

October 19, 2020 Work Session

The City Council of the City of Idaho Falls met in Council Work Session, Monday, October 19, 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
Council President Michelle Ziel-Dingman
Councilor John Radford (via WebEx)
Councilor Thomas Hally
Councilor Jim Freeman (via WebEx)
Councilor Jim Francis
Councilor Shelly Smede

Also present:

Bryce Johnson, Police Chief
Jeremy Galbreath, Police Captain
Duane Nelson, Fire Chief
Pamela Alexander, Municipal Services Director
Mark Hagedorn, Controller
Josh Roos, Treasurer
PJ Holm, Parks and Recreation Director
Rick Cloutier, Airport Director (via WebEx)
Chris Fredericksen, Public Works Director
Stephen Boorman, Idaho Falls Power Assistant General Manager
Darrell West, Bonneville Metropolitan Planning Organization Director
Lisa Farris, Grants Administrator and Targhee Regional Public Transportation Authority (TRPTA) Board Member
Summer Hirschfield, Grants Officer of Public Transportation for the Idaho Transportation Department (ITD) (via WebEx)
Ed Morgan, Civic Center for the Performing Arts Manager
Michael Kirkham, Assistant City Attorney
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:06 p.m. with the following items:

Acceptance and/or Receipt of Minutes:

It was moved by Councilor Francis, seconded by Councilor Radford, that Council receive the recommendations from the October 6, 2020 meeting of the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA). Roll call as follows: Aye – Councilors Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

Calendars, Announcements and Reports:

October 20, Idaho Women's Business Center ribbon cutting
October 22, Idaho Falls Power (IFP) Board Meeting; City Club debate for Seat 31 candidates; and City Council Meeting
October 24, Trunk or Treat drive-thru event at Freeman Park

Mayor Casper stated the Department of Energy (DOE) recently announced a \$1.355 support package for the Small Modular Reactor (SMR)/Carbon Free Power Project (CFPP); the Idaho Falls Police Department (IFPD) received a \$6,400 grant from the U.S. Department of Justice (DOJ) for bullet-proof vests; two (2) accidents which involved four

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(4) fatalities occurred over the course of the previous weekend (conversations with the County regarding one (1) of the intersections involved have occurred); the westside substation experienced an outage earlier in the day due to Bonneville Power Administration (BPA) equipment; a letter was sent to the congressional delegation regarding the extension of Coronavirus Relief Funds (CRF); she, along with the City of Ammon Mayor Sean Coletti, will meet with Governor Brad Little on October 20; and she recently attended the Association of Idaho Cities (AIC) Board Meeting – she noted the AIC Legislative Committee Meeting will occur on December 4, additional discussion with this committee may include liquor license reform, property taxes, and broadband.

Coronavirus (COVID-19) Update:

Mayor Casper stated the number of cases are increasing higher than ever before, and additional outreach may be needed beyond the online resources. She believes there is a wide-spread and fundamental misunderstanding that the orders are mere suggestions, she clarified the orders that come from any public health board represent a temporary law even if enforcement is not occurring. She stated masks are only part of the recommendation along with social distancing, not attending events, frequent hand washing, and hand sanitizing. She encouraged not to let up in education for others. She also believes there is not a need for multiple layers of the same law (i.e. a City mandate).

Liaison Reports and Council Concerns:

Council President Dingman stated the Idaho Falls Regional Airport (IDA) continues to be one (1) of the airports that are ‘thriving’ during COVID-19. She indicated it is a very safe time to fly, and the bulk of COVID-related challenges are with individuals returning from other areas. Council President Dingman also stated individuals have reached out to the Council regarding COVID, and per discussion with Eastern Idaho Public Health (EIPH), bars and restaurants are not the issue. The two (2) sources of community spread are large and small un-masked, un-distanced, long-time gatherings/parties/sporting activities which is a personal responsibility. Council President Dingman commended the Parks and Recreation (P&R) Department for handling the sports programs in a safe manner.

Councilor Francis stated the IFPD is placing the Lexipol Police Policy on the City’s website, and a Library Board Meeting will be held October 22. He believes businesses that are wearing masks should be thanked as they recognize the importance of mask wearing. He also reminded mask wearing will be required in any schools that may be participating in the November 3 election.

Councilor Smede noted school attendance has increased with the hybrid school schedule.

