

CITY OF POCA TELLO, IDAHO
CITY COUNCIL AGENDA
CLARIFICATION MEETING AND
REGULAR CITY COUNCIL MEETING
DECEMBER 17, 2009

CLARIFICATION MEETING The City Council Agenda Clarification Meeting was called to order at 5:30 PM by Mayor Roger Chase. Council members present were Roger Bray, Gary Moore, Eva Johnson Nye, Robert Richway, and Brian Underwood. Council member Ron Frasure arrived at 5:34 PM. No motions, resolutions, orders, or ordinances were proposed. No vote was taken.

REGULAR CITY COUNCIL MEETING

AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:03 PM by Mayor Roger Chase. ROLL CALL AND PLEDGE OF ALLEGIANCE Council members present were Roger Bray, Ron Frasure, Gary Moore, and Brian Underwood. Council members Eva Johnson Nye and Robert Richway arrived at 6:05 PM.

Mayor Chase led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was given by Pastor Stephen INVOCATION Yadon of Christ Church.

AGENDA ITEM NO. 3: Council was asked to consider the following CONSENT AGENDA business items:

-MINUTES (a) Waive the oral reading of the minutes and approve the minutes from the Agenda Clarification and Regular City Council meeting of November 19, 2009.

-TREASURER'S REPORT (b) Treasurer's Report for November showing cash and investments as of December 1, 2009, in the amount of \$17,348,440.64.

-CDBG ADVISORY COMMITTEE REAPPOINTMENT (c) Confirm the Mayor's reappointment of Robert Blevin to continue his service as a member of the Community Development Block Grant (CDBG) Advisory Committee. Mr. Blevin's term will begin January 1, 2010, and will expire January 1, 2013.

-CONSTRUCTION BOARD OF APPEALS REAPPOINTMENTS (d) Confirm the Mayor's reappointments of Brett Harris, Jerry Hodge, Roger Sears and Ken Stratford to continue their service as members of the Construction Board of Appeals. All terms begin December 31, 2009, and will expire December 31, 2011.

-FAIR HOUSING COMMITTEE REAPPOINTMENT (e) Confirm the Mayor's reappointment of Debra Hemmert to continue her service as a member of the Fair Housing Committee. Ms. Hemmert's term will begin December 19, 2009, and will expire December 19, 2012.

-VOLUNTEER INTERN CONTRACT-BOWERS (f) Approve a Volunteer Intern Contract with Joey Bowers. Mr. Bowers will assist with the storm water survey and other related matters. The Contract will extend from January 1, 2010, through May 31, 2010.

-PROFESSIONAL SERVICES AGREEMENT -CARLSON (g) Consider the renewal of a Professional Services Agreement with Gary Carlson. The terms call for Mr. Carlson to organize the City's Men's Basketball League, collect all fees and pay all operating costs while the City schedules the buildings, makes league schedules and receives \$19.00 per player. The Agreement will run from October 1, 2009, to September 30, 2010.

A motion was made by Mr. Moore, seconded by Mrs. Nye, to approve the items on the consent agenda. Upon roll call, those voting in favor were Moore, Nye, Bray, Frasure, Richway, and Underwood.

AGENDA ITEM NO. 4: Mayor Chase announced that there were no COMMUNICATIONS AND PROCLAMATIONS communications or proclamations.

Mayor Chase welcomed members from Boy Scout Troop 347.

AGENDA ITEM NO. 5: Mayor Chase reminded the Council of the CALENDAR REVIEW December 18th Special Meeting; the January 7th Regular Council Meeting; and the January 14th Study Session.

Mayor Chase announced that City offices will be closed December 25th; that December 25th garbage/recycling collection would be delayed one day; that the special collection for extra holiday garbage will be December 26th through 31st; and that the Christmas tree collection will be December 28th through January 11th at all drop-off recycling sites. Finally, City offices will be closed January 1st and that January 1st garbage/recycling collection would be delayed one day.

AGENDA ITEM NO. 6: Ralph Huntington, 676 Aspen Lane, was DISCUSSION ITEMS present to discuss his concerns about a storm water pipe on Aspen Lane. Mr. Moore volunteered to meet with Mr. Huntington and City staff to discuss Mr. Huntington's concerns.

