CITY OF POCATELLO
REGULAR CITY COUNCIL MEETING
March 21, 2019 · 6:00 PM
Council Chambers | 911 North 7th Avenue

Any citizen who wishes to address the Council shall first be recognized by the Mayor, and shall then give his/her name and address for the record. If a citizen wishes to read documentation of any sort to the Council, he/she shall first seek permission from the Mayor. A three (3) minute time limitation is requested for Council presentations.

City Hall is accessible to persons with disabilities. Program access accommodations can be provided with three (3) days’ advance notice by contacting Skyler Beebe at sbeebe@pocatello.us; 208.234.6248 or 5815 South 5th Avenue, Pocatello, Idaho.

The purpose of the agenda is to assist the Council and interested citizens in the conduct of this public meeting. Citizens should examine the agenda for the item of their interest. However, citizens are advised that only Public Hearings allow for public comment during the discussion/consideration process.

Citizens have an opportunity to be heard by the Council if the item meets the criteria as described in the agenda item called "DISCUSSION ITEMS." You must sign in at the start of the meeting to be recognized.

RECESS: In the event the meeting is still in progress at 7:30 p.m., the Mayor may call a ten-minute recess to allow Council members and participants a brief rest period.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE
2. INVOCATION
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. (ACTION ITEM)

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the March 7, 2019 Executive Session.

(b) TREASURER’S REPORT: Council may wish to consider the Treasurer’s Report for February showing cash and investments as of February 28, 2019.

(c) SISTER CITIES COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor’s appointment of Kent Hobbs to serve as a member of the African Sister Cities Subcommittee, filling a long-term vacancy. Mr. Hobbs’ term will begin March 22, 2019 and will expire March 22, 2023.

(d) ANNUAL GRANT APPLICATION—ARBOR DAY TREE PLANTING: Council may wish to approve a grant application and authorize the Mayor to sign documents related to the grant, if awarded, from Idaho Nursery and Landscape Association in the amount of $300.00. This is an annual grant and will include the purchase and planting of 1 to 2 trees on City property in association with Arbor Day events. Matching funds of (25%) is available in the Parks Department and will be in the form of in-kind services including: a) planning; b) purchase and installation of the trees; and c) celebrating Arbor Day during the Environmental Fair.

(e) APPOINTMENT OF ENVIRONMENTAL REVIEW OFFICER—HUD: Council may wish to designate Janae Mitchell, Community Development Block Grant Program Coordinator, as the City’s Environmental Review Officer. This designation is for the purpose of reviewing and approving environmental assessments for projects being funded by the U.S. Department of Housing and Urban Development (HUD) within Pocatello city limits.

(f) COUNCIL DECISION—UPHOLDING THE HEARING EXAMINER’S DECISION REGARDING A CONDITIONAL USE PERMIT FOR 209 EAST LEWIS: Council may wish to adopt its decision denying the Motion for Reconsideration by Gypsy Holdings, LLC and Hanson Janitorial Supply, Inc. regarding Council’s approval of its prior decision affirming the Hearing Examiner’s approval of a conditional use permit for 209 East Lewis Street. Council voted to uphold its prior decision affirming their decision to allow transitional housing and administrative offices as submitted by Idaho Housing & Finance Association on behalf of Aid for Friends, Inc., in the existing building at 209 East Lewis Street, subject to conditions.

(g) COUNCIL DECISION—STRATTON ESTATES DIVISION ONE FINAL PLAT: Council may wish to approve the Final Plat for Stratten Estates Division One, which subdivides approximately 3.06 acres
of land into sixteen (16) lots, fourteen (14) to accommodate seven (7) townhouse structures and two (2) dedicated to storm water retention, subject to conditions. The property is located near the easterly extension of Troy Lane.

Documents:

AGENDA-ITEM-3.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. FINAL PLAT—THE CROSSINGS DIVISION 2

Ken Pape of Portneuf Development (mailing address: 4990 Valenty Road, Suite H, Chubbuck, ID 83202), represented by Chris Adams of Creek Hollow and Associates, Inc., (mailing address: 611 Wilson Avenue, Suite 1A, Pocatello, ID 83201), has submitted a final plat application to subdivide 36.44 acres (more or less) into 15 lots. The proposed subdivision is located east of Interstate 15 and north of Chubbuck Road and is to be called The Crossings Division 2. (ACTION ITEM)

At their meeting on February 13, 2019, the Planning and Zoning Commission recommended approval with conditions.