Councilor Hally recommended the Council pay attention to the Revenue and Taxation Committee. He indicated there are at least four (4) ideas to limit access to revenue for cities.

Councilor Radford had no items to report.

Councilor Freeman stated leaf collection began October 19, he also reiterated Trunk or Treat.

Memorandum of Understanding (MOU) with Creekside Counseling Discussion:

Captain Galbreath believes healthy measures may not have previously occurred following traumatic events/incidents as many first responders have been diagnosed with Post Traumatic Stress Disorder (PTSD). He briefly reviewed services/elements in the MOU including critical incident debriefing; staff presentations; voluntary wellness interviews; mandatory counseling; and mandatory individual training. He believes it is a proactive step to focus on mental health of first responders. Chief Nelson expressed his appreciation for the collaboration with the IFPD. He believes this will change the mental culture of first responders. He stated training and working with counselors can make a healthy career. He also stated the agreement sets four (4) stages of implementing behavioral health awareness including training; professional counselors; and post crisis strategies. Chief Nelson stated a trust team has been set up within the Idaho Falls Fire Department (IFFD) to recognize and assist with other firefighters. He believes this can build a relationship with a counselor. He noted the Employee Assistance Program is an excellent benefit although this specific counselor is more familiar with first responders. Councilor Francis stated he strongly supports the agreement. He believes Creekside has prepared for this agreement through previous services for the IFFD and the IFPD. Councilor Hally believes Dr. Janet Allen is an ultimate professional. He believes the public, survivors, and first responders deserve this. Per Councilor Francis, Mr. Fife clarified this is a contract. Council President Dingman

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believes this is a worthwhile investment. Per Mayor Casper, Captain Galbreath stated some of the services/elements identified in the agreement have previously been occurring, other services were viewed as opportunities. Chief Nelson believes the contract may need adjusted over time. He noted there is a buy-in from the Local 1565 and the Fraternal Order of the Police (FOP). Mayor Casper stated the MOU will be included on the October 22 Council Meeting agenda.

Interfund Loan Opportunities and Policy Discussion:

Director Alexander noted this discussion is in reference to borrowing/loaning from ourselves.

Mr. Roos presented the following:

Types of Loans

- Negative cash balances (indirect) – expenditures exceed revenues over time
- Direct loan – directly related to a specific purchase or project

Mr. Roos stated additional discussion will occur during the annual finance presentation at the November 9 Council Work Session.

Mr. Hagedorn clarified a direct loan, directly related to a specific purchase or project, needs to be in compliance with Government Finance Officers Association (GFOA) standards.

Director Alexander stated the loan request process would include a loan committee consisting of the Municipal Services finance team, one (1) director from a neutral department. The committee would review all loan requests and apply the policy parameters, followed by legal review and Council approval. Director Alexander reviewed the parameters – narrow scope, fundamental or essential City service that results in greater efficiency, overall savings and safety. Mr. Hagedorn stated the loan terms would include a realistic plan for repayment and a written loan agreement as similar to a third-party loan. Mr. Roos reviewed the limitations – the loaning department must have available funds versus near future use, limit on-going City costs (not generate more expenditures), and report during the annual budget presentation (would have to explain how each parameter is being met).

Director Cloutier stated this program would speed up airport projects as the ability to complete projects can be slowed down due to the reimbursement process from the Federal Aviation Administration (FAA). He noted FAA also reimburses interest or finance costs. Director Holm believes this would be a huge asset for the water conservation program and irrigation replacement program at Pinecrest Golf Course. He stated the irrigation system has been in place since the early 1970's and is constantly having issues with leakage and pressure and is inefficient and wasteful. He noted in 2019, the City used approximately 66M gallons of potable water that should not be used for irrigating property. He also noted budget authority was put in place this year to convert from the potable water to surface water utilizing the adjacent canal and water rights. He stated this is a \$3M conversion project to incorporate funds from multiple departments and the Municipal Equipment Replacement Fund (MERF) program. He also stated Golf MERF and Parks MERF each have \$1M. Director Holm stated is looking at utilizing funds from departments that would benefit from the project, for example, Water and IFP. He also stated this project has been needed for a while but P&R have struggled to find a proper funding source, and the water conservation loan was difficult. Mayor Casper believes this project is necessary for water conservation although almost impossible to find funding. She noted the City has not qualified for water resources loans. Director Alexander stated the IDA and P&R examples are the types of projects that would qualify for this type of loan. Per Mayor Casper, Mr. Hagedorn stated MERF monies are designed that Council does not need to approve each year. He also stated each loan concept would be unique. He noted it would be borrowing against, but it would still need MERF to spend. Mayor Casper stated this policy would impose internal discipline. Director Fredericksen believes diverting potable water makes sense and noted there would be a gain between 200-300 acre feet per year that could be applied to that annual mitigation needs, around 9% which would be used as recharge and a savings of \$9500. He noted every five (5) years there is a rolling average of water used to establish an amount needed for mitigation and if the usage decreases the mitigation would decrease as well. He stated there is a build-up of funds for long term projects, such as the water tower replacement project. He also stated a contribution makes sense and the loan term would not negatively affect the Water Division. He is supportive of solving the irrigation issues at Pinecrest. Mr. Boorman stated IFP would also be supportive. Councilor Hally believes costs can rise higher than inflation. He also believes this gives flexibility to take care of things in a timely manner, to

