

**CITY OF POCA TELLO**  
**CITY COUNCIL MEETING AGENDA**

September 1, 2016 · 6:00 PM  
Council Chambers | 911 N 7th Avenue

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. INVOCATION

The invocation will be offered by Pastor Jonathan Dinger, Grace Lutheran Church.

3. CONSENT AGENDA

The following business items may be approved by one motion and a vote. If any one member of the Council so desires, any matter listed can be moved to a separate agenda item.

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the Clarification and Regular Council meeting of August 4, 2016; the Study Session of August 11, 2016 and the Council's Active Shooter Training of August 18, 2016.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of August 2016.

(c) ADA GRIEVANCE COMMITTEE REAPPOINTMENTS: Council may wish to confirm the Mayor's reappointments of Dr. K.C. McGee, Jerry Myers and Dean Nielson to continue their service as members of the ADA Grievance Committee. All terms will begin September 7, 2016 and will expire September 7, 2018.

(d) FORT HALL REPLICA COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Arlen Walker to serve as a member of the Fort Hall Replica Commission, filling a vacancy. Mr. Walker's term will begin September 2, 2016 and will expire December 18, 2019.

(e) MILLIMAN, INC. CONTRACT—FINANCE: Council may wish to approve, and authorize the Mayor to sign, a contract with Milliman, Inc. for actuarial services. The contract will be in effect for the Fiscal Years ending September 30, 2016 through September 30, 2019. The initial contract amount is \$6,750.00 and funds are available in the Finance Department's Fiscal Year 2017 budget.

Documents:

[AGENDA-ITEM3.PDF](#)

4. COMMUNICATIONS AND PROCLAMATIONS

5. CALENDAR REVIEW

Council may wish to take this opportunity to inform other Council members of upcoming meetings and events that should be called to their attention.

6. NOTICE OF TRESPASS AND RIGHT TO APPEAL—TAYSOM

This time has been set aside for the appeal by Nikki Taysom to the Mayor's Notice of Trespass dated August 24, 2016. The Council may wish to overturn or uphold the Mayor's Notice of Trespass.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM6.PDF](#)

7. CALDWELL PARK BEER/WINE PERMIT APPLICATION—NEIERS

Council may wish to consider granting a beer/wine permit to Melissa Neiers (mailing address: 921 South 8th Avenue Stop 8072, Pocatello, ID 83209) for a Welcome Back Idaho State University Picnic at Caldwell Park on September 16, 2016 from 6:00 p.m. to 10:00 p.m. Ms. Neiers has submitted an application to the City to allow the consumption of beer and wine at the event.

Approval by Council is necessary since this park is not specifically identified in City Code 12.36.060 where the consumption of such beverages is allowed.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM7.PDF](#)

8. CRC LIGHTING UPGRADE/NOP PARK MATERIALS STORAGE AREA PROJECTS—BID

Council may wish to consider the recommendations of staff for the following requests regarding the Community Recreation Center (CRC) lighting upgrade and NOP Park materials storage area projects.

(a) Accept the bid received from Intermountain Electric to perform an all-inclusive lighting upgrade at the CRC facility. The total cost of the lighting upgrade will be \$18,752.46 (\$28,315.10 bid less a \$9,562.64 Idaho Power rebate);

(b) Authorize the Mayor's execution on documents between the City of Pocatello and Intermountain Electric in the amount of \$28,315.10 for the CRC project;

(c) Authorize Parks staff to proceed with construction of a Field Maintenance Material Storage Area at NOP Park Softball/Baseball Fields. Cost estimate \$4,000.00; and

(d) Authorize the use of emergency account funding for the above two (2) projects.

Sufficient funds are available in the City's emergency accounts for both projects.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM8.PDF](#)

9. EXCEPTION REQUEST—POCATELLO KENNEL CLUB

The Pocatello Kennel Club, represented by Jill Humphries (mailing address: 742 Poole Avenue, Pocatello ID 83201) is asking for permission to allow a Club member to stay in an RV parked at OK Ward Park parking lot for the following dates: September 29 through October 2, 2016 to serve as security during the Club's annual 3-day agility trial to be held September 30 through October 2, 2016.

10. MOU—UNITED STATES MARSHAL SERVICE

Council may wish to approve a Memorandum of Understanding (MOU) outlining the bounds of cooperation between the United States Marshal Service and Pocatello Police Department for the investigation and arrest of fugitives from justice in Southeast Idaho.

The MOU is a joint effort to investigate and apprehend local, state and federal fugitives, thereby improving public safety and reducing violent crime.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM10.PDF](#)

11. FIREFIGHTING EQUIPMENT SOLE SOURCE EXPENDITURE AND DECLARATION—FIRE DEPARTMENT

Council may wish to accept the recommendation of staff and declare the purchase of firefighting MSA products from Weidner Fire to be a valid sole source expenditure. The purchase is for Self-Contained Breathing Apparatus (SCBA) products in the amount of \$80,164.20 for the Fire Department. Council may also wish to authorize the Mayor to sign any contractual documents related to the purchase, subject to Legal Department review.

This is one of two proposed purchases for SCBA products from Weidner Fire. Funding for phase one is available in the Fire Department's Fiscal Year 2016 Budget.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM11.PDF](#)

12. ORDINANCES

The Council has the following options for reading ordinances. If the Council makes no motion, the ordinance will be read by title on two occasions and at length on the third occasion and placed on final passage for publication.

EXAMPLE MOTIONS:

FOR THREE SEPARATE READINGS: "I move the ordinance, Agenda Item # , be read only by title on three separate occasions and placed on final passage and ordered for publication, and that only the ordinance summary sheet be submitted for publication."

FOR ONE READING UNDER RULES SUSPENSION: "I move the ordinance, Agenda Item # , be read only by title and placed on final passage for publication, and that only the ordinance summary sheet be submitted for publication."

Before the ordinance can be read under Option 1 or 2, the Council, by a vote of one-half plus one (4) of the full Council, must vote to direct how the ordinance is to be read.

Ordinances ready for reading.

12. (a) An Ordinance amending Section 12.36.050 and 12.36.060 to clarify the type of alcohol permitted within a municipal park as well as the events and park locations of which alcohol may be consumed, with permits for beer and wine to be authorized by the Parks and Recreation Director in said position's discretion, as presented to the Council at the August 11, 2016 Study Session. (Ordinance has been prepared for reading under rules of suspension.)

12. (b) An Ordinance amending Pocatello Municipal Code Chapter 6.04, "Animal Services", to implement two new sections to the code; (1) a dangerous animal registry; and (2) requirement of individual cat licenses, as presented to the Council at the August 11, 2016 Study Session. The ordinance also includes other sections of the Pocatello Municipal Code that need amended reflecting the department's name change to "Animal Services". (Ordinance has been prepared for reading under rules of suspension.)

Documents:

[AGENDA-ITEM12.PDF](#)

### 13. DISCUSSION ITEMS

This time has been set aside to hear discussion items not listed on the agenda. Items which appeared somewhere else on the agenda will not be discussed at this time. The Council is not allowed to take any official action at this meeting on matters brought forward under this agenda item. Items will either be referred to the appropriate staff or scheduled on a subsequent agenda. You must sign in at the start of the meeting in order to be recognized. (Note: Total time allotted for this item is fifteen (15) minutes, with a maximum of three (3) minutes per speaker.)

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### PUBLIC HEARING PROCEDURE

1. Explanation of hearing procedures by Mayor or staff.
  - o Ten (10) minute time limit on applicant presentation.
  - o Three (3) minute time limit on public testimony.
  - o Names and addresses are required from those presenting/testifying.
  - o Questions/comments should be addressed to the Mayor and Council.
  - o Council members must make their decision regarding the application on facts already in the record and information presented at the public hearing. Conflicts of interest, site visits and ex-parte contacts by Council members will be acknowledged.
  - o Protocol requires that Council and audience be recognized by the Mayor prior to speaking.
2. Mayor opens hearing.
3. Presentation by applicant.

Note: Remember, applicant bears the responsibility for making his/her case. This is also the time for Council members to ask their questions of the applicant.
4. Presentation by staff.
5. Written correspondence submitted for the record.
6. Testimony by those supporting the application.
7. Testimony by those uncommitted on the application.
8. Testimony by opponents to the application.
9. Rebuttal by the applicant.
10. Mayor closes the hearing and initiates motion/deliberations.

**Note: The Mayor may choose to require a motion prior to the discussion in order to focus deliberations, or, the Mayor may choose to allow deliberations prior to the motion in order to facilitate wording of the motion.**
11. Develop a written and reasoned statement supporting the decision.

### READING OF AN ORDINANCE PROCEDURE

1. Council determines which option below will be used to read the Ordinance by roll call vote.
2. The Ordinance is read by City Staff (usually City Attorney).
3. Mayor will declare the final reading of the ordinance and ask "Shall the Ordinance pass?"  
After roll call is taken, Mayor will announce whether or not the ordinance passed.

**AGENDA**

**ITEM**

**NO. 3**

**Consent**

**Agenda**

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL AGENDA  
CLARIFICATION MEETING AND  
REGULAR CITY COUNCIL MEETING  
AUGUST 4, 2016

CLARIFICATION MEETING The City Council Agenda Clarification Meeting was called to order at 5:32 p.m. by Mayor Brian Blad. Council members present were Roger Bray, Steve Brown, Jim Johnston, Gary Moore and Michael L. Orr. 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 6:01 p.m. ROLL CALL AND PLEDGE OF ALLEGIANCE by Mayor Brian Blad. Council members present were Roger Bray, Steve Brown, Jim Johnston, Gary Moore and Michael L. Orr.

Mayor Blad led the audience in the pledge of allegiance.

ITEM NO. 2: The invocation was offered by Merriann Forrest, Executive INVOCATION Director, H.S. Jeshua Ministries.

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

-MINUTES (a) Waive the oral reading of the minutes and approve the minutes from meetings; the July 7, 2016 Executive Session; and the July 14, 2016 Study Session.

-PAYROLL AND MATERIAL CLAIMS (b) Payroll and material claims for the month of July 2016 in the amount of \$8,096,964.41.

-AIRPORT COMMISSION REAPPOINTMENT (c) Confirm the Mayor's reappointment of Rhonda Naftz to continue her service as a member of the Airport Commission. Ms. Naftz's term will begin August 17, 2016 and will expire August 17, 2018.

-HOUSING AUTHORITY BOARD REAPPOINTMENT (d) Confirm the Mayor's reappointment of Jared Marchand to continue his service as a member of the Housing Authority Board. Mr. Marchand's term will begin August 17, 2016 and will expire August 17, 2021.

-PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENT (e) Confirm the Mayor's reappointment of Bart Reed to continue his service as a member of the Parks and Recreation Advisory Board, representing School District No. 25. Mr. Reed's term will begin August 18, 2016 and will expire August 18, 2018.

A motion was made by Mr. Moore, seconded by Mr. Orr, to approve the items on the consent agenda. Upon roll call, those voting in favor were Moore, Orr, Bray, Brown and Johnston.

AGENDA ITEM NO. 4: Mayor Blad announced there were no proclamations.  
COMMUNICATIONS  
AND PROCLAMATIONS

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the August 11<sup>th</sup> Study  
CALENDAR REVIEW Session at 9:00 a.m.; the August 18<sup>th</sup> Special Council Training  
Session at 1:30 p.m.; and the August 18<sup>th</sup> Regular Council meeting at  
6:00 p.m.

Mayor Blad announced the Element Outfitters Fun Run will be held August 13<sup>th</sup>, contact Parks and Recreation for more information; the Fire Department Open House will be held August 13<sup>th</sup> at Station No. 3, 1100 Pocatello Creek Road from noon to 5:00 p.m.; the annual ZooFari ice cream event will be held August 20<sup>th</sup> from noon to 4:00 p.m. at Zoo Idaho; and the Community Recreation Center will be closed from August 22, 2016 through September 6, 2016 for annual maintenance. However, business offices will remain open from 8:00 a.m. to 5:00 p.m., Monday through Friday.

AGENDA ITEM NO. 6: Council was asked to confirm the Mayor's appointment of Heidi  
CONFIRMATION OF Adamson to serve as a City Council member fulfilling the unexpired  
COUNCIL MEMBER term of Craig Cooper, City Council member Seat No. 4.  
APPOINTEE  
-HEIDI ADAMSON

A motion was made by Mr. Johnston, seconded by Mr. Orr, to confirm the Mayor's appointment of Heidi Adamson to serve as a City Council member fulfilling the unexpired term of Craig Cooper's Seat No. 4. Upon roll call, those voting in favor were Johnston, Orr, Bray, Brown and Moore.

Council member Heidi Adamson was sworn in and assumed the dias as she completed her oath.

AGENDA ITEM NO. 7: Council was asked to confirm the appointment of Heather  
CONFIRMATION OF Buchanan as the City's Human Resources Director to be effective  
HUMAN RESOURCES August 5, 2016.  
DIRECTOR  
-HEATHER BUCHANAN

A motion was made by Mr. Johnston, seconded by Mr. Brown, to confirm the Mayor's appointment of Heather Buchanan as the City's Human Resources Director to be effective August 5, 2016. Upon roll call, those voting in favor were Johnston, Brown, Adamson, Bray, Moore and Orr.

Ms. Buchanan thanked the Mayor and Council for the opportunity to serve City of Pocatello employees and the community.

AGENDA ITEM NO. 8: Tawnie Wigington was present to appeal the decision of Police  
TAXI LICENSE Department staff which denied Ms. Wigington a Taxi Cab license.  
DENIAL APPEAL  
-WIGINGTON

Jené Purman, Licensing Officer, stated Ms. Wigington's Taxi Cab license application was denied due to convictions regarding controlled substance charges in 2004.

Tawnie Wigington, 204 Randolph, shared her experiences regarding mistakes she had made in the past which led to the application denial. She shared that she feels she has grown and changed and is now a valuable asset to her family and community. Ms. Wigington asked that the Council overturn the decision of the Police Department so she may be a productive member of the community.

A motion was made by Mr. Johnston, seconded by Mr. Moore, to overturn the decision of Police Department staff and approve a Taxi Cab license for Tawnie Wigington. Upon roll call, those voting in favor were Johnston, Moore, Adamson, Bray, Brown and Orr.

AGENDA ITEM NO. 9: Hunter Nelson was present to appeal the decision of Police  
CHILD CARE LICENSE Department staff which denied Mr. Nelson a child care license.  
DENIAL APPEAL  
-NELSON

Mr. Bray announced his place of employment, Central Christian Church, operates a child care facility. It was the consensus of the Council that Mr. Bray did not have a conflict of interest and be allowed to vote on Agenda Item No. 9.

Jene Purman, Licensing Officer, stated the Police Department denied Mr. Nelson's child care license application due to violations which could not be disclosed, as Mr. Nelson is a minor.

A motion was made by Mr. Moore, seconded by Mr. Orr, to uphold the decision of Police Department staff to deny a child care license for Hunter Nelson. Upon roll call, those voting in favor were Moore, Orr, Adamson, Bray, Brown and Johnston.