Documents:

AGENDA-ITEM-6.PDF

7. SHORT PLAT—SUTHERLAND SUBDIVISION

Victor Sutherland, represented by Peterson Land Surveying (mailing address: 5234 Thunder Drive, Idaho Falls, ID 83406) has submitted a short plat application to subdivide 0.293 acres (more or less) into three (3) lots in a Commercial General zoning district. The proposed subdivision is located at South 5th Avenue and East Sutter Street and is to be called Sutherland Subdivision. (ACTION ITEM)

Documents:

AGENDA-ITEM-7.PDF

8. SOLE SOURCE DECLARATION OF LATEX EMULSION PURCHASE—STREET OPERATIONS

Council may wish to accept the recommendations of Street Operations staff and approve the purchase of GSB-88 2:1 Emulsion sealing oil from Asphalt Systems, Inc. to be a valid sole source expenditure for the City’s
2019 Summer Paving Program and authorize the Mayor to sign documents related to the purchase. The product is a trademarked material that no other company makes and therefore, it is impractical/impossible to obtain three bids. The amount requested is 101 tons for a total purchase price of $86,880.00 (F.O.B. Salt Lake City, Utah). (ACTION ITEM)

Documents:

AGENDA-ITEM-8.PDF

9. MICRO SURFACING BID—STREET OPERATIONS

Council may wish to accept the recommendations of staff and award the procurement bid for Type III Fiberized Micro Surfacing Services to Valley Slurry Seal in the amount of $610,500.00 for the Street Operation’s 2019 Pavement Maintenance Program, subject to Legal Department review. (ACTION ITEM)

Funds are available in the Street Operation’s Fiscal Year 2019 budget.

Documents:

AGENDA-ITEM-9.PDF

10. SAVAGETRIBE, LLC PROFESSIONAL SERVICE AGREEMENT—PUBLIC WORKS

Council may wish to approve and authorize the Mayor to sign an annual Professional Services Agreement with SavageTribe, LLC, subject to Legal Department review. The agreement will begin April 1, 2019 to provide technical support for the City’s GIS system.

The support services will be provided at the off-site rate of $125.00 per hour, with a $2,000.00 per year mobilization fee. The cost for services will be split among the Public Works Departments and is available in their Fiscal Year 2019 budgets. (ACTION ITEM)

Documents:

AGENDA-ITEM-10.PDF

11. ORDINANCES

The Council has the following options for reading ordinances. If the Council makes no motion, the ordinance will be read on three (3) different days, two (2) readings of which may be by title only and one (1) reading of which shall be in full and placed on final passage for publication. (ACTION ITEM)

EXAMPLE MOTIONS:

Option 1: 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.”

Option 2: FOR THREE SEPARATE READINGS: "I move the ordinance, Agenda Item #__, be read on three separate days. First and second readings will be by title and in full on the third reading. The ordinance shall then be placed on final passage for publication, and only the ordinance summary sheet be submitted for publication.”

Before the ordinance can be read under Option 1, the Council must pass said motion by a vote of one-half plus one (4) of the full Council.

An ordinance ready for reading.

11. An Ordinance vacating the public utility easement located between Ruby Street and Pocatello Creek Road near Interstate 15. Said vacation was approved by Council Decision dated March 7, 2019 and all conditions contained therein have been met. (ACTION ITEM)

Documents:

AGENDA-ITEM-11.PDF

12. 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.)

13. ADJOURN

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
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.
CITY OF POCATELLO, IDAHO
CITY COUNCIL EXECUTIVE SESSION
MARCH 7, 2019

An Executive Session of the City Council was called to order by Mayor Brian Blad at 3:23 p.m. in the Paradise Conference Room at City Hall. Council members present were Heidi Adamson, Roger Bray, Rick Cheatum, Jim Johnston, Linda Leeuwrik and Beena Mannan.

