast*		P	P		P
Boarding /Rooming House		P	P		P
Building Material, Garden and Farm Supplies			P	P	
Cemetery*		C_2	C_2	C_2	
Club*		P	P	P	

Communication Facility		P	P	P	
Day Care, all Types*	P	P	P	P	P
Drinking Establishment		P		P	
Drive-through Establishment *	P*	P	P	P	P
Dwelling, Accessory Unit *		P	P	P	P
Dwelling, Multi-Unit*		P	P		P
Dwelling, Multi-Unit Attached*		P	P		P
Dwelling, Single Unit Attached*			P		P
Dwelling, Single Unit Detached			P		
Dwelling, Two Unit			P		P
Eating Establishment		P	P	P	P
Eating Establishment, Limited	P	P	P	P	P
Financial Institutions	P	P	P	P	P
Entertainment and Cultural Facilities	P	P	P	P	P
. . .					

. . .

11-2-6: STANDARDS FOR ALLOWED USES

(P) Dwelling, Single-Unit Attached, and Multi- Unit Attached.

(1) Every lot upon which ~~a single-unit home attached~~ an attached dwelling is located shall have frontage upon a dedicated public street.

(2) No ~~single-unit~~ attached dwelling shall be located above another dwelling unit, either in whole or part.

(3) Each ~~single-unit~~ attached dwelling shall have at least one (1) direct pedestrian access from the interior of the dwelling to the exterior boundaries of the lot. No pedestrian access to an attached ~~single-unit~~ dwelling unit may be held in common with any other ~~single-unit~~ attached dwelling unit.

(4) Except as noted below, ~~a single-unit~~ an attached dwelling shall have no facilities or property in common with any other ~~single-unit~~ attached dwelling and all such dwelling units shall be structurally and functionally independent from another. All ~~single-unit~~ attached dwellings shall have separate electrical service, water service

lines and sanitary sewer service lines from all other of such dwellings. Common facilities or property are allowed for the following:

(a) Common party walls constructed in accordance with the International Building Code.

(b) Foundations supporting attached or party walls.

(c) Flashing at the termination of the roof covering any attached walls.

(d) Roofs.

(e) Vehicular access to a dedicated street from off-street parking facilities or garages.

(5) No building permit shall be issued for the construction of ~~a single-unit~~ an attached dwelling unless a common facilities agreement or party wall agreement for Declaration of Condominium has been filed with the Bonneville County Recorder's Office for each such dwelling which shares common facilities with another unit. Such agreement shall include a legal description of the lots sharing common facilities and shall allocate responsibility between the owners of such lots the use, maintenance, and ownership of all common facilities.

(6) All ~~single-unit~~ attached dwellings shall meet the dwelling unit separation requirements of the officially adopted and applicable building codes of Idaho Falls.

(7) A lot upon which ~~a single-unit~~ an attached dwelling is located need not comply with the zone's minimum area and width requirements, provided such lot complies with the zone's location of buildings.

(8) The net density of ~~single-unit~~ attached dwellings shall not exceed the density allowed in the zone where it is located. Public rights-of-way shall be excluded when calculating net density.

(9) An interior ~~single-unit~~ attached dwelling shall be allowed to increase the maximum lot coverage by ten percent (10%).

. . .

11-4-5: OFF-STREET PARKING AND LOADING

. . .

(E) Parking Location

(1) In residential zones, off-street parking shall not be permitted in the required front or side setback that faces on a public street. ~~except for permitted driveways.~~ Parking is permitted in other required side and rear setbacks. Permitted driveways which directly connect required and other approved parking areas to public and private streets may be used for parking, but shall not be considered as providing the required parking spaces for the use.

. . .

11-7-1: DEFINITIONS

. . .	
Dwelling Unit	A structure(s) designed for or occupied exclusively by one (1) "household," for living or sleeping purposes and having one (1) kitchen or set of cooking facilities, or group residence in which eight (8) or fewer unrelated persons with disabilities, elderly persons, or minors when in a facility licensed by the State of Idaho and who are supervised at the group residence in connection with their disability or age related infirmity under the following conditions: 1. Resident staff, if employed, need not be related to each other or to any of the persons with disabilities, elderly persons, or minors residing in the group residence 2. No more than two (2) of such staff shall reside in the dwelling at any one time. The term dwelling does not include boarding /rooming house, lodging, residential care facility or recreational vehicle.
Dwelling, Accessory Unit	A dwelling unit that is incidental and subordinate to the principal use of the premises and that does not alter the essential characteristic of the use. In commercial and industrial zones, these units may be allowed for use as a custodial or caretaker dwelling unit.
Dwelling, Single Unit Attached	A structure containing <u>from</u> two (2) <u>to four (4)</u> dwelling units attached by a common wall or walls, where each dwelling unit is located on a separate lot <u>and each unit has open space on at least two (2) sides</u>.
Dwelling, Single Unit Detached	A structure consisting of only a single dwelling unit separated from all other dwelling units by open space.
Dwelling, Two-Unit	A structure consisting of two (2) dwelling units which may either be attached side by side or one (1) above the other.
Dwelling, Multi-Unit	A structure, or portion thereof, that contains three (3) or more dwelling units, where all such units are located on the same property.
<u>Dwelling, Multi Unit Attached</u>	<u>A structure containing more than four (4) dwelling units attached by a common wall or walls, where each dwelling unit is located on a separate lot and each unit has open space on at least two (2) sides.</u>

. . .	

SECTION 2. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

SECTION 3. Codification Clause. The City Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

SECTION 4. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of August, 2020.

CITY OF IDAHO FALLS, IDAHO

_____
REBECCA L. NOAH CASPER, MAYOR

ATTEST:

_____
KATHY HAMPTON, CITY CLERK

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING DWELLING UNIT DEFINITIONS IN TITLE 11, CHAPTERS 2 AND 7 FOR CLARITY AND CONSISTENCY; AMENDING TITLE 11, CHAPTER 4 TO CLARIFY CALCULATION OF REQUIRED OFF-STREET PARKING AND LOADING SPACES AND USES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

(SEAL) _____
KATHY HAMPTON, CITY CLERK