AGENDA ITEM NO. 10: This time was set aside for the Council to receive public comments  
PUBLIC HEARING on the proposed Fiscal Year 2017 City Budget which includes use of  
-PROPOSED FISCAL \$222,262.00 of the available \$1,460,725.00 in foregone property tax.  
YEAR 2017 BUDGET

Mayor Blad opened the public hearing.

Joyce Stroschein, Chief Financial Officer/Treasurer, gave a few introductory comments noting that multiple meetings have been held to inform the Council and citizens of the proposed Fiscal Year 2017 Budget. Ms. Stroschein thanked City staff for assistance during the process. Mayor Blad announced written correspondence had been received and distributed to Council members.

Mike Seibert, 1665 Pocatello Creek Road, spoke uncommitted to the proposal. He shared his concerns regarding the mill levy rate, which had previously been lower and is now increasing. Mr. Seibert suggested that funds from water bonds only be used for water rights acquisition and not for infrastructure.

Idaho Lorax, Pocatello resident, spoke uncommitted to the proposal. He stated he is concerned for the safety of citizens and suggested that safety masks and Geiger counters be provided to residents.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, spoke in opposition to the proposal. She shared quotes from the U.S. Constitution and stated she feels many services could be provided by private companies and not by government entities.

Ms. Stroschein stated that the City had previously depended upon funds collected through a Payment in Lieu of Taxes (PILOT) program. She added that after the PILOT was discontinued, service costs continued to increase and property taxes were increased in order to maintain services to residents. Ms. Stroschein clarified that water bond funds are set aside in a separate line item specifically for water right acquisition.

Mr. Brown clarified that the Portneuf Wellness Center is the financial responsibility of Bannock County, and not the responsibility of the City of Pocatello.

Mayor Blad closed the public hearing and announced an ordinance would be considered at the August 18, 2016 Regular City Council meeting.

AGENDA ITEM NO. 11: This time was set aside for the Council to receive public comments  
PUBLIC HEARING on proposed fee changes proposed for Fiscal Year 2017.  
-PROPOSED FISCAL  
YEAR 2017 FEE  
CHANGES

Mayor Blad opened the public hearing.

Joyce Stroschein, Chief Financial Officer/Treasurer, gave an overview of the proposed fee changes for Fiscal Year 2017. She reviewed Idaho Code statutes that must be met in order for cities to increase fees. Ms. Stroschein reported that fees are determined to off-set the actual costs for providing services. In addition, if fee users do not pay the cost, it will be passed along to the tax payer in the form of property taxes.

Mayor Blad announced written correspondence had been received and distributed to Council members.

Mike Seibert, 1665 Pocatello Creek Road, spoke in support of the proposal. He feels it is only fair that citizens should pay for additional City-sponsored activities. He asked for a copy of the published water rates.

Mayor Blad stated a copy is available for Mr. Seibert's review, as requested.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, spoke in opposition to the proposal. She feels fees charged should be the same for residents and non-residents. Ms. Taysom spoke in opposition to City-organized sports, interagency agreements, urban transit fees and developer fees.

Mr. Orr stated he feels an increase in construction fees should be consistent with the Consumer Price Index (CPI) increase.

Ms. Stroschein clarified that fees for residents and non-residents differ because some services and activities are partially tax-supported by residents.

Mayor Blad closed the oral portion of the public hearing and announced written comments would be accepted until 5:00 p.m. on August 10, 2016 and that a resolution would be considered at the August 18, 2016 Regular City Council meeting.

AGENDA ITEM NO. 12: This time was set aside for the Council to hear comments from the public regarding the comprehensive re-write of Title 16, Subdivision Ordinance as presented at the July 14, 2016 Study Session. This re-write is to update and clarify ordinance provisions in compliance with current Idaho subdivision and survey statutes, zoning ordinance provisions and development practices.

PUBLIC HEARING  
-TITLE 16 SUBDIVISION  
ORDINANCE  
AMENDMENTS

At their public hearings held on April 13, May 11, May 25 and June 8, 2016, the Planning and Zoning Commission recommended approval of the proposed amendments.

Mayor Blad opened the public hearing.

Dave Foster, Senior Planner, gave an overview of the process regarding the comprehensive re-write of Title 16, Subdivision Ordinance and clarified proposed ordinance provisions. He clarified the difference between a record of survey and a plat and stated that recording fees are set by Bannock County.

Mayor Blad announced no written correspondence had been received regarding the proposal.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, spoke in opposition to the proposal. She shared her opposition to zoning laws, water rights, development and exceptions to zoning laws.

There being no further public comments, Mayor Blad closed the public hearing.

A motion was made by Mr. Orr, seconded by Mr. Brown, to approve the comprehensive re-write of Title 16, Subdivision Ordinance as presented at the July 14, 2016 Study Session to update and clarify ordinance provisions in compliance with current Idaho subdivision and survey statutes, zoning ordinance provisions and development practices and instruct the Legal Department to prepare an ordinance for Council approval. Upon roll call, those voting in favor were Orr, Brown, Adamson, Bray, Johnston and Moore.

AGENDA ITEM NO. 13: Scott Briscoe of Hallmark Development (mailing address: 558 West FINAL PLAT 75 South, Blackfoot, ID 83221), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a request to subdivide approximately 3.67 acres into 14 lots. The subdivision, Eastpointe Hills, Division No. 7, is located north of Daybreak Drive, east of Eastpointe Drive, on an extension of Hallmark Drive.

The Planning and Zoning Commission reviewed the preliminary plat at their meeting on May 11, 2016 and recommended approval with conditions.

A motion was made by Mr. Brown, seconded by Mr. Orr, to approve the request by Scott Briscoe of Hallmark Development, represented by Rocky Mountain Engineering and Surveying, to subdivide approximately 3.67 acres into 14 lots and that the subdivision, East pointe Hills, Division No. 7, will be

located north of Daybreak Drive, east of Eastpointe Drive on an extension of Hallmark Drive, subject to the following conditions: 1) all conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated, July 26, 2016, shall be met; 2) Subdivision Covenants, Conditions and Restrictions (CCR's) shall be submitted to the City for review and approval by the Legal Department prior to recording; 3) all corrections to the preliminary plat which were noted by City staff shall be made prior to submittal of the final plat; and 4) all other standards and conditions of Municipal Code not herein discussed but applicable to residential development shall apply and that the decision be set out in appropriate Council Decision format. Upon roll call, those voting in favor were Brown, Orr, Adamson, Bray, Johnston and Moore.

AGENDA ITEM NO. 14: Sagebrush Arts Festival, represented by Sallee Gasser (mailing address: 56 Cedar Hills Drive, Pocatello, ID 83204) is requesting "COUNCIL SELECT" funds in the amount of \$192.00 be used for table transportation and rental fees for the Arts Festival that will be held September 10 and 11, 2016. (As of July 29, 2016 \$2,750.00 remained in the "Council Select" fund.)  
FUNDING REQUEST  
-SAGEBRUSH ARTS  
FESTIVAL

Carolyn Purnell, representative for Pocatello Arts Center, stated the "Council Select" funds would be used to pay for moving picnic tables for the Arts Festival. She stated the free event is open to the community and encouraged residents to attend. Ms. Purnell gave an overview of the history of the Sagebrush Arts Festival and a description of the activities planned for the 2016 event. She emphasized that the event draws artists and patrons from many surrounding areas.

A motion was made by Mr. Bray, seconded by Mr. Brown, to approve a request from Sagebrush Arts Festival, for "Council Select" funds in the amount of \$192.00 to be used for table transportation and rental fees for the Arts Festival to be held September 10 and 11, 2016. Upon roll call, those voting in favor were Bray, Brown, Adamson, Johnston and Moore. Mr. Orr voted in opposition to the motion.

The motion passed.

AGENDA ITEM NO. 15: First Baptist Church (mailing address: 408 North Arthur, Pocatello, ID 83204) represented by Katie Monroe, Charles Monroe and Karl Pettit, is requesting to temporarily close the 400 block of North Union Pacific Avenue from West Wyeth to West Fremont and the 200 block of West Fremont from North Main to North Union Pacific Avenue for a youth community event on Friday, August 26, 2016 from 4:00 p.m. to 10:30 p.m.  
TEMPORARY ROAD  
CLOSURE-FIRST  
BAPTIST CHURCH

A certificate of liability insurance has been received and the application has been approved by Police, Fire and Street/Traffic divisions.

Karl Pettit announced the proposed event is designed for middle school and high school age students and will feature groups performing skate tricks and a concert.

A motion was made by Mr. Johnston, seconded by Mr. Moore, to approve a request by First Baptist Church represented by Katie Monroe, Charles Monroe and Karl Pettit, to temporarily close the 400 block of North Union Pacific Avenue from West Wyeth to West Fremont and the 200 block of West Fremont from North Main to North Union Pacific Avenue for a youth community event on Friday,

August 26, 2016 from 4:00 p.m. to 10:30 p.m. Upon roll call, those voting in favor were Johnston, Moore, Adamson, Bray, Brown and Orr.

AGENDA ITEM NO. 16: Alma Jam (mailing address: 125 Randolph, Pocatello, ID 83201) is requesting to temporarily close the 100 block of North Union Pacific Avenue for a fundraising event on Saturday, August 6, 2016 from 3:00 p.m. to 11:00 p.m.  
TEMPORARY ROAD CLOSURE-FUNDRAISING EVENT AT LEADERSHIP PARK

A certificate of liability insurance has been received and the application has been approved by Police, Fire and Street/Traffic divisions subject to conditions.

Mayor Blad announced the date of the event had been changed to September 24, 2016.

A motion was made by Mr. Moore, seconded by Mr. Brown, to approve a request by Alma Jam to temporarily close the 100 block of North Union Pacific Avenue for a fundraising event on Saturday, August 24, 2016 from 3:00 p.m. to 11:00 p.m. and that the application must be approved by Police, Fire and Street/Traffic divisions. Upon roll call, those voting in favor were Moore, Brown, Adamson, Bray, Johnston and Orr.

\*It was later learned that the event date had been changed to September 30, 2016.

AGENDA ITEM NO. 17: Council was asked to consider granting a beer/wine permit to Alma Jam (mailing address: 125 Randolph, Pocatello, ID 83201) for a fundraising event at Leadership Park on August 6, 2016 from 6:30 p.m. to 9:00 p.m. Approval by Council is necessary since this park is not specifically identified in City Code 12.36.060 where the consumption of such beverages is allowed.  
EXCEPTION REQUEST TO ALLOW BEER/WINE -LEADERSHIP PARK

Mayor Blad clarified the date of the event had been changed to September 24, 2016.

A motion was made by Mr. Moore, seconded by Mr. Bray, to grant a beer/wine permit to Alma Jam for a fundraising event at Leadership Park on September 24, 2016 from 6:30 p.m. to 9:00 p.m. and allow an exception to City Code 12.36.060 allowing the consumption of such beverages. Upon roll call, those voting in favor were Moore, Bray, Adamson, Brown, Johnston and Orr.

\*It was later learned that the event date had been changed to September 30, 2016.

AGENDA ITEM NO. 18: Council was asked to adopt a resolution adopting an Affirmative Action Plan for the Pocatello Transit Department during the time period of October 1, 2016 through September 30, 2019. This is an updated version of prior plans and is a requirement of the Urban Mass Transportation Act of 1964.  
RESOLUTION -AFFIRMATIVE ACTION PLAN-TRANSIT

A motion was made by Mr. Moore, seconded by Mr. Brown, to approve a Resolution (2016-10) to adopt an Affirmative Action Plan for the Pocatello Transit Department during the time period of October 1, 2016 through September 30, 2019 as an updated version of prior plans as required by the Urban Mass

Transportation Act of 1964. Upon roll call, those voting in favor were Moore, Brown, Adamson, Bray, Johnston and Orr.

AGENDA ITEM NO. 19: Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, shared her DISCUSSION ITEMS opposition to unions, alcohol and violence. She encouraged peace for the benefit of children.

C.W. Cullen, Pocatello resident, asked for clarification regarding the Affirmative Action Plan for PRT. He shared his concern regarding the need for transit busses with a ramp entrance to better serve transit customers who require the use of crutches or wheelchairs. Mr. Cullen stated utilizing a bus with a ramp is also safer for transit drivers.

Carta Sierra, aka "Idaho Lorax," Pocatello resident, welcomed Ms. Adamson as the newest Council member. He shared his concern for safety of the elderly in the community.

There being no further business, Mayor Blad adjourned the meeting at 7:25 p.m.

APPROVED:

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BRIAN C. BLAD, MAYOR

ATTEST:

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RUTH E. WHITWORTH, CMC, CITY CLERK

PREPARED BY:

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KONNI R. KENDELL, DEPUTY CLERK

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL STUDY SESSION  
AUGUST 11, 2016

AGENDA ITEM NO. 1: Mayor Brian Blad called the City Council Study Session to order  
ROLL CALL at 9:03 a.m. Council members present were Heidi Adamson,  
Steve Brown, Jim Johnston and Michael L. Orr. Council  
member Gary Moore arrived at 9:12 a.m. Council member Roger Bray arrived at 9:21 a.m.

AGENDA ITEM NO. 2: Sandra Shropshire, Chair Person; Kathryn Way and Jay  
LIBRARY BOARD Bingham, Board members; and Eric Suess, Staff Liaison; from  
UPDATE the Library Board were present to discuss the Board's goals and  
projects, as well as Council's policies and expectations.

Ms. Shropshire feels the City's library is not your "grandfather's library" any more. The use is changing and digital materials are available to library members. She noted it is a challenge to keep up with digital/technology needs and computers for access. Ms. Shropshire explained this need applies to library members from youngsters to senior citizens. She mentioned the only computers some individuals have access to are located at the library.

Ms. Shropshire reviewed a list of statistics regarding library use. It was noted that Circulation and Reference Desk contacts and use of the conference room have increased. However, outreach to people has decreased and she feels this is the direct result of reduction in staff. Marshall Public Library is one of the 6th largest public libraries in Idaho and has the highest percentage of its population base holding library cards at 79%.

Mr. Johnston feels the library has increased in value because of the services they provide.

Mr. Bingham feels having a knowledgeable library staff is the most impressive part of the library. He described how staff members are able to walk an individual through any library process.

Mr. Moore joined the meeting at 9:12 a.m.

Ms. Way gave a history of her background working with libraries in other areas. She feels Marshall Public Library far exceeds the outreach programs that she has seen in other areas and staff is committed to give the community the best services that they can.

In response to questions from Council, Mr. Suess shared that he is very proud of how the library has become a community center. The focus of the library allows a whole variety of resources to be available to the community and he praised his staff for their professionalism.

Mr. Brown mentioned the Council acknowledges the last year it has been difficult for library staff due to changes in their budget. He expressed the Council's appreciation to library staff and their successful efforts to do more with less.

Mayor Blad commented on the significance that 79% of Pocatello's citizens have a library card. He feels this shows the library has a high value in the community.

AGENDA ITEM NO. 3: Sunny Shaw, Executive Director/Secretary from the Housing  
HOUSING AUTHORITY Authority of Pocatello was present to discuss the Authority's  
OF POCA TELLO UPDATE goals and projects, as well as Council's policies and expectations.