A motion was made by Mr. Johnston, seconded by Ms. Adamson, to convene into Executive Session in accordance with Idaho Code Section 74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member of individual agent or public school student. Upon roll call, those voting in favor were Johnston, Adamson, Bray, Cheatum, Leeuwrik and Mannan.

In addition to the Mayor and Council members, the following staff members were in attendance: Konni Kendell, Deputy City Clerk; Jared Johnson, City Attorney; Kirk Bybee, Chief Civil Deputy Attorney; Anne Nichols, Administrative Services Manager; and Heather Buchanan, Human Resources Director.

Council discussed topics within the parameters of the above statute.

Mayor Blad adjourned the Executive Session at 3:41 p.m.

APPROVED:

PREPARED BY AND ATTEST:

BRIAN C. BLAD, MAYOR

KONNI R. KENDELL, DEPUTY CITY CLERK
MEMORANDUM

TO: Brian C. Blad, Mayor; Members of the City Council
FROM: Rich Diehl, Deputy City Attorney
RE: Idaho Nursery & Landscape Grant for Arbor Day 2019 (Science and Enviro.)
DATE: March 12, 2019

I have reviewed the above-referenced grant and it meets with my approval for the Mayor’s signature once the Council has authorized the application and acceptance of the grant. There is a local match of twenty-five per cent (25%), which will be in the form of in-kind staff time and equipment.

If you have any questions, please feel free to contact me.
EXECUTIVE SUMMARY

TO: Mayor and Council

CC: Hannah Sanger, Science & Environment Administrator, Jeff Mansfield, Public Works Director/City Engineer, and Brett Hewatt, Parks Superintendent

FROM: Jenna Dohman, Science & Environment Division Environmental Technician

RE: Idaho Nursery & Landscape Association Grant Submission for Arbor Day tree planting

DATE: March 8, 2019

Council may wish to approve a grant application and authorize the Mayor to sign documents related to the grant, if awarded, for a grant from the Idaho Nursery & Landscape Association in the amount of $300 in grant funds. Similar to last year, these funds will be used to purchase trees to plant in association with Arbor Day.

A 25% match is required which will be provided with in-kind services from the Parks Department for tree planting.

City staff from the Science and Environment Division are seeking City Council support regarding an Idaho Nursery & Landscape Association grant application for planting 1-2 trees on City property as part of the "Planting Idaho" program. This program will help our community celebrate Arbor Day by planting appropriate trees for energy conservation and fostering a relationship between the community of Pocatello and their environment. This will be done in conjunction with celebrations at the Environmental Fair.

Matching funds (25%) will come from the Parks Department in the form of in-kind services including staff time and equipment for planning, purchase and installation of the trees, and celebrating Arbor Day during the Environmental Fair.

Staff recommends that Council approve the grant submission and Mayor's signature if awarded.
# 2019 Arbor Day Grant Program

**"PLANTING IDAHO"**

## Application Form

<table>
<thead>
<tr>
<th>Community Applying</th>
<th>City of Pocatello</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Person</td>
<td>Jenna Dohman</td>
</tr>
<tr>
<td>Position</td>
<td>Environmental Technician</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>911 N 7th Ave</td>
</tr>
<tr>
<td>City</td>
<td>Pocatello</td>
</tr>
<tr>
<td>State</td>
<td>ID 83201</td>
</tr>
<tr>
<td>Zip</td>
<td>83201</td>
</tr>
<tr>
<td>Phone</td>
<td>208.234.6519</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:jdoehman@pocatello.us">jdoehman@pocatello.us</a></td>
</tr>
</tbody>
</table>

1. **1. When is your community planning to celebrate Arbor Day?**

   **Saturday, April 20th, 2019**

2. **2. Arbor Day Event:**
   
   Describe the Arbor Day Celebration your community is planning and how this grant will help your community’s celebration.

   The City of Pocatello will be sponsoring the Portneuf Valley Environmental Fair to promote City and community activities related to protecting and improving our local environment. This grant would provide funds to include a tree planting of 1-2 trees as part of the event.