AGENDA ITEM NO. 7: Council was asked to consider any and all REALLOCATIONS CDBG comments received during the required public ACTION PLANS comment period which ended on December 16, 2009, for amendments and reallocations for plan years 2008/2009 and 2009/2010 as recommended by the Community Development Block Grant (CDBG) Advisory Committee. Once approved, the amendments will govern the final spending of two prior CDBG funding program years. The reallocations also reflect receipt of unanticipated program income. The Council may wish to endorse the recommended amendments and authorize the forwarding of such to the United States Department of Housing and Urban Development (HUD). Council was also asked to authorize the Mayor's signature, subject to Legal Department review, on all requisite contract documents with HUD and any sub recipients or sub contractors of these funds.

Lee Ann Dutton, Neighborhood & Community Services Manager, explained the reallocations recommended by the Advisory Committee and the unanticipated program income. She also stated that no comments were received during the comment period. The Advisory Committee recommended that Council endorse the CDBG Action Plan Reallocations as noted in the memo dated November 10, 2009.

A motion was made by Mr. Bray, seconded by Mr. Richway, to approve the amendments for plan years 2008/2009 and 2009/2010 as recommended by the CDBG Advisory Committee and staff, to authorize the forwarding of such to HUD, and to authorize the Mayor's signature, subject to Legal Department review, on all requisite contract documents with HUD and any sub recipients or sub contractors of these funds. Upon roll call, those voting in favor were Bray, Richway, Frasure, Moore, Underwood and Nye.

AGENDA ITEM NO. 8: Council was asked to consider any and all 2010/2011 CDBG comments received during the required public ACTION PLAN comment period which ended December 16, 2009, for the 2010/2011 Action Plan and allocations as recommended by the Community Development Block Grant (CDBG) Advisory Committee. Once approved, the Action Plan will govern spending and activities involving CDBG funds from April 1, 2010, to March 31, 2011. Funding requests totaled \$822,998.00 and the City anticipates receiving approximately \$648,925.00 including income generated by existing programs. Therefore, \$174,073.00 in requests cannot be funded. The Council may wish to endorse the 2010/2011 Action Plan, determine the required conditions, and authorize forwarding of the plan to the United States Department of Housing and Urban Development (HUD). Council may also wish to authorize the Mayor's signature, subject to Legal Department review, on all requisite contract documents with HUD and any sub recipients or sub contractors of these funds.

Mrs. Dutton reviewed and clarified the changes to the 2010/2011 Action Plan and funding amounts. The "rescue/resell" program will

be suspended. There was a request from Habitat for Humanity for "bridge" funding for administrative costs for an executive director until funding is received from their national organization. Higher administrative costs were budgeted for the City to cover the cost of a consultant to draft the next five year Action Plan. The Action Plan being considered begins April 1, 2010, and is in the 4th year of the current five year plan. The only comments received were from Pocatello Neighborhood Housing Services (PNHS) requesting funding for their 7th infill home proposal. Staff recommended adding the PNHS request into the Action Plan. In addition, the City was recently notified of a 10% increase in funding from the federal CDBG program, and the Advisory Committee and staff recommended creating a contingency program to fund capital items that were requested but not funded by applicants with the remainder going to the City's sidewalk program. The Advisory Committee and staff recommended that Council endorse the CDBG Action Plan as outlined in their memo dated December 9, 2009 with the changes as discussed.

Mr. Frasure expressed his appreciation for staff and the way the City's federal CDBG monies are handled. The City uses mostly loans rather than grants, which has created a recapture program allowing the City to do more projects than most cities.

Mayor Chase mentioned Pocatello's program is nationally recognized for both its administration of the program and yearly reporting.

A motion was made by Mr. Frasure, seconded by Mr. Richway, to adopt the 2010/2011 Action Plan funding allocations with the additional conditions as recommended by the CDBG Advisory Committee and staff: amend condition No. 2) "If there is a decrease in anticipated funding, it is recommended that an across the board cut to all agencies and City projects occur with agency/City administrators to determine (pre-HUD submittal) how they desire the cuts to be made. If there is an increase in funding, it shall be allocated to non-service delivery items amounts in proportion to those cut from original grant requests with the exception of the Rescue, Restore, Resell program. Any remaining funds will be allocated to the Sidewalk Repair program capital funds;" and add condition No. 5b) "With the understanding this will decrease their Year 15 building sites by one, PNHS is given the discretion for early use of one additional lot (creating a 7th CDBG-funded home) in Program Year 14. This choice would restore PNHS' entire service delivery (an additional \$4,220) further reducing the City's Acquisition capital line;" to authorize forwarding of the plan to HUD; and to authorize the Mayor's signature, subject to Legal Department review, on all requisite contract documents with HUD and any sub recipients or sub contractors of these funds. Upon roll call, those voting in favor were Frasure, Richway, Bray, Moore, Nye, and Underwood.