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save taxpayer money, and is a good business practice. Per Council President Dingman, Mr. Boorman stated this process has occurred in Portland. Mayor Casper noted funds for safety issues have also been included in the draft policy. Director Alexander stated the documents would have a hybrid interest rate. Per Councilor Francis, Director Alexander believes a not-to-exceed amount could be included in the policy. Councilor Francis believes the P&R project could be a pilot project/proposal. Councilor Hally suggested a fixed interest rate versus a flexible interest rate. Mayor Casper reviewed steps moving forward with the policy. Per Mayor Casper, Director Alexander stated this policy would be housed in Municipal Services and the enterprise departments as a team effort.

Contracts/Change Orders/Purchases Discussion:

Mayor Casper stated in 2015 Director Fredericksen led the charge to simplify the process for approving large scale projects, with additional processes occurring in 2017. Mr. Boorman believes as organizations get bigger, it's not functional for the Mayor and Council to approve everything. He reviewed a small project process. It was noted this proposal will apply parameters and will not apply to large projects or purchases. Director Fredericksen believes the previous process has been helpful for day to day operations. He stated this proposed resolution will combine all previous resolutions into one (1) resolution. He briefly reviewed the dollar amounts for lease agreements, real property purchases, and contracts included in the resolution. Mayor Casper believes the directors are extremely responsible and she does not see this resolution as a way to hide purchases. She also believes this will share the next step of accountability. Per Councilor Radford, Director Alexander stated there would be no issues with the audit if this resolution is formalized. She also stated Municipal Services is supportive of this resolution as it provides clarity. Councilor Francis believes the Council needs to maintain the limit although he believes there should be a maximum dollar amount for change orders. Director Fredericksen noted the change order amounts did not change with this resolution. He indicated change orders are more of a timeliness issue as the project has already been approved by the Council during the budget process. Councilor Hally stated change orders may need to be completed immediately for a variety of reasons. He believes delegation of trust is very important in a vibrant corporation. Per Councilor Francis, Mayor Casper believes the \$75,000 for contracts is State law. Mr. Boorman believes there may need to be more public oversight for lease agreements and contracts. Director Fredericksen stated the 2017 resolution allowed contracts for up to \$50,000. He noted vehicle and/or equipment purchases may exceed \$50,000. Per Councilor Francis, Director Fredericksen stated he is comfortable with this amount. Mayor Casper stated this topic has been discussed and supported by all directors. Discussion followed regarding a project update/reporting mechanism to the Council for change orders and the variety of lease agreements. Councilor Francis questioned a report for the Council for any amount that exceeds \$500,000. Mayor Casper stated any controversial item will also be presented to Council for approval. She also stated Airport hangar leases would not fall under this resolution. Mr. Fife stated, per the resolution, contracts, leases, and real property purchases must be approved by the Department Director and reviewed by the City Attorney's Office. Mayor Casper stated an amended version of the resolution will be included on the October 22 Council Meeting agenda.