3. **3. Have you considered overhead utilities when selecting tree species for this site?**

   | Yes ☐ | No ☐ |

**Authorized Signature:**

I certify the celebration described in this application is approved and supported by my city government.

---

**Date**

**Authorized Signature**

---

**Title**

---

**Return to:**

Idaho Nursery and Landscape Association
P. O. Box 2065, Idaho Falls, Idaho 83403

**OR fax/email to:**

208-529-0832  abates@inlagrow.org

**Questions?**

Ann Bates: 208-681-4769
Website: inlagrow.org

**Note:** Applications may be returned by mail, fax or email, but must be received in the INLA office no later than March 22, 2019. All applicants will be notified the week of March 25, 2019.
CITY COUNCIL DECISION
MOTION FOR RECONSIDERATION OF COUNCIL DECISION

APPELLANT: Gypsy Holdings, LLC and Hanson Janitorial Supply, Inc., represented by Racine Olson, PLLP

LOCATION OF SUBJECT PROPERTY: 209 East Lewis Street, Pocatello, ID 83201

LEGAL DESCRIPTION: Lots 11 through 20, Block 371, Pocatello Townsite, Bannock County, Idaho

TYPE OF REQUEST: Motion for Reconsideration of City Council’s decision denying the appeal of the Hearing Examiner’s approval of a request for a conditional use permit to allow transitional housing and administrative offices in the existing building at 209 East Lewis Street, subject to conditions.

On February 7, 2019, a public hearing was held on Appellant’s appeal of the Hearing Examiner’s approval of a Conditional Use Permit for Idaho Housing and Finance Association to allow transitional housing and administrative offices at 209 East Lewis Street. At said hearing, City Council denied the appeal and affirmed the Hearing Examiner’s approval of the conditional use permit, subject to conditions.

On February 13, 2019, a Motion for Reconsideration of that City Council decision was received from Racine Olson, PLLP on behalf of Appellant.

CITY COUNCIL DECISION

On March 7, 2019, City Council considered the Motion for Reconsideration and voted unanimously to uphold its previous decision denying the appeal and affirming the Hearing Examiner’s approval of the conditional use permit to allow transitional housing and administrative offices in the existing building at 209 East Lewis Street, subject to conditions.

DATED this _____ day of March, 2019.

APPROVED AS TO FORM AND CONTENT

CITY OF POCATELLO, a municipal corporation of Idaho

JARED JOHNSON, City Attorney

BRIAN C. BLAD, Mayor
ATTEST:

RUTH E. WHITWORTH, City Clerk

STATE OF IDAHO

County of Bannock

On this _____ day of March, 2019, before me, the undersigned, a Notary Public for the State, personally appeared Brian C. Blad and Ruth W. Whitworth, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal, the date and year in this certificate first above written.

NOTARY PUBLIC FOR IDAHO
Residing in: __________________________
My commission expires: ________________
CITY COUNCIL DECISION
FINAL PLAT APPROVAL
STRATTON ESTATES DIVISION 1

Homes West, Inc., as Developer and Owner, and represented by Rocky Mountain Engineering and Surveying, submitted a request to subdivide approximately 3.06 acres into sixteen (16) lots, fourteen (14) to accommodate seven (7) townhouse structures and two (2) dedicated to storm water retention. The property is located within a Residential Medium Density Single-Family (RMS) zoning district and is more particularly described as TR NE1/4NE1/4 Tax 201, 209, Section 16, Township 6 South, Range 34 EBM, Bannock County, Idaho. The lots will be accessed from an eastward extension of Troy Lane.

This matter came before City Council at its regularly scheduled meeting on March 7, 2019, whereat the City Council approved the plat for Stratten Estates Division 1 and authorized City staff to sign the plat, subject to the following conditions:

1. All conditions on the Final Plat Subdivision Application Staff Report attached hereto as Exhibit “A”, and incorporated herein, shall be met.

2. All conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated, February 22, 2019, attached hereto and incorporated herein, as Exhibit “1” to Exhibit A shall be met.

3. All other standards and conditions of Municipal Code not herein stated but applicable to residential development shall apply.