Ms. Shaw stated that she will provide the Authority's annual pamphlet of information to the Council at a later date. She noted that her update included extra information to help educate the City's new council member.

Mr. Bray joined the meeting at 9:21 a.m.

Ms. Shaw gave an overview of the programs offered by the Housing Authority. She reviewed the current wait time for the following: 1) Vouchers = approximately 3 years, 2) Elderly/disabled properties = approximately 6 months, and 3) Family properties (all others) = 30 to 90 days. The program has the capacity to lease 692 households. However, that amount is not fully funded by Congress.

In response to questions from Council, Ms. Shaw explained when approached 3 years ago to take over an additional housing complex the Authority was not sure of the outcome. However, the properties are looking better and needed evictions have taken place as the result of illegal drug use by tenants at the complex. She feels the situation at the complex will continue to improve. Ms. Shaw explained the difference between NeighborWorks and Housing Authority of Pocatello. NeighborWorks is more about ownership of a home and in-fill projects while the Authority specializes in rentals. Ms. Shaw clarified that as the housing market goes up the Authority still pays the difference in costs. As a result, fewer people are able to utilize the funding available.

Mr. Bray shared his concerns about available funding since FEMA has had severe cuts and the negative result of the cuts for property owners/tenants.

AGENDA ITEM NO. 4: Mayor Blad announced representatives from the Pocatello Arts COUNCIL-RESCHEDULED TO SEPTEMBER 2016 POATELLO ARTS COUNCIL-RESCHEDULED TO SEPTEMBER 2016 were not available and they have asked to be rescheduled to the City Council Study Session on September 8, 2016.

AGENDA ITEM NO. 5: Deirdre Castillo, City Engineer; Mike Neville, Traffic Supervisor; PROPOSED CITY CODE Zack Johnson and Sukriti Panthi, Engineering Interns; presented AMENDMENTS-VEHICLES AND TRAFFIC proposed changes to Pocatello Municipal Code Title 10, "Vehicles and Traffic". The proposed changes are: 1) update portions of the current code and 2) implement a new section regarding speed limits within a construction zone. An ordinance has been prepared based upon said updates/amendments for Council action at a subsequent meeting.

Ms. Castillo introduced Mr. Johnson and Ms. Panthi that have been working as interns in the Engineering Department. She noted the Mr. Johnson would give the presentation regarding the proposed changes.

Mr. Johnson explained that several areas to be updated are as follows: 1) Change wording in several locations in City Code that refers to "traffic engineer" to City Engineer and/or his/her designee" or to Police Department; 2) Adding a no parking zone to Olympus Drive; 3) School zone speed limit nomenclature changes; 4) Speed limit reduction on Garfield Avenue; 5) Addition of speed limits to Highland Boulevard and Kirkham Road; 6) Addition of speed limit to South Valley Road; and 7) Authority to change the speed limit in a construction zone. Mr. Johnson noted that 3 sections of Title 10 will be affected. The reference to Traffic Engineer has been eliminated because this position no longer exists. These duties will now become the responsibility of the City Engineer and/or his/her designee or to the Police Department. The Police Department has historically

handled some traffic related issues such as: Restricted area permits, visitor permits and unlawful use of decals or permits.

In response to questions from Council, Tom Kirkman, Street Operations Superintendent, explained a vehicle's operator can be cited for parking their vehicle in the public right of way if it impedes traffic.

It was suggested that City staff ask Bannock County designate the west side of the same section of road on Olympus Drive to their code as "no parking".

In response to questions from Council, Mr. Neville reiterated that State Code prohibits parking in a way that blocks the lane of traffic. As a result, additional signage is not necessary to enforce this code.

School Zone Speed Limits were discussed. It was suggested that signage for School zones show a 20 mile per hour speed limit with designation times of 7:00 a.m. until 4:30 p.m. or when a flashing signal is displayed. It was suggested that the speed limit be enforced according to School District 25's schedule. This will allow staff the ability to change the flashing signals to coordinate with the actual school schedule. It was noted that solar powered signals with signage will be used on the busier streets and signage only will be used on the other streets.

Speed limit reductions for Garfield Avenue were reviewed. Suggestions were given that may help move traffic through the traffic light more quickly.

Mr. Kirkman noted the traffic light at Garfield Avenue is one of the oldest signals in Pocatello. He felt additional research will need to be done to determine the best method to move traffic through the light more quickly.

Discussion regarding construction zone speed limit signs followed. It was mentioned the modified signage will provide authority for the City Engineer to temporarily lower the speed limit in a construction zone. The new signage will also allow Police Officers to write a citation if the reduced speed is not observed.

In response to questions from Council, Mr. Kirkman explained Street Operations crews just painted sections on Jerome Street near Olympus Drive with a yellow "no parking" stripe. The no parking area should help keep traffic back from the corner to help move vehicles onto Olympus Drive more safely.

AGENDA ITEM NO. 6: Richard Stewart, Animal Control Director, presented suggested  
PROPOSED CITY CODE changes to the code. The proposed changes are: 1)  
AMENDMENTS implementation of a dangerous animal registry; and 2) requiring  
-ANIMAL CONTROL individual cat licenses. An ordinance has been prepared based  
on the proposal for Council action at a subsequent meeting.

Mayor Blad suggested changing the name of Animal Control to Animal Services. A majority of the Council supported the name change suggestion.

Mr. Stewart explained the proposed dangerous animal section would require the owner of an animal found to be dangerous, by a Court of Law, to register said animal with the Pocatello Animal Control Department. The Dangerous Animal registry will require the animal's owner to comply with

additional safety precautions such as verification of vaccinations, proper signage, and proper enclosure or confines for the animal as well as creating a monitoring/tracking system for the animal. Mr. Stewart reviewed the fees necessary to cover the oversight of dangerous animals for public safety. Initial fee is \$100.00 per dog deemed dangerous (currently 56 dangerous dogs are living in the City). There will be a routine inspection of animals on the list to help ensure they will not attack again and verify if they are still in the area.

Mr. Stewart also recommended requiring individual cat licensing for cats 3 months or older. This would be similar to the City's individual dog licensing requirements. The licensing will allow for proper identification of the cat as well as ownership if a cat is found at large. Mr. Stewart explained in 2015 the shelter took 526 more cats into the shelter than dogs. He noted the potential revenue by charging for a \$5.00 license and the placement of a microchip for \$15.00 to help cover the expense of housing cats. Mr. Stewart explained over the last few months the number of cats entering the shelter is twice as high as for dogs. However, the number of dogs returned to their owners is much higher than for cats. Mr. Stewart mentioned if a cat found at large has been micro-chipped, the officer can scan the cat and return it to the owner without ever coming to the shelter.

Information was distributed to Council outlining the risks of microchip insertion. Mr. Stewart feels the return of a cat to its owner far outweighs any risk of having the microchip.

In response to questions from Council, Mr. Stewart explained he used Texas as an example because they use the microchip program. He would like to use a similar program to successfully return cats back to their owners more quickly.

Mr. Bray added that feral cats impact the surrounding environment by killing birds. He would like to see more being done to help control these issues.

AGENDA ITEM NO. 7: PROPOSED AMENDMENTS –USE OF ALCOHOLIC BEVERAGES IN CITY PARKS	John Banks, Parks and Recreation Director, gave a presentation reviewing current policy and recommended revisions to current City Code (12.36.060: BEER/WINE PERMITS), regarding the allowance of alcoholic beverages in City Parks.
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Mr. Banks explained the current City Code states that groups of individuals may obtain a special permit to possess and consume beer/wine in conjunction with picnics and group activities in the following locations/areas: Lower and Upper Ross Park, Raymond Park and Bonneville Park. Parks and Recreation Department staff is given authority to administratively approve and issue permits for these locations, in accordance with regulations established by the director and set out on the permit or application. Mr. Banks mentioned each spring and summer during the yearly park facility reservation season (April 15 – October 15) staff receives numerous requests from park patrons and annual community-wide special events for alcohol location “exceptions” to City Code, which are in turn brought forward to City Council for consideration.

Mr. Banks outlined alcohol exception requests received for facilities not specifically listed in the current code. He noted that the vast majority of requests tend to be concentrated on the following locations (in order of popularity): Centennial Park; Sister City Park; OK Ward Park; Ammon Park; Alameda Park and Fort Hall Replica. Staff is comfortable with alcohol being allowed/permitted on an on-going basis at these locations for the following reasons: 1) The proximity of pavilion areas are not directly adjacent to playground areas or homeowners at each location; 2) past Council exceptions granted at the locations have not proven to be problematic in any way (i.e. there is not a history of complaints received or concerns raised by park patrons/surrounding residents, nor are

park areas being left in a state of messiness or disrepair); and 3) many annual community-wide special event exception requests, which have a history of approval by Council for the benefit of the community, are hosted at the listed locations.

Mr. Banks stated staff supports the revised list of facilities to be an acceptable and sufficient variety and amount of City facilities to meet current and long-term community needs in the accommodation of a wide array of functions and special events of all types for residents/individuals, groups, and organizations. Consumption/possession of alcohol will be limited to the listed locations and will NOT be permitted at any other City Park facility. Requests for an exception will not be considered.

Mr. Bray suggested Constitution Park might be a good place to allow alcohol. It has off-street parking and is isolated. He agreed the smaller parks should be not considered for an exception.

Mr. Johnston mentioned exceptions to allow alcohol in City Parks has been an issue for Council this year. He inquired if the City received a percentage of sales from the multiple requests approved this year. He would also like a police report to verify no issues have resulted from allowing alcohol at the parks where an exception was approved by Council.

Mr. Banks explained most of the exceptions approved by Council were not for the sale of alcohol. They have been family events, weddings, etc. Since no sales are taking place, staff does not monitor the sales of items. Mr. Banks could not recall any incidents. However he will check to see if there is a report of police responding to an incident during one of the approved events.

A majority of the Council supported the proposed changes and instructed staff to prepare an ordinance for consideration at a subsequent meeting.

In response to questions from Council, Mr. Banks explained the parks listed have the most requests to allow alcohol during their scheduled activity.

Ms. Adamson suggested expanding the list of parks Mr. Banks provided. She would like other City Parks to be analyzed for this use before finalizing the list.

AGENDA ITEM NO. 8: At 11:02 a.m. Mayor Blad and Council members Adamson, Bray, WORKING LUNCH Brown, Johnston, Moore and Orr left the Council Chambers and participated in a working lunch in the Paradise Conference Room. Discussion centered on economic development, Council involvement with City advisory boards and general City topics. No formal action was taken.

Mayor Blad adjourned the meeting at 1:10 p.m.

APPROVED:

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BRIAN C. BLAD, MAYOR

ATTEST AND PREPARED BY:

CITY COUNCIL STUDY SESSION  
AUGUST 11, 2016

6

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RUTH E. WHITWORTH, CMC, CITY CLERK

CITY OF POCATELLO, IDAHO  
SPECIAL CITY COUNCIL MEETING  
ACTIVE SHOOTER TRAINING  
AUGUST 18, 2016

AGENDA ITEM NO. 1: The Special City Council meeting was called to order at 1:32  
ROLL CALL p.m. by Mayor Brian Blad. Council members present were  
Heidi Adamson, Roger Bray, Steve Brown, Jim Johnston, Gary  
Moore and Michael L. Orr.

Mayor Blad announced Pocatello Police Detective Nicholas Edwards, Civilian Response to an  
Active Shooter Event (C.R.A.S.E.) trainer, was present to provide information/training for the  
Council regarding active shooter situations. Mr. Edwards gave a presentation regarding school  
shootings and provided suggestions of various ways for Council to respond in a shooting situation.

There being no further business, Mayor Blad adjourned the meeting at 2:50 p.m.

APPROVED BY:

\_\_\_\_\_  
BRIAN C. BLAD, MAYOR

ATTEST AND PREPARED BY:

\_\_\_\_\_  
RUTH E. WHITWORTH, CITY CLERK

3(e)

## MEMORANDUM

TO: Mayor Brian Blad, City Council Members

FROM: Joyce Stroschein, Chief Financial Officer

Date: August 26, 2016

SUBJECT: Executive summary of consent agenda request for contract approval of Milliman Inc. for our required actuary study.

### DISCUSSION:

The City is required to calculate the implied subsidy of allowing our retirees to belong to our medical pool. This implied subsidy is referred to as other post-employment benefits. Financial reporting requires the City to calculate and record the financial impact of this subsidy. You will hear me refer to this requirement as Governmental Accounting Standards Board (GASB) #45. In two years additional reporting requirement under Governmental Accounting Standards Board #75 will increase the cost of this study.

Milliman is our actuary for this study and the cost has a reported increase of \$250 per year for the next 2 reporting years, then it will increase by \$3,500 for the final 2 years of the contract due to the additional reporting requirements.

3(e)

## CONSULTING SERVICES AGREEMENT

This Agreement is entered into between Milliman, Inc. ("Milliman") and The City of Pocatello ("City") as of August 18, 2016. The City has engaged Milliman to perform consulting services as described in the email dated August 18, 2016 and attached hereto. Such services may be modified from time to time and may also include general actuarial consulting services. These terms and conditions will apply to all subsequent engagements of Milliman by the City unless specifically disclaimed in writing by both parties prior to the beginning of the engagement. In consideration for Milliman agreeing to perform these services, the City agrees as follows.

- 1. BILLING TERMS.** The City acknowledges the obligation to pay Milliman for services rendered, whether arising from the City's request or otherwise necessary as a result of this engagement, at Milliman's standard hourly billing rates for the personnel utilized plus all out-of-pocket expenses incurred. Milliman will bill the City periodically for services rendered and expenses incurred. All invoices are payable upon receipt. Milliman reserves the right to stop all work if any bill goes unpaid for 60 days. In the event of such termination, Milliman shall be entitled to collect the outstanding balance, as well as charges for all services and expenses incurred up to the date of termination.
- 2. TOOL DEVELOPMENT.** Milliman shall retain all rights, title and interest (including, without limitation, all copyrights, patents, service marks, trademarks, trade secret and other intellectual property rights) in and to all technical or internal designs, methods, ideas, concepts, know-how, techniques, generic documents and templates that have been previously developed by Milliman or developed during the course of the provision of the Services provided such generic documents or templates do not contain any City Confidential Information or proprietary data. Rights and ownership by Milliman of original technical designs, methods, ideas, concepts, know-how, and techniques shall not extend to or include all or any part of the City's proprietary data or City Confidential Information. To the extent that Milliman may include in the materials any pre-existing Milliman proprietary information or other protected Milliman materials, Milliman agrees that the City shall be deemed to have a fully paid up license to make copies of the Milliman owned materials as part of this engagement for its internal business purposes and provided that such materials cannot be modified or distributed outside the City without the written permission of Milliman or except as otherwise permitted hereunder.
- 3. LIMITATION OF LIABILITY.** Milliman will perform all services in accordance with applicable professional standards. In the event of any claim arising from services provided by Milliman at any time, the total liability of Milliman, its officers, directors, agents and employees to the City shall not exceed five million dollars (\$5,000,000). This limit applies regardless of the theory of law under which a claim is brought, including negligence, tort, contract, or otherwise. In no event shall Milliman be liable for lost profits of the City or any other type of incidental or consequential damages. The foregoing limitations shall not apply in the event of the intentional fraud or willful misconduct of Milliman.
- 4. DISPUTES.** In the event of any dispute arising out of or relating to the engagement of Milliman by the City, the parties agree that the dispute will be resolved by final and binding arbitration under the Commercial Arbitration Rules of the American Arbitration Association. The arbitration shall take place before a panel of three arbitrators. Within 30 days of the commencement of the arbitration, each party shall designate in writing a single neutral and independent arbitrator. The two arbitrators designated by the parties shall then select a third arbitrator. The arbitrators shall have a background in either insurance, actuarial science or law. The arbitrators shall have the authority to permit limited discovery, including depositions, prior to the arbitration hearing, and such discovery shall be conducted consistent with the Federal Rules of Civil Procedure. The

arbitrators shall have no power or authority to award punitive or exemplary damages. The arbitrators may, in their discretion, award the cost of the arbitration, including reasonable attorney fees, to the prevailing party. Any award made may be confirmed in any court having jurisdiction. Any arbitration shall be confidential, and except as required by law, neither party may disclose the content or results of any arbitration hereunder without the prior written consent of the other parties, except that disclosure is permitted to a party's auditors and legal advisors.