Targhee Regional Public Transportation Authority (TRPTA) Update and Discussion:

Council President Dingman stated the bankruptcy court date continues to be delayed due to COVID, she believes the court date will occur in November with the bankruptcy finalized in December. She also stated the attorney created a plan to pay back TRPTA creditors utilizing the monies from the sale of property and negotiations that have occurred with the largest debtors. She noted the creditors are being repaid at approximately 98% of what was owed. Council President Dingman stated the buyers of the physical property requested a 60-day extension of the closing date as they are currently waiting on an addendum of their Small Business Administration (SBA) loan. She noted this requested extension included a \$20,000 fee that the buyers will pay. Council President Dingman announced, per the TRPTA Board decision, TRPTA will now "do business as" (DBA) Greater Idaho Falls Transit (GIFT). Council President Dingman stated due to staff transitions at ITD no one at the ITD office was familiar with TRPTA. She commended Ms. Hirschfield for her assistance. Ms. Hirschfield is planning The Transit Award Management System (TrAMS) dollars at approximately \$4M at the Federal Transit Administration (FTA); has been working with FTA/ITD to secure Coronavirus Aid, Relief, and Economic Security (CARES) Act dollars for GIFT; and is currently writing a grant for

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new bus benches and shelters. Council President Dingman stated the Bonneville Metropolitan Planning Organization (BMPO) is participating as an ex-officio member of the GIFT Board of Directors; is updating the Transportation Improvement Program (TIP) at BMPO for Policy Board approval; is recommending bus bench and shelter stops along proposed routes; and is providing data to help facilitate routes (routes are currently in the draft form). She also stated the GIFT Board of Directors is figuring out a Transit Director job description and subsequent recruitment search (in conjunction with ITD); discussing a Request for Proposal (RFP) for third-party transit operator (in conjunction with ITD); and updating marketing functions to gear up for re-launch, website, branding, social media, etc. Council President Dingman expressed her appreciation to the City for their leadership role in public transit. Per Mayor Casper, Mr. West stated accessibility discussion has occurred for placement of shelters and benches. Council President Dingman believes the Council is an integral part of the placement plan due to the reversal of the bus bench ordinance. She also believes the City lost control of bus benches with the previous system and there is now an opportunity to partner with the area's transit organization for proper placement and accessibility. Mayor Casper questioned the accountability for the new director. Council President Dingman stated the director will answer to the TRPTA Board. She believes ITD will have an integral part how this individual is managed. She also stated the BMPO model has seen a lot of success. She reviewed the BMPO model relative to the City's Community Development Services Department. She believes the GIFT director would be relative to the City's Public Works Department. Council President Dingman believes the City has the opportunity to build a new relationship but the relationship must have parameters with ITD. This discussion is ongoing. Councilor Hally expressed his appreciation to Council President Dingman as he believes uncertainty occurred for several years. He believes this is a good move. Councilor Francis concurred with Councilor Hally. Per Councilor Francis, Council President Dingman stated the director would be hired prior to implementing the transit system. Also per Councilor Francis, Council President Dingman stated the Community Transportation Association of America (CTAA) contract is with ITD although CTAA recommendations are being used as data. Councilor Freeman questioned public input. Council President Dingman stated public input is part of the public research and outreach for the implementation plan. Per Mayor Casper, Council President Dingman stated the sale and bankruptcy are moving ahead. She also stated the top priority is working on a budget followed by hiring and the RFP. Per Councilor Francis, Council President Dingman stated the bus details will be included in the RFP. Council President Dingman expressed her sincere appreciation to Ms. Farris, Mr. West, and Ms. Hirschfield.

It was then moved by Councilor Smede, seconded by Councilor Francis, to move into Executive Session (at 6:06 p.m.). The Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(c) to acquire an interest in real property which is not owned by a public agency. The Executive Session will be held in the City Annex Conference Room. At the conclusion of the Executive Session the Council will not reconvene into regular Work Session. Roll call as follows: Aye – Councilors Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

The City Council of the City of Idaho Falls met in Executive Session, Monday, October 19, 2020 in the City Annex Conference Room in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 6:11 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Council President Michelle Ziel-Dingman
Councilor Thomas Hally
Councilor Jim Francis
Councilor Shelly Smede
Councilor Jim Freeman (via telephone)
Councilor John Radford (via telephone)

Also present:

Chris Fredericksen, Public Works Director
Randy Fife, City Attorney

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The Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(c) to acquire an interest in real property which is not owned by a public agency.

There being no further business, the meeting adjourned at 6:44 p.m.

s/ Kathy Hampton _____
Kathy Hampton, City Clerk

s/ Rebecca L. Noah Casper _____
Rebecca L. Noah Casper, Mayor