AGENDA ITEM NO. 9: Council was asked to authorize the Street Department to piggy back on an Idaho State bid to purchase a Self-Propelled Cold Planer from Western States Equipment Company for the price of \$569,952.00, subject to Legal Department review. This item was discussed at the December 10, 2009, Study Session.

A motion was made by Mr. Moore, seconded by Mr. Bray, to approve, subject to Legal Department review, the purchase of a Self-Propelled Cold Planer from Western States Equipment Company for the price of \$569,952.00.

Mr. Richway mentioned he had spoken to the Street/Traffic Superintendent about the purchase following the Study Session and asked for the new information to be shared with the Council.

Randy Ghezzi, Street/Traffic Superintendent, stated that there will be additional cost savings to the City with this machine due to the grade control capability and the quality of the millings as they do not have to be screened and can be reused in a variety of ways. Previous millings were limited in how they could be used. In addition, the department will make the Planer available to other agencies in the area when it is not in use.

Mr. Moore's motion was voted upon at this time. Upon roll call, those voting in favor were Moore, Bray, Frasure, Nye, Richway, and Underwood.

AGENDA ITEM NO. 10: Council was asked to approve the purchase of a low-boy trailer for shared use between the Street and Water Departments. The purchase price is under \$50,000.00 but is not a budgeted item for Fiscal Year 2010. Each department will contribute 50% of the cost of the trailer. This item was discussed at the December 10, 2009, Study Session.

A motion was made by Mr. Bray, seconded by Mrs. Nye, to approve the purchase of a low-boy trailer for less than \$50,000. Upon roll call, those voting in favor were Bray, Nye, Frasure, Moore, Richway, and Underwood.

AGENDA ITEM NO. 11: Council may wish to approve a Professional Services Agreement with Parametrix, Inc. (mailing address: 7761 West Riverside Drive, Suite 201, Boise ID 83714), for engineering services and related traffic studies required to complete the Concept Report for the Alameda Road and Jefferson Street intersection project. The project is a Federal Aid project and will ultimately include reconfiguration of the

intersection. The cost for the work is \$124,300.00 of which the City's share is approximately \$9,200.00.

A motion was made by Mr. Underwood, seconded by Mr. Frasure, to approve a Professional Services Agreement with Parametrix, Inc., subject to Legal Department review, and acknowledge the City's share of the Federal Aid project to be approximately \$9,200.00. Upon roll call, those voting in favor were Underwood, Frasure, Bray, Moore, Nye, and Richway.

AGENDA ITEM NO. 12: Council was asked to approve a one-year LEASE AGREEMENT Lease Agreement, with four one-year -NIELSON renewals, to allow Gordon Nielson to lease a 1,760 square foot hangar for aircraft storage and maintenance for \$195.65 per month. The Lease Agreement rate will be reviewed annually and increased at least by the amount of the CPI for the previous year.

A motion was made by Mr. Moore, seconded by Mr. Richway, to approve a one-year Lease Agreement for a 1,760 square foot hangar, with four one-year renewals, with Gordon Nielsen. Upon roll call, those voting in favor were Moore, Richway, Bray, Frasure, Nye, and Underwood.

AGENDA ITEM NO. 13: Council was asked to approve an Agreement POCATELLO CREEK and Revocable Public Right-of-Way Use STREAM GAUGE License Agreement to allow the Idaho Department of Water Resources (IDWR) to place a stream gauge in Pocatello Creek near 1063 West Alameda Road. IDWR will share all information from the gauge with the City of Pocatello.

A motion was made by Mr. Richway, seconded by Mr. Moore, to approve an Agreement and Revocable Public Right-of-Way Use License Agreement with the Idaho Department of Water Resources to place a stream gauge in Pocatello Creek.

In response to a question from Council, Mayor Chase confirmed IDWR is paying all costs of the gauge installation at this time.

Mr. Richway's motion was voted upon at this time. Upon roll call, those voting in favor were Richway, Moore, Bray, Frasure, Nye, and Underwood.