5. **CHOICE OF LAW.** The construction, interpretation, and enforcement of this Agreement shall be governed by the substantive contract law of the State of Idaho without regard to its conflict of laws provisions. In the event any provision of this agreement is unenforceable as a matter of law, the remaining provisions will stay in full force and effect.

6. **NO THIRD PARTY DISTRIBUTION.** Milliman's work is prepared solely for the internal business use of the City. To the extent that Milliman's work is not subject to disclosure under applicable public records laws, Milliman's work may not be provided to third parties without Milliman's prior written consent. Milliman does not intend to benefit or create a legal duty to any third party recipient of its work product, and Milliman may include a legend on its reports so stating. The City agrees not to remove any such disclaimer language from Milliman's work. Milliman's consent to release its work product to any third party may be conditioned on the third party signing a Release, subject to the following exception(s):

(a) The City may provide a copy of Milliman's work, in its entirety, to the City's professional service advisors who are subject to a duty of confidentiality and who agree to not use Milliman's work for any purpose other than to benefit the City.

(b) The City may provide a copy of Milliman's work, in its entirety, to other governmental entities, as required by law.

No third party recipient of Milliman's work product should rely upon Milliman's work product. Such recipients should engage qualified professionals for advice appropriate to their own specific needs.

7. **CONFIDENTIALITY.** In connection with this Agreement, each party hereto (a "disclosing party") may disclose its confidential and proprietary information to the other party (a "receiving party"). Subject to the exceptions listed below, a disclosing party's "Confidential Information" shall be defined as information disclosed by the disclosing party to the receiving party under this Agreement that is either: (i) clearly marked or otherwise clearly designated as confidential or proprietary; or (ii) should be reasonably understood by the receiving party to be the confidential or proprietary information of the disclosing party. Confidential Information shall include, without limitation, the terms of this Agreement. During the term of this Agreement and after its expiration or termination, a receiving party shall not disclose to any third party, a disclosing party's Confidential Information without the prior written consent of the disclosing party. In addition, each party agrees to take reasonable measures to protect the other party's Confidential Information and to ensure that such Confidential Information is not disclosed, distributed, or used in violation of the provisions of this Agreement (which measures shall be no less than that which a reasonable person would take with respect to like confidential, proprietary, or trade secret information). Notwithstanding anything to the contrary, the obligations of the receiving party set forth in this paragraph shall not apply to any information of the disclosing party which: (i) is or becomes a part of the public domain through no wrongful act of the receiving party; (ii) was in the receiving party's possession free of any obligation of confidentiality at the time of the disclosing party's communication thereof to the receiving party; (iii) is developed by the receiving party completely independent from the Confidential Information of the disclosing party; or (iv) is required by law or regulation to be disclosed, but only to the extent and for the purpose of such required disclosure after providing the disclosing party with advance written notice if reasonably

possible such that the disclosing party is afforded an opportunity to contest the disclosure or seek an appropriate protective order.

**8. GENERAL.** This Agreement and any amendment hereto or thereto may be executed in two or more counterparts (including by facsimile or email attachment), each of which will be considered an original but all of which together will constitute one agreement. This Agreement shall not be deemed or construed to be modified, amended, or waived, in whole or in part, except as set forth herein or by a separate written agreement duly executed by the parties to this Agreement. No document, purchase order, or any handwritten or typewritten text which purports to alter or amend the printed text of this Agreement shall alter or amend any provision of this Agreement or otherwise control, unless Milliman and City both specify in writing that such terms or conditions shall control. Neither party shall be liable for any delay or failure to perform due to causes beyond its reasonable control. Milliman and City are independent contractors and this Agreement will not establish any relationship of partnership, joint venture, employment, franchise, or agency between Milliman and City. Neither Milliman nor City will have the power to bind the other or incur obligations on the other party's behalf without the other party's prior written consent, except as otherwise expressly provided in this Agreement. Failure to enforce any term or condition of this Agreement shall not be deemed a waiver of the right to later enforce such term or condition or any other term or condition of this Agreement.

**9. NON-APPROPRIATION OF FUNDS.** Nothing in this Agreement will be deemed in any way to obligate the City beyond its current fiscal year. If the City fails to specifically appropriate sufficient funds to make the payments due under the terms of this Agreement, then the City may terminate this Agreement at the end of the current fiscal year, whereupon the City will make any payment due through the end of that current fiscal year and relinquish the equipment and supplies, then the City will have no further liability to pay additional fees to Milliman under this Agreement.

This Agreement is contingent upon the City receiving the necessary funding to cover the obligations contained in this Agreement. In the event such funding is not received or appropriated, then, and in that event, the City shall promptly provide notice to Milliman of such unavailability of funding and the City's obligations under the contract with respect to payment of fees shall cease, except for fees due to Milliman for services provided up to Milliman's receipt of such notice, and each party shall be released from further performance under this Agreement without any liability to the other party for payment.

**MILLIMAN, INC.**

**THE CITY OF POCATELLO**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

MILLIMAN, INC.  
BUSINESS ASSOCIATE AGREEMENT

This BUSINESS ASSOCIATE AGREEMENT ("Agreement") is entered into effective the 18<sup>th</sup> day of August, 2016 ("Effective Date") by and between The City of Pocatello ("Client") and Milliman, Inc. on behalf of itself and its Affiliates ("Milliman").

RECITALS

A. Client is a Covered Entity as defined under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and is therefore subject to HIPAA, as amended by the Health Information Technology for Economic and Clinical Health Act, enacted as part of the American Recovery and Reinvestment Act of 2009 ("HITECH"), and the privacy standards adopted by the U.S. Department of Health and Human Services ("HHS"), 45 C.F.R. parts 160 and 164, subparts A and E ("Privacy Rule"), the security standards adopted by the HHS, 45 C.F.R. parts 160, 162, and 164, subpart C ("Security Rule"), and the breach notification standards adopted by HHS, 45 C.F.R. Subpart D ("Breach Notification Standards"), as each may be amended from time to time (collectively, HIPAA, HITECH, the Privacy Rule, Security Rule and Breach Notification Standards shall be referred to herein as the "HIPAA Regulations").

B. Protected Health Information ("PHI") received from Client or created or received by Milliman on behalf of Client ("PHI") may be needed for Milliman to perform the services (the "Services") requested by Client and described in any underlying agreement between the parties (the "Underlying Agreement").

C. To the extent Milliman needs to access PHI to perform the Services, it will be acting as a Business Associate of Client and will be subject to certain provisions of the HIPAA Regulations.

D. Milliman and Client wish to set forth their understandings with regard to the use and disclosure of PHI by Milliman so as to comply with the HIPAA Regulations.

AGREEMENTS

In consideration of the Recitals and the mutual agreements below, the parties agree as follows:

1. Defined Terms.

(a) Affiliates. As used herein, "Affiliates" means Milliman and each legal entity that is directly or indirectly controlled by, controlling or under common control with Milliman ("control" means the ownership, direct or indirect, of the power to vote 50% or more of any class of voting securities of a corporation or limited liability company, or the ownership of any general partnership interest in any general or limited

partnership) on or after the Effective Date and for so long as such entity remains directly or indirectly controlled by, controlling or under common control with Milliman.

(b) All other capitalized terms used, but not otherwise defined, in this Agreement shall have the same meaning as those terms in the HIPAA Regulations.

2. Milliman's Obligations and Permitted Activities.

(a) Milliman agrees to not use or further disclose PHI other than as required to perform the Services, requested by Client or Required By Law, or as otherwise permitted herein.

(b) Milliman agrees to use reasonable safeguards to prevent use or disclosure of PHI other than as provided for by this Agreement, and shall develop, implement, maintain and use appropriate administrative procedures, and physical and technical safeguards, to reasonably preserve and protect the confidentiality, integrity, and availability of electronic PHI.

(c) Milliman agrees to report to Client, without unreasonable delay and in no case later than five (5) business days following actual knowledge by Milliman:

(i) Any use or disclosure of PHI not provided for by this Agreement.

(ii) Any Security Incident of which Milliman becomes aware; provided, however, that the parties acknowledge and agree that this section constitutes notice by Milliman of the ongoing existence and occurrence of attempted but Unsuccessful Security Incidents of which no additional notice to Client shall be required. Unsuccessful Security Incidents shall include, but not be limited to, pings and other broadcast attacks on Milliman's firewall, port scans, unsuccessful log-on attempts, denials of service and any combination of the above, so long as such incidents do not result in unauthorized access, use or disclosure of Client's electronic PHI.

(iii) Any Breach of Unsecured PHI, as defined in 45 C.F.R. 164.402. Following the initial notification of any such Breach, Milliman shall provide a report to Client that includes, to the extent possible: [A] a brief description of what happened, including the date of occurrence and the date of the discovery by Milliman; [B] a description of the PHI affected, including the names of any Individuals whose PHI has been or is reasonably believed to have been accessed, acquired or disclosed and the types of PHI involved (such as full name, social security number, date of birth, home address, account numbers, etc.); and [C] a brief description of what Milliman has done to investigate the Breach, to mitigate harm to Individuals, and to protect against any further Breaches. Milliman also shall provide to Client any other available information Client is required to include in its notification to affected Individual(s).

(d) Milliman agrees to ensure that any subcontractors that create, receive, maintain, or transmit PHI on behalf of Milliman agree to the same or substantially similar restrictions and conditions as those that apply to Milliman with respect to such PHI.

(e) Milliman shall make its internal policies, procedures and records relating to the use and disclosure of PHI reasonably available to the Secretary or to Client if necessary or required to assess Milliman's or the Client's compliance with the HIPAA Regulations.

(f) It is not anticipated that Milliman will maintain a Designated Record Set on behalf of Client; however, if Milliman maintains a Designated Record Set on behalf of Client, Milliman agrees to, at Client's written request: (i) provide access to such PHI in order to assist Client in meeting its obligations under the Privacy Rule, and (ii) make any amendment(s) to such PHI as Client so directs or agrees to pursuant to the Privacy Rule.

(g) So that Client may meet its disclosure accounting obligations under the HIPAA Regulations, Milliman agrees to document disclosures of PHI made by Milliman which are not excepted from disclosure accounting requirements under the HIPAA Regulations and to provide such an accounting to Client at Client's written request.

(h) To the extent that Milliman is engaged to carry out one or more of Client's obligations under the Privacy Rule, Milliman shall comply with such requirements that apply to Client in the performance of such obligations.

(i) Milliman may use PHI for Milliman's proper management and administration or to carry out its legal responsibilities. Milliman may disclose PHI for Milliman's proper management and administration, provided that: (i) Milliman obtains reasonable assurances from the person to whom PHI is disclosed that it will remain confidential and used or further disclosed only as Required By Law or for the purpose for which it was disclosed to the person; and (ii) the person notifies Milliman of any instances of which it is aware in which the confidentiality of PHI has been breached. Milliman also may make disclosures that are Required By Law.

(j) Milliman may use PHI to provide Data Aggregation services to Client as permitted by the Privacy Rule.

(k) Milliman may de-identify PHI in accordance with the requirements of the Privacy Rule; provided that all identifiers are destroyed in accordance with this Agreement. Nao (J)(1)

(l) Milliman may create a Limited Data Set for the purpose of providing the Services, provided that Milliman: Nao

- (i) Does not use or further disclose PHI contained in the Limited Data Set except as necessary to provide the Services or as provided for in this Agreement or otherwise Required By Law;
- (ii) Uses appropriate safeguards to prevent the use or disclosure of PHI contained in the Limited Data Set other than as provided for by this Agreement;
- (iii) Reports to Client any use or disclosure of PHI contained in the Limited Data Set of which Milliman becomes aware that is not provided for by this Agreement;
- (iv) Ensures that any agents or subcontractors to whom it provides access to the Limited Data Set agree to substantially the same restrictions and conditions that apply to Milliman under this Agreement; and
- (v) Does not re-identify PHI or contact the Individuals whose information is contained within the Limited Data Set.

3. Client's Obligations.

(a) Client shall not request Milliman to use or disclose PHI in any manner that would not be permissible under the Privacy Rule or the Security Rule if done by Client, except as otherwise permitted herein for purposes of Data Aggregation. *Clause added*

(b) Client shall clearly and conspicuously designate all PHI as such before providing it to Milliman. *(b) changed - was (c)*

(c) Client acknowledges and agrees that neither this Agreement nor the Underlying Agreement requires Milliman to make any disclosure for which an accounting would be required under the HIPAA Regulations. Client further agrees that it shall be solely responsible for tracking and providing Individuals an accounting of any disclosures made by Client to Milliman.

(d) Client acknowledges and agrees that the provisions of Section 2(l) of this Agreement shall constitute a Data Use Agreement between the parties.

4. Term and Termination.

(a) Term. This Agreement shall be effective as of the date first written above, and shall terminate when all PHI is destroyed or returned to Client. If Milliman determines, in accordance with Section 4(c) below, that it is infeasible to return or destroy PHI, the protections of this Agreement with respect to such PHI shall remain in effect until such PHI is returned or destroyed.

(b) Termination. Upon Client's knowledge of a material breach by Milliman, Client shall either:

- (i) Provide an opportunity for Milliman to cure the breach or end the violation and terminate this Agreement if Milliman does not cure the breach or end the violation within the time specified by Client; or
- (ii) Immediately terminate this Agreement if Milliman has breached a material term of this Agreement and cure is not possible.

(c) Obligations of Milliman Upon Termination. Upon termination of this Agreement, for any reason, Milliman shall:

- (i) Retain only that PHI which is necessary for Milliman to continue its proper management and administration or to carry out its legal responsibilities;

(ii) Return to Client or destroy the remaining PHI that Milliman maintains in any form ("Remaining PHI");

(iii) Continue to use appropriate safeguards and comply with Subpart C of 45 C.F.R. Part 164 with respect to electronic PHI to prevent use or disclosure of the PHI, other than as provided for in this Section 4(c) for as long as Milliman retains the PHI;

(iv) Not use or disclose the PHI retained by Milliman other than for the purposes for which such PHI was retained and subject to the same conditions set out at Section 2(i) above which applied prior to termination; and

(v) Return to Client or destroy the PHI retained by Milliman when it is no longer needed by Milliman for its proper management and administration or to carry out its legal responsibilities.