4. A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to or a subdivision surety bond and warranty bond is obtained as outlined in City Code 16.24.110, prior to recording.

Notice is hereby given that applicant has the right to challenge this Decision and request a regulatory taking analysis pursuant to Idaho Code Section 67-8003 within 28 days after this Decision.

DATED this ___ day of March, 2019.

APPROVED AS TO FORM AND CONTENT

JARED JOHNSON, City Attorney

CITY OF POCATELLO, a municipal corporation of Idaho

BRIAN C. BLAD, Mayor
ATTEST:

RUTH E. WHITWORTH, City Clerk

STATE OF IDAHO

County of Bannock

On this day of March, 2019, before me, the undersigned, a Notary Public for the State, personally appeared Brian C. Blad and Ruth E. Whitworth, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

(SEAL)

NOTARY PUBLIC FOR IDAHO
Residing in: __________________________
My commission expires: __________________________
FINAL PLAT SUBDIVISION APPLICATION  
MEETING March 7, 2019  
STAFF REPORT

SUBDIVISION: Stratten Estates Division 1  
APPLICANT/OWNER: Homes West Inc. – Derek Leslie  
SURVEYOR/ENGINEER: Rocky Mountain Engineering & Surveying  
LOCATION: Easterly Extension of Troy Lane  
ZONING: Residential Medium Density Single-Family (RMS)  
LOTS/UNITS: Sixteen (16) lots / 7 2-unit townhouse structures & 2 lots for stormwater retention  
STAFF: Carl Anderson, Senior Planner

FILE # 19-305

RECOMMENDATION & CONDITIONS:  
Staff finds that the proposal is in substantial conformance with the preliminary plat and is compliant with all applicable standards of City Code 16.24, assuming compliance with the conditions of approval. The Planning & Zoning Commission reviewed the preliminary plat at their regularly scheduled meeting held on September 26, 2018, at which time the Commission recommended approval of the preliminary plat application with conditions.

Should the Council wish to approve the final plat application for the Stratten Estates Division 1, staff recommends the following conditions:

1. All conditions submitted by Public Works Department representatives as noted in EXHIBIT 1 shall be adhered to;
2. All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply; and
3. A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to, or a subdivision surety bond and warranty bond is obtained as outlined in City Code 16.24.110, prior to recording.

GENERAL BACKGROUND REQUEST: The request is for final plat approval for Stratten Estates Division 1. The proposal calls for the platting of 3.06 acres (more or less) into sixteen (16) lots, fourteen (14) to accommodate 7 townhouse structures, and two (2) dedicated to stormwater retention. The proposed subdivision is located at the east end of Troy Lane. The final plat application was submitted by Derek Leslie of Homes West Inc. and represented by Rocky Mountain Engineering and Surveying (RMES).

DENSITY & LOT DESIGN: The proposed subdivision encompasses 3.06 acres (more or less) and is zoned Residential Medium Density Single-Family (RMS). The applicant is proposing to subdivide the property into fourteen (14) townhome lots comprised of seven (7) two-unit townhouses and two (2) lots dedicated to stormwater retention. The RMS zoning district requires a minimum lot size of 4,000 sq. ft. per townhouse dwelling unit and the smallest lot proposed is 5,662.8 sq. ft. (0.13 acres). If the subdivision were developed to support single-family dwelling units the minimum lot size required would be 5,000 sq. ft. per dwelling unit.

RIGHT-OF-WAY IMPROVEMENTS: Access to Stratten Estates Division 1 will be provided from the eastward extension of Troy Lane. Troy Lane is proposed to extend 408.09 feet and terminate in a temporary turnaround. The proposed subdivision provides a continuation of a connected transportation system as it connects to Troy Lane, which is abutting. A traffic impact study was not required at the time of preliminary plat as determined by the Public Works Department per
City Code 16.20.050.E. As a condition of the preliminary plat application, developments of one or two-family dwellings where the number of dwelling units exceed 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3, unless exceptions per section D107.1 can be met and Fire Chief grants exceptions. See Exhibit 1 (Attachment B) from the Public Works Department for further comments/conditions regarding the proposed right-of-way improvements.