AGENDA ITEM NO. 14: Council was asked to approve an Agreement AGREEMENT-BMI with BMI. The company provides recorded music for Parks and Recreation Department facilities. The price will be \$547.20 per year.

Mr. Underwood noted there was a discrepancy between the amount listed in the agenda item and in the contract. The contract amount listed \$608.00 as the cost per year.

A motion was made by Mr. Underwood, seconded by Mr. Bray, to approve an Agreement with BMI for an amount up to \$608.00 per year. Upon roll call, those voting in favor were Underwood, Bray, Frasure, Moore, Nye, and Richway.

AGENDA ITEM NO. 15: Council was asked to approve the Fiscal Year 2009 ANNUAL ROAD AND STREET REPORT 2009 Annual Road and Street Financial Report for submission to the State Controller.

A motion was made by Mr. Moore, seconded by Mrs. Nye, to approve the Fiscal Year 2009 Annual Road and Street Financial Report. Upon roll call, those voting in favor were Moore, Nye, Bray, Frasure, Richway, and Underwood.

AGENDA ITEM NO. 16: Council was asked to approve an amendment to AUDITORIUM DISTRICT LEASE AMENDMENT the existing Lease between the City and Pocatello/Chubbuck Auditorium District to delete the requirement for the District to insure the City property located at the Upper Level of Ross Park.

Mayor Chase explained that the facility is already included in the City's insurance policy, and the City would receive no savings by removing it from the policy.

A motion was made by Mr. Bray, seconded by Mr. Richway, to approve an amendment to the existing Lease between the City and Pocatello/Chubbuck Auditorium District, subject to Legal Department review. Upon roll call, those voting in favor were Bray, Richway, Frasure, Moore, Nye, and Underwood.

AGENDA ITEM NO. 17: Council was asked to accept, subject to BID-TRANSIT Legal Department review, the low bid from Intermountain Coach, of Colorado Springs, for two optional buses remaining in the Section 5307 American Recovery and Reinvestment Act procurement (ARRA)-PRT-IFB-BID-2009.1-051209LMDBUS. The buses are Type III ramp equipped 27 foot buses at \$136,358.00 each for a total of \$272,516.00. No matching funds are required.

A motion was made by Mrs. Nye, seconded by Mr. Richway, to accept, subject to Legal Department review, the low bid from Intermountain Coach for two optional buses for a total of \$272,516.00. Upon roll call, those voting in favor were Nye, Richway, Bray, Frasure, Moore, and Underwood.

AGENDA ITEM NO. 18: Council was asked to approve, subject to STORAGE WATER Legal Department approval, a Storage Water PURCHASE AGREEMENT Purchase Agreement between the City and the Portneuf-Marsh Valley Canal Company, Limited (PMVCC), which defines the terms and conditions under which the City may purchase, store and access 3,100 acre feet of water from Chesterfield Reservoir, which will be purchased from PMVCC for \$6.2 million to be paid in annual installments over a five year period. The funds for said purchase will be paid from the water bond proceeds previously approved by the citizens of the City of Pocatello.

A motion was made by Mr. Bray, seconded by Mr. Richway, to approve, subject to Legal Department review, a Storage Water Purchase Agreement between the City and the Portneuf-Marsh Valley Canal Company, Limited in the amount of \$6.2 million.

Mrs. Nye recused herself from the discussion and vote due to a potential conflict of interest.

Mayor Chase explained this purchase is important to help put more water in the Portneuf River to keep the City from violating the federal Clean Water Act during summer months. Purchasing additional water is cheaper than building an additional water treatment plant. He also explained how the City will be able to use the water and that cities can hold water rights indefinitely. He also stated this was the first step in the purchase process, and that both PMVCC and the State of Idaho still need to approve the purchase.

Mr. Bray commented on the reasonable price and noted it was lower than what water is selling for in other western states.

Mr. Frasure noted the purchase was also beneficial to PMVCC.

Mr. Bray's motion was voted upon at this time. Upon roll call, those voting in favor were Bray, Richway, Frasure, Moore, and Underwood.

There being no further business, Mayor Chase adjourned the meeting at 6:43 PM.

APPROVED BY:

ROGER W. CHASE, MAYOR

REGULAR CITY COUNCIL MEETING
DECEMBER 17, 2009

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ATTEST:

RHONDA L. JOHNSON, MMC, CITY CLERK

PREPARED BY:

ANNE NICHOLS, CAP, ASSISTANT TO THE MAYOR