(d) Infeasibility of Return or Destruction. If Milliman determines that returning or destroying the Remaining PHI is infeasible, the protections of this Agreement shall continue to apply to such PHI, and Milliman shall limit further uses and disclosures of PHI to those purposes that make the return or destruction infeasible, for so long as Milliman maintains such PHI.

5. Miscellaneous.

(a) Regulatory References. A reference in this Agreement to a section in the HIPAA Regulations means the section as in effect or as amended, and for which compliance is required.

(b) Amendment. The parties agree to take such action as is necessary to amend this Agreement from time to time in order to ensure compliance with the requirements of the HIPAA Regulations and any other applicable law.

(c) Independent Contractors. Milliman and Client are independent contractors and this Agreement will not establish any relationship of partnership, joint venture, employment, franchise or agency between Milliman and Client. Neither Milliman nor Client will have the power to bind the other or incur obligations on the other party's behalf without the other party's prior written consent, except as otherwise expressly provided in this Agreement.

(d) Conflicts. In the event that any terms of this Agreement are inconsistent with the terms of the Underlying Agreement, then the terms of this Agreement shall control.

(e) Entire Agreement. This Agreement shall constitute the entire agreement of the parties hereto in respect to the subject matter hereof and supersedes all prior agreements, oral or written, and all other communications between the parties hereto relating to such subject matter.

**Draft**

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

MILLIMAN, INC., on behalf of itself and its Affiliates CITY OF POCA TELLO

By \_\_\_\_\_

By \_\_\_\_\_

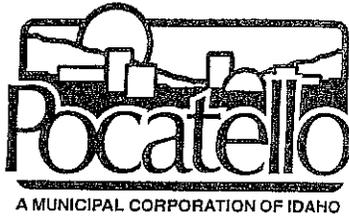
Title \_\_\_\_\_

Title *Mayor* \_\_\_\_\_

**AGENDA**

**ITEM**

**NO. 6**



OFFICE OF THE MAYOR  
911 North 7th Avenue  
P. O. Box 4169  
Pocatello, Idaho 83205-4169

Office: (208) 234-6163  
Fax: (208) 234-6297  
www.pocatello.us

BRIAN C. BLAD  
Mayor

Pocatello City Council:

HEIDI ADAMSON  
ROGER BRAY  
STEVE BROWN  
W. JAMES JOHNSTON  
GARY MOORE  
MICHAEL L. ORR

6

August 24, 2016

Ms. Nikki Taysom  
4963 Yellowstone Avenue  
Chubbuck, ID 83202

RE: TRESPASS NOTICE

Dear Ms. Taysom:

This letter is to inform you that you are **HEREBY TRESPASSED** from ALL CITY OF POCATELLO PROPERTY unless you have an emergency and need to enter the lobby of the Pocatello Police Department OR you are attending a Regular Council Meeting at which your appeal to this Trespass Notice is an agenda item. Any communication with City of Pocatello employees or City officials can be made ONLY by e-mail or U.S. Mail.

The justification basis for you being **TRESPASSED** is that you refuse to abide by rules established by the Mayor and City Council for the orderly conduct of all City Council meetings of the City of Pocatello. Specifically, at the City Council meeting on August 4, 2016, you would not stop talking at the Council Chambers podium when directed to do so by the person in charge of the City Council Meeting. Due to your conduct, the Mayor directed a Police Officer to remove you from the Council Chambers. After you left the Council Chambers, you remained outside of the Council Chambers and accosted Council members and members of the general public in a loud and combative manner regarding your interpretation of your civil rights. In addition to this incident, at this and other regular Council Meetings, you continue to raise your hand, stand up in the audience, thus blocking the view of citizens seated behind you, and speak when it is not appropriate even though the Mayor has asked you to abstain from said inappropriate conduct on numerous occasions. Your actions are out of order, unnecessarily prolong public meetings, interfere with the orderly conduction of public meetings, are disruptive and will no longer be tolerated by the Mayor, City Council, and members of the general public.

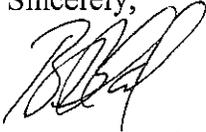
As mentioned above, if you so choose, you have the right to appeal this Notice of Trespass before the City Council at a regular City Council meeting. **Your appeal has been scheduled for the SEPTEMBER 1, 2016 City Council Meeting, at 6:00 p.m. in the City Hall Council Chambers located at 911 North 7<sup>th</sup> Avenue, Pocatello, Idaho.** Once your appeal has been heard by the Council, the Council may choose to uphold or overturn this Notice. If the Council overturns this Trespass Notice, a letter will be served upon you repealing this Trespass Notice. If the Council upholds this Trespass Notice, or if you should fail to appear at the scheduled

AN EQUAL OPPORTUNITY EMPLOYER  
VETERAN'S PREFERENCE

If the Council upholds this Trespass Notice, or if you should fail to appear at the scheduled appeal date and time, THIS NOTICE OF TRESPASS SHALL BE IN EFFECT AND WILL CONTINUE TO BE IN EFFECT UNTIL AUGUST 24, 2017.

**PLEASE BE ADVISED** that if you enter into, or go upon any City of Pocatello property under circumstances not covered by the two (2) above-named exceptions, you may be cited or arrested for **"TRESPASS"** under *Pocatello Municipal Code §9.16.170*, a misdemeanor offense, which carries a maximum penalty of six (6) months of incarceration and a one thousand dollar (\$1,000.00) fine.

Sincerely,



Brian C. Blad  
Mayor

CC: Pocatello Police Department  
A. Dean Tranmer, City Attorney

**AGENDA**

**ITEM**

**NO. 7**

NOTE: You MUST have a RESERVATION for the park before submitting this application.

8/18/16



CITY OF POCATELLO

BEER/WINE PERMIT (ORD.12.36.060)

Name of Permittee ISU Geosciences/Melissa Nelers ID Verified  DOB: [REDACTED]

Address 921 S 8th Ave STOP 8072, Pocatello, ID 83209 Phone (208) [REDACTED]

Date(s) of Event Pocatello 9/16/16 City Pocatello Zip [REDACTED] Time(s) 6 am pm to 10 am pm

Nature of Event Welcome Back Picnic for ISU Geosciences Dept.

Location Ross Park Area (1st area): (i.e. Lower Ross Pavilion, Upper Ross Pavilion, etc.)

Raymond Park Pavilion  Bonneville Park

Other\* Name of Park (REQUIRED): Caldwell Park Pavilion  
\*(Requires special exception to City Codes)

Email address:

nelermell@isu.edu

1. Permittee shall be in attendance at the event;
2. This permit is not transferable or assignable;
3. Permit is valid only for the date and hours of the event as specified;
4. Permittee is 21 years of age or older;
5. Permittee is responsible for ensuring that all persons attending the event who consume alcoholic beverages are of legal age to do so according to local and state law;
6. Consumption of any beer/wine or possession of any can, bottle or other receptacle containing any beer/wine that has been opened, or a seal broken, or the contents of which have been partially removed, is not permitted in parking lots, or children's play areas;
7. Any sale of alcoholic beverages is prohibited; unless authorized through the state;
8. Permittee is responsible for the conduct of all attendees of the event;
9. The area utilized for the event must be left clean when the event is completed;
10. Disruptive or obnoxious behavior or excessive noise shall be prohibited and may result in immediate revocation of the permit and immediate termination of the event for which the permit was issued;
11. Park hours shall be observed; and;
12. This permit does not guarantee a reservation of any park facilities; park reservation must be made separate through the Parks & Recreation Department.

Permit further agrees to defend, indemnify and hold the City, its officers, directors, employees, and representatives harmless from and against any and all actions, claims, demands, judgments, attorney's fees, costs, damages to persons or property, penalties, obligations, expenses or liabilities of any kind that may be asserted or claimed by any person or entity (including but not limited to any employee, agent or contractor of Permittee) in any way arising out of or in connection with this Permit or the event carried on by Permittee at the above identified park, or any area to which Permittee has access hereunder, whether or not there is concurrent active or passive negligence on the part of City, and/or acts for which the City would be held strictly liable, but excluding the sole active negligence and willful misconduct of City.

**IF APPROVAL IS GRANTED, THIS BEER PERMIT MUST BE IN POSSESSION OF THE APPLICANT AT THE STATED LOCATION, DATE (S) AND TIME STATED ON THIS PERMIT.**

Melissa Nelers  
City of Pocatello, Idaho

08/24/2016

Signature of Permittee

Date

**FOR OFFICIAL USE ONLY:**

Fee Amount: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Approved  Denied\* Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*Reason for Denial: \_\_\_\_\_

Called for permit pick up: Date: \_\_\_\_\_ Initial: \_\_\_\_\_ Result: \_\_\_\_\_  
Date: \_\_\_\_\_ Initial: \_\_\_\_\_ Result: \_\_\_\_\_

**AGENDA**

**ITEM**

**NO. 8**

**EXECUTIVE SUMMARY**

TO: Mayor Blad and Council Members

FROM: John Banks, Parks & Recreation Director  
 Alan Green, Parks Superintendent

RE: **CRC Lighting Upgrade and NOP Material Storage Area**

DATE: September 1, 2016

---

During the FY 2017 budget re-structuring process, City Council gave permission to, and directed Staff to proceed with the following two (2) Parks & Recreation Department projects:

- Community Recreation Center (CRC) Lighting Upgrade (cost estimate \$25,000)
- and
- Field Maintenance Material Storage Area for NOP Park Softball/Baseball Fields (cost estimate \$4,000)

Staff was instructed to utilize Emergency Account funding for the two projects.

Quotes have been secured for the CRC Lighting Upgrade as follows:

- Intermountain Electric: \$28,315.10  
*(less \$9,562.64 Idaho Power rebate = \$18,752.46 total cost)*
- Saunderson Electric, LLC: \$29,316.00  
*(less \$9,562.64 Idaho Power rebate = \$19,753.36 total cost)*
- Elite Electrical Contractors: \$29,821.58  
*(less \$9,562.64 Idaho Power rebate = \$20,258.94 total cost)*

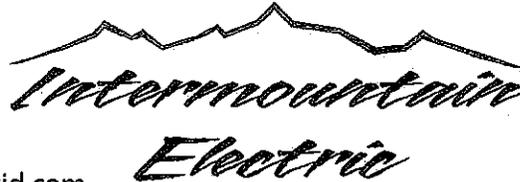
Staff recommends authorizing the low bid contractor Intermountain Electric (\$28,315.10) to proceed with the CRC Lighting Upgrade, at an estimated total cost to the City of \$18,752.46 after Idaho Power rebates.

As a result of the lighting upgrade, Idaho Power estimates an annual yearly energy cost savings of \$3,880.00.

With the busy summer season coming to an end, the Parks Department is now ready to proceed with construction of the Field Maintenance Material Storage Area for the NOP Park Softball/Baseball Fields. Cost estimate for the project is \$4,000.

Sufficient emergency account funds are available for both projects.

5344 W. Skyview Rd.  
 Pocatello, ID 83201  
 Web: www.intermountainelectricid.com



Phone: 208-235-1658  
 Cell: 208-681-7361  
 E-mail: ralph@mtnelectric.com

Intermountain Electric, LLC

5344 W. Skyview Rd.  
 Attn: Ralph Horsley  
 Pocatello, ID 83201

## Estimate

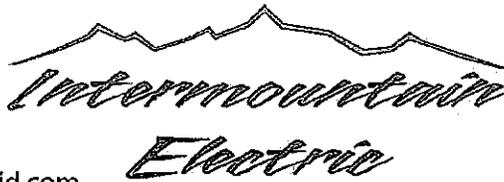
Date	Estimate #
8/24/2016	45611

Name / Address
City of Pocatello Parks and Rec Attn: Alan Green Re: CRC Idaho Power Incentive

Project

Description	Qty	Rate	Total
For the removal of existing light fixtures, and replacement of new LED light fixtures in the following areas:	1	0.00	0.00
Labor and Materials	1	26,815.10	26,815.10
Additional labor for racquet ball courts.	1	1,500.00	1,500.00
Thank you, Intermountain Electric			<b>Total</b> \$28,315.10

Phone #	Fax #	E-mail
208-681-7361	208-235-1658	ralph@mtnelectric.com



5344 W. Skyview Rd.  
 Pocatello, ID 83201  
 Web: www.intermountainelectricid.com

Phone: 208-235-1658  
 Cell: 208-681-7361  
 E-mail: ralph@mtnelectric.com

Intermountain Electric, LLC

5344 W. Skyview Rd.  
 Attn: Ralph Horsley  
 Pocatello, ID 83201

## Estimate

Date	Estimate #
3/21/2016	45611

Name / Address
City of Pocatello Parks and Rec Attn: Alan Green Re: CRC Idaho Power Incentive

			Project
Description	Qty	Rate	Total
For the removal of existing light fixtures, and replacement of new LED light fixtures in the following areas:	1	0.00	0.00
Labor and Materials.	1	26,815.10	26,815.10
Additional labor for racquet ball courts.	1	1,500.00	1,500.00
Thankyou, Intermountain Electric			<b>Total</b> \$28,315.10

Phone #	Fax #	E-mail
208-681-7361	208-235-1658	ralph@mtnelectric.com

Lighting Incentives Form

date posted: #2/2/2014



APP#:  0  
 Customer:  Pocatello Rec Center  
 Contractor:  Intermountain Electric

Is this a Complete Lighting Upgrade  No

Please enter LED information at bottom of page  
 Estimated incentive is over \$1,000, submit for pre-approval

\*For controls only, choose lighting controls in existing fixture menu.