WATER, SEWER, & STORMWATER: All infrastructure improvements such as water and sewer will be provided meeting all standards as set forth by the Public Works Department. The applicant proposes that the stormwater generated by Blocks 1 and 2 will be detained in the stormwater retention ponds located at the west most portions of Blocks 1 and 2. All development of the lots must comply with City Erosion and Sediment Control and Stormwater management requirements. See Exhibit 1 (Attachment B) from the Public Works Department for additional comments/conditions.

UTILITY PROVIDER & CITY DEPARTMENT NOTICE: Utility providers and affected City Departments were provided notice on 02/08/19. Intermountain Gas indicated that installation of a new main may be required and charges could apply. No additional utility provider comments/conditions were received. City staff comments/conditions are contained in Exhibit 1 (Attachment B).

PRIVATE COVENANTS, RESTRICTIONS & CONDITIONS: Recorded Owner's Covenants, Conditions and Restrictions (CC &R's) for the subdivision, if any, must be submitted after the recording of the final plat.

COMPREHENSIVE PLAN:
The Comprehensive Plan Map designates the area Residential. Staff finds the following goals, objectives and policies from the Comprehensive Plan to be applicable to this application:

**Housing Goal 1:** Encourage development of a wide variety of high-quality housing opportunities that are safe, sanitary, attractive and affordable.

**Objective 1.1:** Encourage development of housing affordable for households of all income levels throughout the community.

ATTACHMENTS:
A. Application & final Plat
B. Exhibit 1
C. Aerial
Exhibit 1

Memorandum

To: Carl Anderson, Senior Planner  
From: Merril Quayle PE, Public Works/Development Engineer  
                         Jacob Murphy, Engineer Technician

Date: 02/22/19  
Re: Stratten Estates – City Council Final Plat (03/07/2019)

The Public Works Departments have reviewed the final plat/construction drawings application for the above mentioned project and submits that the following changes and items shall be addressed and approved prior to beginning construction. Approval is contingent on the completeness, accuracy, serviceability, and compliance to City Standards.

1. Plat
   A. Prior to recording the Plat a more inclusive and comprehensive review shall be done, coordinate all plat correction through City Surveyor.
   B. Subdivision plat shall conform to all state and local laws and ordinances.
   C. Notes on the plat shall be approved by the City of Pocatello Engineering and Legal Department prior to recording.
   D. The City of Pocatello certificate to read: The plat on which this certificate appears is hereby approved and the dedications are hereby accepted by the City of Pocatello...
   E. Submit any CCR’s associated with this plat to the City after recording.
   F. Provide adjoining property owners recorded deeds, a copy of all recorded easements and document(s) which grants the signatory to sign the plat on the behalf of the owner(s) to the City Surveyor for final review.
   G. The plat shall be reproducible on an 8.5x11 sheet of paper per Bannock County instructions.
   H. The plat shall be black opaque ink, no gray scale or color.

2. Construction Plans/Infrastructure
   A. Remove conduit shown running across road between Lot 1 Block 1 and Lot 1 Block 2. If the conduit was intended for irrigation, then other methods should be used.
   B. Install a water valve at the beginning of the project if there is not a valve at the intersection of Troy Lane and Northern Lights.
   C. Sidewalk in common areas shall be installed prior to acceptance of subdivision.
   D. Sidewalk scuppers shall meet City of Pocatello Standards see PSD-626 for detail.
   E. Asphalt patch on Troy Lane shall run curb to curb for the full extent of the patch, and shall meet city standards.
   F. Sanitary sewer pipe material shall be PVC.
   G. Call out 6” valves to be installed on fire hydrant laterals.
H. A right-of-way permit shall be obtained for work in the City of Pocatello right-of-way.

3. Development Conditions

A. Filing of a notice of intent (NOI) and a formal Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Environmental Protection Agency (EPA) Construction General Permit (CGP) shall be submitted if the project requires, if required then a copy shall

B. An erosion and sediment control plan and a final stabilization plan will be required as part of the final plat application. An individual who has successfully completed an approved training course and who has demonstrated competence, through education, training, and knowledge of the applicable laws and regulations in erosion and sediment, and is current on certifications shall be required to be the responsible person to oversee the plan (if certified person is unknown indicate that information will be submitted prior to any work to the site). Submittal shall meet the requirements of the federal construction general permit.

