

March 9, 2020

The City Council of the City of Idaho Falls met in Council Work Session, Monday, March 9, 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 Thomas Hally
Councilmember Jim Freeman
Councilmember Jim Francis
Councilmember Shelly Smede
Councilmember John Radford

Also present:

Duane Nelson, Fire Chief
Pamela Alexander, Municipal Services Director
Bryce Johnson, Police Chief
Royce Clements, Police Captain
Jeremy Galbreath, Police Captain
Chris Fredericksen, Public Works Director
Reggie Fuller, Building Official
Kerry Hammon, Public Information Officer
Chandra Witt, General Services Administrator
Brad Cramer, Community Development Services Director
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:01 p.m. with the following items:

Acceptance and/or Receipt of Minutes:

It was moved by Councilmember Radford, seconded by Councilmember Francis, to receive recommendations from the Planning and Zoning Commission dated March 3, 2020, pursuant to the Local Land Use Planning Act (LLUPA). Roll call as follows: Aye – Councilmembers Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

Calendars, Announcements and Reports:

Mayor Casper stated a water line replacement will be occurring on Broadway on March 10; Idaho Business Review will be recognizing Women of the Year on March 11, Mayor Casper recognized Dana Briggs as one of the recipients; and, Jordan Rechenmacher, Sanitation Superintendent, was recognized for his recent *Waste360 40 Under 40* National Award. Mayor Casper reviewed current legislation issues with general comments including, House Bill (HB) 408 (redistribution of sales tax), HB409 (property taxes), HB489 (repeals and replaces LLUPA regarding annexation), HB490 (broadband), HB583 (whistleblower bill), HB601 (public records), and, Senate Bill (SB)1314 (State-wide distracted driving ordinance). She reminded the Council of the legislative call on March 12.

Liaison Reports and Council Concerns:

Councilmember Dingman had no items to report.

Councilmember Radford stated there will be a Board review at the forthcoming Idaho Falls Power Board Meeting. Councilmember Francis stated there has been an issue with the mobility carts at the Library. Library Director Robert Wright is taking steps to address the issue. Councilmember Francis also stated Parks and Recreation is working with the War Bonnet Round Up Association to formalize an agreement; and, Captain Royce Clements retirement reception will be held March 26.

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Councilmember Freeman stated he recently attended the first public meeting regarding the Northgate and 1st Street corridor. He noted this meeting was very well attended.

Councilmember Smede stated preparation is underway for the April 3 budget workshop.

Councilmember Hally stated the Idaho Fall Fire Department (IFFD) annual report is in progress. He also stated Amy Lientz, Idaho National Laboratory (INL), will be speaking at Rotary on March 11.

US Digital Designs Equipment Purchase Discussion:

Chief Nelson stated Fire Station 1 is currently the only station with the G2 US Digital system, which operates through the fiber network. He stated radio frequency issues, including tones, voice, and, speakers, have been identified with other stations. Due to these interfaces colliding, Information Technology (IT) constantly tries to create delays in the system to prevent the communication from overlapping each other. Chief Nelson stated this issue has been occurring since 2017. He requested the remaining Stations, 2-5, be retrofitted with the G2 Digital system which would integrate with the system at Station 1. This would allow operation in a redundant system and, would allow a third wave through the radio frequency system if the digital feed is lost through hardware failure. The system will also reduce alert times for call-outs, turnout times, and, will capture data to utilize personnel for staffing purposes. Chief Nelson stated \$80,000 was funded and approved in the budget however, the bid received was higher than expected. Bonneville County Fire District has agreed to retrofit Station 2 in the amount of \$33,127.55. The remaining cost to retrofit Stations 3-5 amounts to \$97,010.36. Chief Nelson stated other budget equipment items have been reprioritized as he believes this project is more important. To the response of Councilmember Freeman, Chief Nelson stated Emergency Medical Service (EMS) grants are mainly used for training equipment, the grant is not able to be used for this item. To the response of Mayor Casper, Chief Nelson stated delayed items include personal protective equipment (PPE) turnouts. He reviewed the schedule of the PPE. This item will be included on the March 12 Council Meeting agenda.

Police Complex Conceptual Design and Process Discussion:

Director Alexander expressed her appreciation to the team effort of the evaluation panel, consisting of Chief Johnson, Captain Clements, Captain Galbreath, Director Fredericksen, and, Mr. Fuller. She also expressed her appreciation for the assistance of the Public Information Officer (PIO). She stated ten (10) proposals were received and each proposal was evaluated based on four (4) basis of criteria. Director Alexander reviewed the evaluation process. She stated next steps include negotiating a contract; approving a contract; 3-4 months to develop an estimated cost; and, design and funding decision. Due to the significance of this project, Mayor Casper believed the Council should be aware of the process. Director Alexander stated the Request for Qualifications (RFQ) indicated a preference for a local firm. She noted the interest from local and national architects for this project. To the response of Councilmember Radford, Director Alexander clarified the RFQ was an estimated cost for only the conceptual design. Director Fredericksen stated in Idaho the most qualified individual is hired for engineering or architectural work. The four (4) criteria within the RFQ included: Relevant Project Experience and Certifications; Project Team and Organizational Chart; Project Manager; and, Familiarity with Local Area. He also stated each panelist individually reviewed and independently scored each proposal. Interviews and presentations will then be conducted with the top four (4) candidates. He noted most proposals involved partnerships and, there were a number of proposals that were specialized in Police structures. To the response of Councilmember Dingman, Director Alexander stated the data from the previous Police consultant was attached to the RFQ as a sample for background information. To the response of Councilmember Radford, Chief Johnson stated this part of the project was budgeted in the Police Department budget. To the response of Mayor Casper, Director Fredericksen indicated a protest may occur however, there was interaction with Legal Staff prior to the proposed contract. General comments and discussion followed. Chief Johnson expressed his appreciation to the evaluation panel.