Item	Existing								Proposed								Hours & Cost		kWh Savings & Incentives		
	Fixture Location	Existing Fixture	Description or Notes	Interior of Exterior	Qty	Plate Input Watts	Manual Entry Input Watts	Existing kWh per year	Proposed Fixtures	Description or Notes	Qty	Fixture Input Watts	Manual Entry Input Watts	Proposed kWh per year	Annual Operating Hours	Unit Installed Cost	Total Installed Cost	Proposed kWh Savings	Unit Incentive	Total Incentive	
1	Non-Women Locker RMS #1	4ft, 2 lamp F40 T12		Interior	10	82		3,001	Other (LED, etc.)	2x2 LED Troffer	10	35	1,001	4,745	\$165.00	\$1,650.00	2,230		\$401.41	Non-Standard Incentive	
2	Non-Women Locker RMS #2	4ft, 2 lamp F40 T12		Interior	20	82		7,781	Other (LED, etc.)	2x4 LED Troffer	10	36	2,733	4,745	\$185.00	\$2,960.00	5,048		\$908.71	Non-Standard Incentive	
3	Men/Women Locker RMS #2	4ft, 2 lamp F40 T12		Interior	4	82		1,556	Other (LED, etc.)	2x2 LED Troffer	4	35	664	4,745	\$165.00	\$560.00	892		\$160.56	Non-Standard Incentive	
4	Concession Area	4ft, 2 lamp F40 T12		Interior	3	82		1,167	Other (LED, etc.)	4" LED vantage	3	22	310	4,745	\$250.00	\$750.00	854		\$153.73	Non-Standard Incentive	
5	Women Corridor	4ft, 2 lamp F40 T12		Interior	3	82		1,107	Other (LED, etc.)	2x4 LED Troffer	3	36	512	4,745	\$185.00	\$555.00	655		\$117.86	Non-Standard Incentive	
6	Men/Women Shower Area	4ft, 2 lamp F40 T12		Interior	14	82		5,447	Other (LED, etc.)	4" LED vantage	14	22	1,401	4,745	\$250.00	\$3,500.00	3,986		\$717.40	Non-Standard Incentive	
7	Family Dressing Rm	4ft, 2 lamp F40 T12		Interior	3	82		1,167	Other (LED, etc.)	4" LED vantage	3	22	313	4,745	\$250.00	\$750.00	854		\$153.73	Non-Standard Incentive	
8	Lobby	2ft, 2 lamp F40 T12 U Bent	2x2	Interior	8	82		3,113	Other (LED, etc.)	2x4 LED Troffer	8	36	1,306	4,745	\$185.00	\$1,480.00	1,746		\$314.29	Non-Standard Incentive	
9	Lobby	4ft, 2 lamp F40 T12	1x4	Interior	4	82		1,556	Other (LED, etc.)	2x4 LED Troffer	4	36	663	4,745	\$185.00	\$740.00	873		\$157.15	Non-Standard Incentive	
10	Lobby Hall	4ft, 2 lamp F40 T12	1x4	Interior	4	82		1,556	Other (LED, etc.)	2x4 LED Troffer	4	36	663	4,745	\$185.00	\$740.00	873		\$157.15	Non-Standard Incentive	
11	Staff Office	4ft, 3 lamp F40 T12	2x4's	Interior	4	133		2,524	Other (LED, etc.)	2x4 LED Troffer	4	38	603	4,745	\$185.00	\$740.00	1,841		\$331.37	Non-Standard Incentive	
12	Staff Office	4ft, 2 lamp F40 T12	1x4's	Interior	2	82		778	Other (LED, etc.)	2x4 LED Troffer	2	38	342	4,745	\$185.00	\$370.00	437		\$78.57	Non-Standard Incentive	
13	Director & Business Office	4ft, 3 lamp F40 T12	2x4's	Interior	6	133		3,780	Other (LED, etc.)	2x4 LED Troffer	6	36	1,025	4,745	\$185.00	\$1,110.00	2,761		\$497.05	Non-Standard Incentive	
14	Men/Women Bathroom	4ft, 2 lamp F40 T12	1x4	Interior	6	82		2,334	Other (LED, etc.)	1x4 LED Troffer	6	22	626	4,745	\$185.00	\$1,110.00	1,708		\$307.46	Non-Standard Incentive	
15	Men's office & Lounge office	4ft, 3 lamp F40 T12	2x4's	Interior	5	133		3,155	Other (LED, etc.)	2x4 LED Troffer	5	36	854	4,745	\$185.00	\$925.00	2,301		\$414.22	Non-Standard Incentive	
16	Main Hallway	4ft, 2 lamp F40 T12	1x4	Interior	9	82		3,602	Other (LED, etc.)	2x4 LED Troffer	9	36	1,537	4,745	\$185.00	\$1,665.00	1,964		\$353.58	Non-Standard Incentive	
17	Main Hallway	4ft, 2 lamp F40 T12	wrp	Interior	3	82		1,107	Other (LED, etc.)	LED Wrp	3	47	609	4,745	\$180.00	\$540.00	498		\$89.68	Non-Standard Incentive	
18	Kitchen & Office Storage	4ft, 2 lamp F40 T12	1x4	Interior	4	82		1,556	Other (LED, etc.)	2x4 LED Troffer	4	36	663	4,745	\$185.00	\$740.00	873		\$157.15	Non-Standard Incentive	
19	Racquetball Courts	Metal Halide, 400 watts	2x2	Interior	21	461		45,904	Other (LED, etc.)	LED 2x2 HB	18	95	8,114	4,745	\$321.95	\$5,795.10	37,320		\$4,056.57	Non-Standard Incentive	
20																					
21																				#DIV/0!	
22																				#DIV/0!	
23																				#DIV/0!	
24																				#DIV/0!	
25																				#DIV/0!	

Please list CEE Information  
 High Performance 4ft T8 Lamps:  
 High Performance 4ft T8 Lamps:  
 High Performance Ballasts:  
 High Performance Ballasts:  
 High Performance Ballasts:  
 High Performance Ballasts:  
 High Performance Ballasts:

Manufacturer	Model Number

Additional Incentives (included in total incentive)  
 Total Dolamping Incentive: \$0.00  
 Total Reduced Wattage Incentive: \$0.00  
**Totals**

**Project Results**  
 Total Existing Fixtures: 133 kWh Before: 93,139  
 Total Proposed Fixtures: 126 kWh After: 24,324  
 Total Proposed Controls: 1 Control kWh Savings: 78  
**Total kWh Savings: 68,293**

Please list LED information  
 OPL List:  
 OPL List:  
 OPL List:  
 OPL List:

Manufacturer	Model Number

**Project Notes** (Please note unusual costs, etc.)

**Payback**  
 Estimated Installed Cost: \$26,815.10 Reduced Installed Cost: \$17,252.46  
 Estimated Additional Costs: \$0.00 \*Estimated Annual Energy Savings: \$3,880.02  
 Total Installed Costs: \$26,815.10  
 Estimated Controls Incentive: \$35.00  
 Estimated Lighting Incentive: \$9,527.64 \*Payback (with incentive): 4.4 years

**Estimated Total Incentive: \$9,562.64**

## Proposed Project Summary



### INCENTIVE & ENERGY SAVINGS REVIEW

**Project Name:** Pocatello Rec Center  
**Contractor:** Intermountain Electric  
**Supplier:** Platt Electric Supply

#### Estimated Energy Savings & Incentive

Estimated Annual Energy Savings	68,293 kWh
*Estimated Annual Energy Savings	\$3,880.02 Per Year
Total Project Cost	\$26,815.10
Estimated Total Idaho Power Incentive	\$9,562.64
<b>Actual Project Cost (After Incentive)</b>	<b>\$17,252.46</b>

#### Project Payback

Reduced Project Cost	\$17,252.46
*Estimated Annual Energy Savings	<u>\$3,880.02</u>
*Payback	4.4 years
R.O.I.	22%
*Cost of Waiting to Upgrade	\$323.34 /month

*\*Based on average Idaho Power commercial customer rate. Your actual payback may differ. Payback for customers using < 2,000 kWh/month may be shorter than stated above.*

*These are estimated incentives and energy savings based on the proposed lighting completed in the proposed lighting spreadsheet. Actual savings and incentives may vary due to final installed measures and costs. Actual energy savings will vary based on building use, hours of operation and energy rates.*



Date: Page: 1  
 Bid ID: 5661331

POCATELLO REC CENTER LIGHTING RETO

Bid Prepared For:	Bid By: TRAVIS Prather
ALL BIDDERS Pocatello, ID 83201	Pocatello 2815 Garrett Wy, Ste A Pocatello, ID 83201 6309 Telephone: 208-233-2002

Quantity	Sell Units	Item	Price Units	Unit Price	Extended Price
		MEN/WOMENS LOCKER RMS #1			
10	EA	000000 - MET 22FR-LD4-32-UNV-L840-CD1	EA		
		MEN/WOMENS LOCKER RMS #2			
16	EA	000000 - MET 24FR-LD4FER L840	EA		
4	EA	000000 - MET 22FR-LD4-32-UNV-L840-CD1	EA		
		COMMON AREA			
3	EA	000000 - ILP WTZ-30WLED-UNIV-4000KRAFL	EA		
		WOMENS CORRIDOR			
3	EA	000000 - MET 22FR-LD4-32-UNV-L840-CD1	EA		
		MEN/WOMENS SHOWER AREA			
14	EA	000000 - ILP WTZ-30WLED-UNIV-4000KRAFL	EA		
		LOBBY			
12	EA	000000 - MET 24FR-LD4FER L840	EA		
		LOBBY HALL			
4	EA	000000 - MET 24FR-LD4FER L840	EA		
		STACI'S OFFICE			
Continued Next Page					

Prices quoted, unless otherwise specifically noted on this quotation, are subject to availability and must be accepted and released for immediate shipment within 48 hours. Prices are subject to change without notice.

Platt Electric Supply's Standard Terms and Conditions apply, available at <http://www.platt.com/service/terms.html>

Full phone support 7 days/week, 4am - 8pm PT, 5am - 9pm MT

Subtotal	
Tax	
Bid Total	



Date: Page: 2  
 Bid ID: 5661331

POCATELLO REC CENTER LIGHTING RETO

Bid Prepared For:	Bid By: Travis Prather
ALL BIDDERS Pocatello, ID 83201	Pocatello 2815 Garrett Wy, Ste A Pocatello, ID 83201 6309 Telephone: 208-233-2002

Quantity	Sell Units	Item	Price Units	Unit Price	Extended Price
6	EA	000000 - MET 24FR-LD4FER L840 DIRECTOR & BRIANS OFFICE	EA		
6	EA	000000 - MET 24FR-LD4FER L840 MEN/WOMENS BATHROOM	EA		
6	EA	000000 - VOLA14-22WLED-UNIV-40 AL'S & LANCES OFFICES	EA		
5	EA	000000 - MET 24FR-LD4FER L840 MAIN HALLWAY	EA		
9	EA	000000 - MET 24FR-LD4FER L840	EA		
3	EA	159367 - MET 4SLWP4040ND-UNV KITCHEN& STORAGE	EA		
4	EA	000000 - MET 24FR-LD4FER L840 RACQUETBALL COURTS	EA		
18	EA	185353 - ILP GH22-95WLED-UNIV-4000K-PC L 2X2 95W LED GRID FIXTURE WITH POLYCARB LENS.	EA		

Prices quoted, unless otherwise specifically noted on this quotation, are subject to availability and must be accepted and released for immediate shipment within 48 hours. Prices are subject to change without notice.

Platt Electric Supply's Standard Terms and Conditions apply, available at <http://www.platt.com/service/terms.html>

Subtotal	
Tax	
Bid Total	

Full phone support 7 days/week, 4am - 8pm PT, 5am - 9pm MT

# *SAUNDERSON ELECTRIC L.L.C.*

---

2396 Northstar - Pocatello, Idaho 83201 - (208) 232.5130 - Fax: (208) 234.1608

August 23, 2016

To: City of Pocatello/Parks and Rec.  
Attn: Alan Green  
Re: CRC Idaho Power Incentive

Electrical labor and material to remove existing light fixtures and replace with new LED light fixtures.

**Electrical Bid Price: \$29,316.00**

Thank You,  
Rod Saunderson,  
Saunderson Electric, LLC

Residential ~ Commercial ~ Remodeling ~ Public Works

---

ELITE ELECTRICAL CONTRACTORS  
 INC  
 48 S 500 W  
 BLACKFOOT, ID 83221

# Estimate

Date	Estimate #
8/24/2016	1601-1176

Name / Address
CITY OF POCA TELLO PARKS AND REC ATTN: ALAN GREEN RE :CRC IDAHO POWER INCENTIVE

P.O. No.	Rep	Project	Other
PARKS AND REC			

Description	Qty	Cost	Total
REMOVAL OF OLD LIGHT FIXTURES AND REPLACE WITH NEW LED LIGHTING LABOR AND MATERIALS AS PER IDAHO POWER INCENTIVE	1	29,821.58	29,821.58
<b>Total</b>			\$29,821.58

**AGENDA**

**ITEM**

**NO. 10**

## United States Marshals Service Violent Offender Task Force – Memorandum of Understanding

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**PARTIES AND AUTHORITY:**

This Memorandum of Understanding (MOU) is entered into by the

and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B). As set forth in the Presidential Threat Protection Act of 2000 and directed by the Attorney General, the USMS has been granted authority to direct and coordinate permanent USMS Violent Offender Task Forces consisting of Federal, state, and local law enforcement authorities for the purpose of locating and apprehending fugitives. The authority of the USMS to investigate fugitive matters as directed by the Attorney General is set forth in 28 USC § 566. The Director's authority to direct and supervise all activities of the USMS is set forth in 28 USC § 561(g) and 28 CFR 0.111. The authority of United States Marshals and Deputy U.S. Marshals, "in executing the laws of the United States within a State . . . [to] exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" is set forth in 28 USC § 564. Additional authority is derived from 18 USC § 3053 and Office of Investigative Agency Policies Resolutions 2 & 15. (See also) "Memorandum for Howard M. Shapiro, General Counsel, Federal Bureau of Investigation" concerning the "Authority to Pursue Non-Federal Fugitives", issued by the U.S. Department of Justice, Office of Legal Counsel, dated February 21, 1995. (See also) Memorandum concerning the Authority to Pursue Non-Federal Fugitives, issued by the USMS Office of General Counsel, dated May, 1, 1995. (See also) 42 U.S.C. § 16941(a)(the Attorney General shall use the resources of federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements).

**MISSION:**

The primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active state and federal warrants for their arrest. The intent of the joint effort is to investigate and apprehend local, state and federal fugitives, thereby improving public safety and reducing violent crime.

Each participating agency agrees to refer cases for investigation by the VOTF (Violent Offender Task Force). Cases will be adopted by the VOTF at the discretion of the District Chief Deputy. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses, failure to register as a sex offender, and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses. Upon receipt of a written request, the VOTF may also assist non-participating law enforcement agencies in investigating, locating and arresting their fugitives. Task force personnel will be assigned federal, state, and local fugitive cases for investigation. Investigative teams will consist of personnel from different agencies whenever possible. Participating agencies retain responsibility for the cases they refer to the VOTF.

Federal fugitive cases referred to the task force for investigation by any participating agency will be entered into the National Crime Information Center (NCIC) by the USMS or originating agency, as appropriate. State or local fugitive cases will be entered into NCIC (and other applicable state or local lookout systems) as appropriate by the concerned state or local agency.

**SUPERVISION:**

The VOTF will consist of law enforcement and administrative personnel from federal, state, and local law enforcement agencies. Agency personnel must be approved by the District Chief Deputy prior to assignment to the VOTF. Agency personnel may be removed at any time at the discretion of the District Chief Deputy.

Direction and coordination of the VOTF shall be the responsibility of the USMS District Chief Deputy. Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the conduct of its personnel.

A Task Force Advisory Committee, consisting of representatives of participating agencies and USMS district personnel, may be established at the discretion of the District Chief Deputy and will meet and confer as necessary to review and address issues concerning operational matters within the VOTF.

**PERSONNEL:**

In accordance with Homeland Security Presidential Directive 12, personnel assigned to the task force are required to undergo background investigations in order to be provided unescorted access to USMS offices, records, and computer systems. The USMS shall bear the costs associated with those investigations. Non-USMS law enforcement officers assigned to the task force will be deputized as Special Deputy U.S. Marshals.