Review and Update of City Area of Impact (AOI) and Annexation Legislation Discussion:

Mayor Casper noted discussion with Bonneville County regarding AOI is scheduled for April 6. Director Cramer believes this discussion will determine if the draft document regarding extension of City utilities should be returned to the Planning and Zoning (P&Z) Commission. He stated the P&Z recommended the City consider extending utilities into the County on a very limited basis with established criteria including, sole discretion of the City, the cost would be on the developer, within the AOI, property becoming contiguous, a development agreement, and, the County requiring annexation once contiguous, etc. He believed the City departments and the Council were not comfortable

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with this recommendation. Staff removed this section per the Council's decision. Director Cramer noted all the red-lines in the draft document ultimately refers to the utility extension discussion. The compromise was the Utility Extension Pilot Project Parameters. Director Cramer stated since that time the Legislative session has been very negative to City-initiated annexations. Therefore, it was decided to wait until the outcome of Legislative session to have additional discussions. Currently, the Legislative session has presented another HB489 to repeal annexation. Director Cramer believes this bill would eliminate implied consent and the various categories of annexation. It would also wipe out the easy path for those who want to be annexed and, lumps all types of annexations together. If HB489 is passed any utility extension and pilot project discussions should be discontinued. Director Cramer stated, from the staff perspective, it is unwise to discuss utility extension into the County as there may not be any ability to annex in the future. The utilities are built for City residents and to service the City. Director Cramer questioned if the draft agreement could move forward without being returned to the P&Z. He identified the 'positives' in the agreement: the City has accomplished the majority of the Comprehensive Plan section; adoption of a written annexation policy which has worked well; and, change for County-encouraged annexation – County should not approve requests for rezoning unless the applicant has filed a request for annexation to the City and the City has acted upon it. Director Cramer stated this is a major change and is positive for County landowners that have existing development rights; clarifies existing developments; and, sets up a process for periodic review from County and City P&Z for minor or major amendments to the AOI agreement. Director Cramer believes the 'negatives' in the agreement include no recommendation of City or County to reduce the scope of the Comprehensive Plan maps to protect agriculture land. One of the original recommendations by P&Z was to reduce the City's Comprehensive Plan to the boundaries of the AOI line and the County, in partnership, would reduce urban development in their Comprehensive Plan. Those recommendations are not included in the draft agreement. Director Cramer believes the AOI lines are not as important as the agreement although it does not provide additional room for City growth. He reviewed the current AOI line and the proposed AOI line which would add area on the north east (Quarter Circle property), the south (Sand Creek Golf Course), and, the west (Silverleaf Estates). This was based that the City AOI should not have more than 20-25 years of growth. Director Cramer noted several spaces were recently filled in with City-initiated annexations. However, he stated cities can grow beyond the AOI line with Category A annexations. Director Cramer believes the subdivision ordinance section in the draft agreement needs discussed/developed. He expressed his concern/recommendation if both bodies agree to send the draft agreement back to P&Z including establishing specific questions for specific directions and, putting a time limit on responses. He recommended the draft agreement not go back to P&Z. Mayor Casper recommended possible Council discussion with Amy Lientz to project the potential rate of growth involving the INL. Councilmember Freeman believes adding acreage only may be a flawed method, growth needs to be added as well as this may be underestimated. Councilmember Dingman believes there are different perspectives between the City and the County. She also believes the City is working toward a relationship and a compromise. To the response of Councilmember Dingman, Director Cramer stated the formula for other communities are different. Councilmember Francis believes the elected officials should not send this back to P&Z. Mayor Casper suggested specific topics be submitted for discussion with the County. Councilmember Freeman questioned potential lawsuits regarding utility extensions as he does not believe the document is black and white. Mr. Fife stated the City has control over the City's jurisdiction. It is legal to act outside of City limits although there is risk from the authority of the State or the agreement. Mayor Casper believes the City's reputation could be impacted. She concurs with the difficulty of the wording. To the response of Councilmember Francis, Director Cramer stated he has not heard any specific reason for County discussion although he believes it may be in regard to utilities. Mayor Casper believes the discussion may be for clarification of the service areas and growth projections. Councilmember Radford believes annexation could be problematic, he does not believe this is easily solvable.

There being no further business, the meeting adjourned at 4:34 p.m.

s/ Kathy Hampton

CITY CLERK

s/ Rebecca L. Noah Casper

MAYOR