Task force personnel may be required to travel outside of the jurisdiction to which they are normally assigned in furtherance of task force operations. State or local task force officers traveling on official business at the direction of the USMS shall be reimbursed directly by the USMS for their travel expenses in accordance with applicable federal laws, rules, and regulations.

**REIMBURSEMENT:**

If the Marshals Service receives Asset Forfeiture funding for either 1) overtime incurred by state and local investigators who provide full time support to USMS VOTF joint law enforcement task forces; or 2) travel, training, purchase or lease of police vehicles, fuel, supplies or equipment for state and local investigators in direct support of state and local investigators, the USMS shall, pending availability of funds, reimburse your organization for expenses incurred, depending on which category of funding is provided.

Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the RUS. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the VOTF during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost.

The request for reimbursement must be submitted to the District Chief Deputy, who will review the request for reimbursement, stamp and sign indicating that services were received and that the request for reimbursement is approved for payment. Supporting documentation must accompany requests for reimbursement for equipment, supplies, training, fuel, and vehicle leases.

**VEHICLES AND EQUIPMENT:**

Notwithstanding the above, pending the availability of asset forfeiture funding and approval by the USMS in advance of any purchase, the USMS may reimburse the undersigned state or local agency for vehicles and equipment purchased in support of full time state and local investigators assigned to the VOTF involved in joint law enforcement operations. Such vehicle and equipment purchases are to be contracted for and titled in the name of the state or local law enforcement agency and must comply with requirements prescribed by the USMS pursuant to this MOU and applicable policies of the United States Department of Justice. Vehicles and equipment purchased by state and local law enforcement agencies with asset forfeiture monies provided by the USMS must remain available for exclusive use of the task force officers assigned to the VOTF by the undersigned participant agency for the duration of the task force. Upon termination of the agreement, usage and disposition of such vehicles are at the discretion of the undersigned state or local law enforcement agency.

Pending the availability of funds and equipment, the USMS will issue USMS radios, telephones, and other communication devices to each task force officer to be used for official VOTF business. All equipment used by or assigned to task force officers by the USMS or an agency will remain the property of the agency issuing the equipment and will be returned to that agency upon termination of the task force, or upon agency request.

**RECORDS AND REPORTS:**

Original reports of investigation, evidence, and other investigative materials generated, seized, or collected by the VOTF shall be retained by the agency in the VOTF responsible for the case. However, evidence may be turned over to other law enforcement agencies as appropriate. Copies of investigative reports and other materials may be provided to other agencies in accordance with applicable laws, rules, and regulations. Task force statistics will be maintained in the USMS Justice Detainee Information System (JDIS) - Warrant Information Network (WIN). Statistics will be made available to any participating agency upon request.

**INFORMANTS:**

Pending the availability of funds, the USMS may provide funding for the payment of informants. However, all payments of informants utilizing USMS funding shall comply with USMS policy.

**USE OF FORCE:**

All members of the VOTF shall comply with their agencies' guidelines concerning the use of firearms, deadly force, and less-lethal devices. Copies of all applicable firearms, deadly force, and less-lethal policies shall be provided to the District Chief Deputy and each concerned task force officer. In the event of a shooting involving task force personnel, the incident will be investigated by the appropriate agency(s).



**AGENDA**

**ITEM**

**NO. 11**

408 EAST WHITMAN  
POCATELLO, ID 83201



208.234.6201  
FAX: 208.233.4043

**Executive Summary**

The Council authorized \$85,000, in the FY16 budget, for the Fire Department to replace aging Self Contained Breathing Apparatus (SCBAs) that are experiencing increasing failures. The initial intention was that these funds would be used in a lease purchase of a then estimated \$339,700 purchase. During FY17 budget development, the council authorized an additional \$254,700 to be combined with the already budgeted \$85,000 to enable an outright purchase of the replacement SCBAs for a total of \$339,700 based on the original estimate.

The department established a SCBA evaluation committee who evaluated multiple manufacturers' systems. The committee strongly recommended staying with MSA, and the MSA G1 system as their system of choice. The committee further considered that the majority of our current air bottles had significant life remaining and were not in need of immediate replacement, saving nearly \$100K. Furthermore, this sets the department up for a better system of bottle replacement going into the future. At the manufacturers recommendation (see attached MSA letter) the SCBA system and bottles are designed and tested as an integrated total system, thus the fire staff considers this a sole source purchase and does not require a formal bid process.

Further evaluation by the SCBA evaluation committee identified additional items as well as additional auxiliary safety equipment necessary to ensure a complete replacement of our SCBAs and provide for vital safety features, Specifically;

SCBA Bottles – 60 of our 115 bottles were identified as exceeding design life criteria in the next 5 years. It was identified that 12 bottles per year need to be replaced in order to maintain the current inventory. This cost increased the bid by \$13,344/year for a total of \$26,688.

SCBA Bottle Retainers, Quick Connects Quick Connect Fill Station – These items convert our current threaded connection bottles to quick couplings, allow our charging stations to connect to the new connection design and allow the extended life of our current 115 bottles. The original bid only identified 100 bottles. 15 additional bottles were later identified. The additional cost is \$5,980.

Rechargeable Battery Packs – The selection committee, after further consideration, believed it was highly beneficial to equip our frontline SCBAs with rechargeable battery packs in lieu of utilizing standard batteries which would constantly need to be changed. These battery packs power the heads-up system display in the mask. The additional cost for the battery packs and charging stations is \$10,320.

Emergency Accessories – The selection committee, after further consideration, also believed that the trans-fill



hose, pouch, and RIT regulator are important safety features that were not included in the original bid. The additional cost for these features is \$ 13,220. This feature added \$5,500 to the original estimate.

Integrated Thermal Imaging Cameras (TICs) were not available at the time of the initial estimate and have since become available. TICs have long established themselves as a vital tool to firefighters working in smoke filled, vision obscuring environments, allowing them to "see" when normally they could not. The fire staff recommends purchasing 8- integrated TICs to be available for each fire crew during interior fire attack. This feature adds \$20,000 to the original estimate.

The inclusion of the additional bottles, system and safety features brings the total purchase price to \$415,908.20, which is \$ 76,208.20 above the original estimate. It is fire staff's recommendation to execute the replacement purchase of SCBAs in two parts. The first purchase of the Face Masks, 12 bottles and Auxiliary Equipment for \$80,164.20 would be executed during the FY16 budget expending the majority of the budgeted \$85,000. The second purchase would be for the 63 SCBA Packs, 12 additional bottles and TICs for \$335,744 and would be executed during the FY17 budget.

### Summary of Purchase

		MSA Quotes	
Qty			
115	Bottle Retainer	\$ 53.00	\$ 6,095.00
115	Quick Connect	\$ 50.00	\$ 5,750.00
9	Quick Connect Fill Station	\$ 492.80	\$ 4,435.20
10	Trans-fill hose Kit	\$ 550.00	\$ 5,500.00
24	Pouch only	\$ 195.00	\$ 4,680.00
4	RIT Regulator G1	\$ 760.00	\$ 3,040.00
12	Low Profile Bottle	\$ 1,112.00	\$ 13,344.00
30	Rechargeable Battery	\$ 264.00	\$ 7,920.00
90	G1 Masks	\$ 300.00	\$ 27,000.00
5	Charging Stations	\$ 480.00	\$ 2,400.00
<b>FY16 Purchase</b>			<b>\$ 80,164.20</b>
63	G1 Packs	\$ 4,800.00	\$ 302,400.00
12	Low Profile Bottle	\$ 1,112.00	\$ 13,344.00
8	Integrated TIC	\$ 2,500.00	\$ 20,000.00
<b>FY17 Purchase</b>			<b>\$ 335,740.00</b>
<b>Total Quote</b>			<b>\$ 415,908.20</b>

### Attachments:

Weidner Fire Quotation 1110433 - \$\$80,164.20

Weidner Fire Quotation 1109832 - \$335,740.00

MSA Letter - System Design and Testing

Legal Memorandum – Sole Source



*Dedicated to preserving life and property through public education and professional, compassionate response*



135 WEST 7065 SOUTH  
 Midvale, UT 84047  
 tel: 801.565.9595  
 fax: 801.565.9598  
 weidnerfire.com  
 sales@weidnerfire.com

# QUOTATION

Page: 1

**Quotation For:**

Pocatello Fire Dept.  
 408 East Whitman  
 Pocatello ID 83201  
 Ph: (208) 234-7072

**Fx:**

**Quotation#:** 1110433  
**Revision#:** 1  
**Date:** 07/28/16

**Attn: E-Mail:** dgrades@pocatello.us  
**Ref:** G1 SCBA Accessories

**Please Address Order To:**

Weidner Fire  
 135 West 7065  
 Midvale UT 84047

**FOB:** Shipping Point  
**Delivery:** 60 Days ARO  
**Salesman:** Roger Crane  
**Validity:** 30 DAYS  
**Terms:** NET 30 DAYS

We are pleased to propose the following items for your consideration. If you have any questions, please call our office at (801) 565-9595.

Item	Qty	Part#/Description	Unit Price	Total Price
1	115	10158401 MSA G1 Kit, Retainer, Cyl Valve, Type 4	53.00	6,095.00
2	115	10149702-SP MSA Quick Connect Adapter for 4500/5500 psi cylinders	50.00	5,750.00
3	30	10148741-SP MSA G1 Rechargeable Battery (Charger not included)	264.00	7,920.00
4	5	10158385 MSA G1 Smart Charging Station - 6 Unit Charger	480.00	2,400.00
5	10	10156468 Quick Fill Hose Kit, G1, Three ft. hose in pouch	550.00	5,500.00
6	9	10162403 MSA QUICK CONNECT FILL STATION ADAPTER TO 1/4 NPT F 5000 PSIG	492.80	4,435.20
7	24	10156467-SP Pouch Only, Quick-Fill, G1, Right	195.00	4,680.00
8	4	10165336 KIT, CONVERSION, REG, RESCUEAIRE II G1	760.00	3,040.00
9	90	A-G1FPFM1M401 MSA G1 Facepiece Application: Fire Size: Medium Material: Hycar	300.00	27,000.00

\*\*\*\*\* CONTINUED ON PAGE 2 \*\*\*\*\*



135 WEST 7065 SOUTH  
 Midvale, UT 84047  
 tel: 801.565.9595  
 fax: 801.565.9598  
 weidnerfire.com  
 sales@weidnerfire.com

# QUOTATION

Page: 2

Quotation#: 1110433  
 Revision#: 1  
 Date: 07/28/16

Item	Qty	Part#/Description	Unit Price	Total Price
		Nosecup: Medium Head Harness: 4 pt Adjustable Neckstrap: None Regulator Connection: Fixed Push-to-Connect		
10	12	10156424-SP MSA G1 4500 PSI 45-Min Low-Profile Cylinder	1,112.00	13,344.00
			<b>Quote Total:</b>	<b>80,164.20</b>

Freight charges and Sales Tax will be added to the invoice, if applicable. If this purchase is Tax Exempt, a Certificate must be received with your Purchase Order.

By: Troy McBride for Roger Crane



135 WEST 7065 SOUTH  
 Midvale, UT 84047  
 tel: 801.565.9595  
 fax: 801.565.9598  
 weidnerfire.com  
 sales@weidnerfire.com

# QUOTATION

Page: 1

**Quotation For:**

Pocatello Fire Dept.  
 408 East Whitman  
 Pocatello ID 83201  
 Ph: (208) 234-6201

Fx: (208) 233-4043

Quotation#: 1109832  
 Revision#:   
 Date: 07/28/16

Attn: E-Mail: dgates@pocatello.us  
 Ref: MSA G1 SCBA

**Please Address Order To:**

Weidner Fire  
 135 West 7065  
 Midvale UT 84047

FOB: Shipping Point  
 Delivery: 90 Days ARO  
 Salesman: Roger Crane  
 Validity: 30 DAYS  
 Terms: NET 30 DAYS

We are pleased to propose the following items for your consideration. If you have any questions, please call our office at (801) 565-9595.

Item	Qty	Part#/Description	Unit Price	Total Price
1	63	A-G1FS441MA2C2LAR MSA G1 SCBA System Pressure: 4500 PSIG Cylinder Connection: Quick connect remote connection Harness: Standard w/o chest strap Cradle Type: Metal Band Lumbar Type: Adjustable Swiveling Lumbar Pad Regulator Type: Solid Cover Left Shoulder Regulator Hose Type: Continuous Emergency Breathing Support: ExtendAire II Speaker Module: Left Chest PASS: Right Shoulder Battery Type: Rechargeable	4,800.00	302,400.00
2	8	INTEGRATED TIC - CONTROL MODULE Estimated Ship Date August 1 2017	2,500.00	20,000.00
3	12	10156424-SP MSA G1 4500 PSI 45-Min Low-Profile Cylinder	1,112.00	13,344.00
			<b>Quote Total:</b>	<b>335,744.00</b>

Freight charges and Sales Tax will be added to the invoice, if applicable. If this purchase is Tax Exempt, a Certificate must be received with your Purchase Order.

By: Jordan Hicks for Roger Crane



Mine Safety Appliances Company • 1000 Cranberry Woods Drive • Cranberry Woods, PA 16066

Telephone: (877) MSA-FIRE

Writer's Direct Dial  
303-837-3271

June 2, 2016

Pocatello City Fire Department  
408 East Whitman  
Pocatello, ID 83201

Pocatello City Fire Department:

Per OSHA and NIOSH Standards, an MSA self-contained breathing apparatus (SCBA) should only be operated with an MSA-brand cylinder.

Firefighting SCBA are tested at the NIOSH laboratory to meet NFPA requirements with the same brand cylinder as the SCBA, therefore, the SCBA are only authorized to be used with cylinders manufactured by the same manufacturer of the SCBA.

Operating an MSA SCBA with any brand of cylinder other than MSA violates NFPA standards and voids any warranties from MSA.

Kind Regards,

John Wickersheim  
MSA – Territory Manager  
303-837-3271

## MEMORANDUM

TO: Brian C. Blad, Mayor; Members of the City Council  
FROM: Rich Diehl, Deputy City Attorney  
RE: Self-Contained Breathing Apparatus (SCBA) Purchase (PFD)  
DATE: August 23, 2016

I have reviewed the documents which pertain to the above-referenced purchase of MSA Products on a sole source basis from Weidner Fire. It is my opinion that it is appropriate to pursue this via sole source under Idaho Code § 67-2808 (2) (ii) since the compatibility between the PFD's current equipment and the equipment to be purchased is paramount.

Requirements for the sole source purchase is that the City Council declare that there is only one (1) vendor for the SCBAs (due to compatibility), and that Notice of this declaration be published in the ISJ at least fourteen (14) days before awarding the contract to Weidner Fire. If you have any questions, please feel free to contact me.

**AGENDA**

**ITEM**

**NO. 12**

12(a)

SUMMARY OF  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REVISING TITLE 12, CHAPTER 36, "PUBLIC PARKS" OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCATELLO, MORE PARTICULARLY BY AMENDING SECTION 12.36.050 "ALCOHOLIC BEVERAGES IN PUBLIC PARKS" AND SECTION 12.36.060 "BEER/WINE PERMITS" TO CLARIFY THE TYPE OF ALCOHOL PERMITTED WITHIN A MUNICIPAL PARK, THE EVENTS AND PARK LOCATIONS AT WHICH TIME ALCOHOL MAY BE CONSUMED AT, AND WITH PERMITS FOR SAID BEER AND WINE CONSUMPTION TO BE AUTHORIZED BY THE PARKS AND RECREATION DIRECTOR, AT THE PARKS AND RECREATION DIRECTOR'S DISCRETION, PROVIDING THAT ALL OTHER SECTIONS OF CHAPTER 12.36 SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.

The full text of this ordinance is available at the City Clerk's Office, Pocatello Municipal Building, 911 North 7th, Pocatello, Idaho.

\*\*\*\*\*

THE FOREGOING SUMMARY IS APPROVED for publication this 1<sup>st</sup> day of September, 2016 by the City Council of the City of Pocatello.

CITY OF POCATELLO, a municipal corporation of Idaho

\_\_\_\_\_  
BRIAN C. BLAD, Mayor

ATTEST:

\_\_\_\_\_  
RUTH E. WHITWORTH, City Clerk

\*\*\*\*\*

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. \_\_\_\_\_ and that the summary provides adequate notice to the public of the contents of this ordinance.

DATED this \_\_\_\_\_ day of September, 2016.

\_\_\_\_\_  
A. DEAN TRANMER, City Attorney

PUBLISH:

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF POCA TELLO, A MUNICIPAL CORPORATION OF IDAHO, REVISING TITLE 12, CHAPTER 36, "*PUBLIC PARKS*" OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCA TELLO, MORE PARTICULARLY BY AMENDING SECTION 12.36.050 "*ALCOHOLIC BEVERAGES IN PUBLIC PARKS*" AND SECTION 12.36.060 "*BEER/WINE PERMITS*" TO CLARIFY THE TYPE OF ALCOHOL PERMITTED WITHIN A MUNICIPAL PARK, THE EVENTS AND PARK LOCATIONS AT WHICH TIME ALCOHOL MAY BE CONSUMED AT, AND WITH PERMITS FOR SAID BEER AND WINE CONSUMPTION TO BE AUTHORIZED BY THE PARKS AND RECREATION DIRECTOR, AT THE PARKS AND RECREATION DIRECTOR'S DISCRETION, PROVIDING THAT ALL OTHER SECTIONS OF CHAPTER 12.36 SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.

WHEREAS, the Parks and Recreation Director presents the public's applications for beer/wine permits to the City Council for their approval at regular City Council meetings; and

WHEREAS, the City Council has expressed their intent to delegate the permitting authorization to the Parks and Recreation Director at this position's discretion; and

WHEREAS, the list of municipal parks of which alcohol may be consumed with the issuance of a permit from the Parks and Recreation Director has been expanded to incorporate additional locations and regulations; and

WHEREAS, the Parks and Recreation Director presented the proposed code modifications to the City Council at the August 11, 2016 Study Session at which time the Council directed the preparation of an Ordinance with the amendments of the above mentioned items and delegating the permit issuance authority to the Parks and Recreation Director;

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

*Section 1:* That Section 12.36.050 "Alcoholic Beverages in Public Parks", of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be hereby amended to read as follows:

**12.36.050 Alcoholic Beverages in Public Parks:**

\* \* \*

A. It is unlawful for any person to sell, consume or have in possession, custody or control any liquor/spirits or other alcoholic beverage within any municipal park.

B. It is unlawful for any person to sell, consume or have in possession, custody or control any beer or wine ~~other alcoholic beverage~~ within any municipal park, subject to the following exceptions:

1. Specified areas within Ross Park, Bonneville Park, Raymond Park, Centennial Park, Sister City Park, OK Ward Park, Alameda Park, Ammon Park, and the Fort Hall Replica shall be available for beer/wine consumption only. A special permit shall be required, as provided in section 12.36.060 of this Chapter.

2. Sale by licensed vendors and consumption or possession of ~~bottled and~~ draft beer and wine by the drink shall be allowed at ~~Rainey park, Tydeman/Optimist Fields, Bill Durham Memorial Field at Halliwell Park,~~ and portions of NOP Park set forth in Exhibit A, dated May 17, 1979, and attached to the ordinance codified herein, only during ~~Pocatello Slowpitch and Pocatello Fastpitch Softball Association authorized games, during tournaments, and during any league play regulated by the city.~~ Sale of ~~draft beer by licensed vendors and its consumption and possession, at these parks, shall be allowed only during~~ City sponsored league play and/or tournaments, or American Amateur Softball Association (ASA) or Pocatello Softball Association sanctioned games and tournaments, and only upon issuance of a special permit as provided in section 12.36.060 of this Chapter.

3. Sale by licensed vendors and consumption or possession of ~~bottled beer,~~ canned beer, draft beer, and wine by the drink shall be allowed at Watkins Rainbow park during adult softball games held therein.

4. Sale by licensed vendors and consumption or possession of ~~bottled and~~ draft beer and wine by the drink shall be allowed at the Brick Thompson horseshoe complex located on the lower level of Ross park solely during association sanctioned horseshoe pitching tournaments, as well as in other areas of Ross Park in association with annual community wide special events, at the discretion of the Parks and Recreation Director.

B C. This prohibition against sale, consumption or possession of beer or other alcoholic beverages shall not apply to municipally owned golf courses.

€ D. The municipal parks shall be properly posted to inform the public of these regulations.

\*\*\*

**Section 2:** That Section 12.36.060 “*Beer/Wine Permits*”, of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be hereby amended to read as follows:

**12.36.060 Beer/Wine Permits:**

\*\*\*

Groups of individuals may obtain a special permit to possess and consume beer/wine in conjunction with picnics and group activities, and/or special events, in areas of Ross Park, Bonneville Park, Raymond Park, Centennial Park, Sister City Park, OK Ward Park, Alameda Park, Ammon Park and the Fort Hall Replica and other parks where consumption of such beverages is allowed by the city council, as well as in certain softball/baseball areas as provided in Section 12.36.050 of this Chapter. Staff may issue permits for the above listed locations in accordance with regulations established by the Parks and Recreation Director and set out on the permit or on the application. Alcohol is not permitted in the playground areas of any City park. Glass alcoholic beverage containers are prohibited in all City Parks. Permits for the possession and consumption of beer/wine will be limited to the above listed locations, and will not be issued at any other City Parks facility, unless a specific exception is granted at the discretion of the City Parks and Recreation Director. Consumption/possession shall be limited to the permit area, which shall be designated on the permit. Fees shall be set by annual resolution of the city council and applications must be accompanied by the appropriate fee.

\*\*\*

**Section 3:** That all other Sections of Title 12, Chapter 36 “*Public Parks*” shall remain in full force and effect.

BE IT FURTHER ORDAINED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

PASSED AND APPROVED this 1<sup>st</sup> day of September, 2016.

CITY OF POCA TELLO, a municipal  
corporation of Idaho

---

BRIAN C. BLAD, Mayor

ATTEST:

---

RUTH E. WHITWORTH, City Clerk

12(b)

SUMMARY OF  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REVISING TITLE 6, CHAPTER 4, "ANIMAL CONTROL" OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCATELLO, MORE PARTICULARLY BY AMENDING THE TITLE NAME TO "ANIMAL SERVICES", AMENDING SECTIONS 2.06.020, 5.28.020, 6.04.010, 6.04.020, 6.04.030, 6.04.040, 6.04.050, 6.04.060, 6.04.070, 6.04.080, 6.04.090, 6.04.100, 6.04.105, 6.04.120, 6.04.140, 6.04.150, 6.04.160, 6.04.170, 6.04.190, AND 6.04.200 TO AMEND THE DEPARTMENT OF "ANIMAL CONTROL" TO "ANIMAL SERVICES", TO AMEND SECTION 6.04.060 "RESTRAINT AND CARE OF DANGEROUS ANIMALS" TO IMPLEMENT A DANGEROUS ANIMAL REGISTRY AND ENACTING A NEW SECTION 6.04.155 "INDIVIDUAL CAT LICENSING REQUIRED"; PROVIDING THAT ALL OTHER SECTIONS OF CHAPTER 6.04 SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.

The full text of this ordinance is available at the City Clerk's Office, Pocatello Municipal Building, 911 North 7th, Pocatello, Idaho.

\*\*\*\*\*

THE FOREGOING SUMMARY IS APPROVED for publication this 1<sup>st</sup> day of September, 2016 by the City Council of the City of Pocatello.

CITY OF POCATELLO, a municipal corporation of Idaho

\_\_\_\_\_  
BRIAN C. BLAD, Mayor

ATTEST:

\_\_\_\_\_  
RUTH E. WHITWORTH, City Clerk

\*\*\*\*\*

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. \_\_\_\_\_ and that the summary provides adequate notice to the public of the contents of this ordinance.

DATED this \_\_\_\_\_ day of September, 2016.

\_\_\_\_\_  
A. DEAN TRANMER, City Attorney

PUBLISH:

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REVISING TITLE 6, CHAPTER 4, "*ANIMAL CONTROL*" OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCATELLO, MORE PARTICULARLY BY AMENDING THE TITLE NAME TO "*ANIMAL SERVICES*", AMENDING SECTIONS 2.06.020, 5.28.020, 6.04.010, 6.04.020, 6.04.030, 6.04.040, 6.04.050, 6.04.060, 6.04.070, 6.04.080, 6.04.090, 6.04.100, 6.04.105, 6.04.120, 6.04.140, 6.04.150, 6.04.160, 6.04.170, 6.04.190, AND 6.04.200 TO AMEND THE DEPARTMENT OF "ANIMAL CONTROL" TO "ANIMAL SERVICES", TO AMEND SECTION 6.04.060 "*RESTRAINT AND CARE OF DANGEROUS ANIMALS*" TO IMPLEMENT A DANGEROUS ANIMAL REGISTRY AND ENACTING A NEW SECTION 6.04.155 "*INDIVIDUAL CAT LICENSING REQUIRED*"; PROVIDING THAT ALL OTHER SECTIONS OF CHAPTER 6.04 SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.

WHEREAS, the Animal Services Director recommends enacting a new subsection to Title 6, Chapter 4 of the Pocatello Municipal Code requiring the owner of an animal found to be dangerous, by a Court of Law, to register said animal with the Pocatello Animal Services Department. Said dangerous animal registry will require the animal's owner to comply with additional safety precautions such as verification of vaccinations, proper signage, and proper enclosure or confines for said animal in a fenced yard as well as creating a monitoring/tracking system for said dangerous animal; and

WHEREAS, the Animal Services Director also recommends requiring individual cat licensing for cats 3 months or older similar to the City's individual dog licensing requirements. Said licensing will allow for proper identification of the cat as well as ownership if and when a cat is found at large; and

WHEREAS, the Animal Services Director presented the proposed code language to the City Council at the August 11, 2016 Study Session at which time the Council directed the

preparation of an Ordinance with the implementation of the above two items as well as directing the department's name to be reflected as "Animal Services" throughout the code;

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

*Section 1:* That the identification of Title 6, Chapter 4 be amended to reflect the name of "Animal Services" and that Sections 2.06.020, 5.28.020, 6.04.010, 6.04.020, 6.04.030, 6.04.040, 6.04.050, 6.04.060, 6.04.070, 6.04.080, 6.04.090, 6.04.100, 6.04.105, 6.04.120, 6.04.140, 6.04.150, 6.04.160, 6.04.170, 6.04.190, and 6.04.200 of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be amended to reflect the name change of the "Animal Control" Department to the "Animal Services" Department in all references contained within these Sections of the Pocatello Municipal Code.

*Section 2:* That Section 6.04.060 "Restraint and Care of Dangerous Animals", of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be hereby amended to read as follows:

**6.04.060 Restraint and Care of Dangerous Animals:**

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G. Dangerous Animal Registry: The owner of any animal found to be dangerous, by a Court of Law, shall within forty-five (45) days of such finding, obtain a dangerous animal registration certificate from the Animal Services Department for a fee, as set forth in the City's annual Fee Resolution adopted by the City Council, in addition to other fees that may be authorized by law. The Animal Services Department shall also provide the owner with a uniformly designed tag that identifies the animal as dangerous. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. By January 31 of each year, until such time as the dangerous animal is deceased, all certificates obtained pursuant to this subsection shall be updated and renewed for a fee, as set forth in the City's annual Fee Resolution adopted by the City Council, and in the same manner as the initial certificate was obtained. The Animal Services Department shall post registration information on the City of Pocatello Dangerous Animal Registry.

H. All dangerous animal registration certificates or renewals thereof required to be obtained under this subsection shall only be issued to persons 18 years of age or older who present

satisfactory evidence: (i) of the animal's current rabies vaccination, if applicable; (ii) that the animal has been neutered or spayed; and (iii) that the animal is and will be confined in a proper enclosure or is and will be confined inside the owner's residence or is and will be muzzled and confined in the owner's fenced-in yard until the proper enclosure is constructed. In addition, owners who apply for certificates or renewals thereof under this subsection shall not be issued a certificate or renewal thereof unless they present satisfactory evidence that: (i) their residence is and will continue to be posted with clearly visible signs warning both minors and adults of the presence of a dangerous animal on the property; and (ii) the animal has been permanently identified by means of a registered microchip implantation.

G. I. Cash Bond Required:

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*Section 3:* That a new section 6.04.155 titled "*Individual Cat Licensing Required*", be enacted to the Revised and Compiled Ordinances of the City of Pocatello, 1983, and be read as follows:

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**6.04.155 Individual Cat Licensing Required:**

- A. The owner or custodian of any cat which has reached the age of three (3) months must buy a cat license and renew it annually from the Animal Services Department or other duly authorized entity, provided, however, that the owner or manager of any commercial kennel or pet shop offering cats for sale may so buy and renew a "commercial animal establishment license" which shall cover all the cats under his/her care which are offered for sale.
- B. The owner/custodian shall be responsible for providing proof of a registered microchip which can be used for the purpose of a city tag. Microchips can be purchased at Animal Services, veterinarian clinics, or at microchip clinics.
- C. All such licenses shall be valid for a period of one year from June 1 to May 31 of the following year. It shall be the responsibility of the owner, or custodian in the absence of the owner, of each and every cat to obtain a new license annually.
- D. The Animal Services Department shall keep a record of all licenses issued under the terms of this Chapter, showing the name, address, and phone number of each owner or custodian, the number of the license, the name, sex, breed, age and color of each animal, the date issued, and the amount paid.

E. The owner or custodian (or parent or guardian if the owner/custodian is a minor) of any animal found to be within the City and found to be not licensed may be issued a notice of violation and assessed the fee per occurrence as set by Annual Fee Resolution adopted by the City Council, to be paid at the Animal Services Department. The notice and fee shall be independent of any Idaho uniform citation which may be issued.

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*Section 4:* That all other Sections of Title 6, Chapter 4 “*Animal Services*” shall remain in full force and effect.

BE IT FURTHER ORDAINED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

PASSED AND APPROVED this 1<sup>st</sup> day of September, 2016.

CITY OF POCA TELLO, a municipal  
corporation of Idaho

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BRIAN C. BLAD, Mayor

ATTEST:

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RUTH E. WHITWORTH, City Clerk