C. Stormwater design and construction shall meet the core elements in the Portneuf Valley Stormwater Design Manual such as but not limited to, on site retention of the 95% storm, treatment Design (volume, flow, and bypass), site passage of upland flow and site runoff, Operation and Maintenance Manual, access to pond and structures.

D. Pond side slopes and embankments shall be designed and constructed per Section 6.4.6 SETBACKS, SLOPES, EMBANKMENTS & SPILLWAYS, embankments 4 feet in height or more shall be constructed as recommended by a Geotechnical Engineer.

E. Provide access to all structures in ponds for maintenance.

F. As-Built Drawings shall be submitted on Arch D (24” x 36”).

G. A “will serve” letter from each serving utilities is required to be submitted to the City.

H. Utility and street light approval is required by the City.

I. Provide a copy of the bid schedule of the infrastructure for the City’s year end reporting.

J. Per Section 500.04.16, City of Pocatello Design Principles and standards, a pavement preservation technique “Fog Seal” of streets shall be required prior to the two (2) year warranty period on all newly accepted streets. The developer will also be responsible to muck out any ponds constructed with the development as well as clean all storm water infrastructure prior to the two (2) year warranty period.
FINAL PLAT SUBDIVISION APPLICATION
MEETING March 21, 2019
STAFF REPORT

SUBDIVISION: The Crossings Division No. 2
APPLICANT/OWNER: Portneuf Development LLC - Ken Pape
SURVEYOR/ENGINEER: Creek Hollow & Associates, Inc. – Chris Adams
LOCATION: East of I-15 & North of Chubbuck Road
ZONING: Residential Commercial Professional (RCP)
LOTS/UNITS: Fifteen (15) lots
STAFF: Carl Anderson, Senior Planner

RECOMMENDATION & CONDITIONS:
Staff finds that the proposal is in substantial conformance with the preliminary plat and is compliant with all applicable standards of City Code 16.24, assuming compliance with the conditions of approval. The Planning & Zoning Commission reviewed the preliminary plat at their regularly scheduled meeting held on February 13, 2019, at which time the Commission recommended approval of the preliminary plat application with conditions.

Should the Council wish to approve the final plat application for The Crossings Division No. 2, staff recommends the following conditions:

1. All comments contained in the Public Works Memorandum, dated March 12, 2019, shall be adhered to;
2. All other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply;
3. An updated slope analysis shall be submitted to the City, prior to acceptance of the construction plans and prior to any construction of this development in order to ensure that all standards of Pocatello Municipal Code 17.05.100 Slope Development standards have been met;
4. A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to, or a subdivision surety bond and warranty bond is obtained as outlined in City Code 16.24.110, prior to recording; and
5. As proposed, the applicant or the associated homeowner shall be responsible for the upkeep and maintenance of all easements designating open space shown on the preliminary plat unless otherwise approved by the Pocatello City Council.

GENERAL BACKGROUND
REQUEST: The request is for final plat approval of The Crossings Division No. 2. The proposal calls for the platting of 36.44 acres (more or less) into fifteen (15) lots. The proposed subdivision is located east of I-15 and north of Chubbuck Road and was annexed into the City of Pocatello as part of the Northgate Annexation. The final plat application was submitted by Ken Pape of Portneuf Development, LLC and represented by Chris Adams of Creek Hollow & Associates, Inc.

DENSITY & LOT DESIGN: The applicant submitted a preliminary plat that included Divisions 2 & 3 of the Crossings Subdivision, totaling 64.99 acres (more or less). The current proposal includes only Division 2 and encompasses 36.44 acres (more or less) and is zoned Residential Commercial Professional (RCP). The applicant is proposing to subdivide the property into fifteen (15) mixed-use lots and three (3) non-buildable lots. For all residential uses within the RCP zoning district, the development standards of the Residential High (RH) Density zoning district apply. Commercial Development
in the RCP zoning district does not require a minimum lot size, however, all applicable development standards will apply.

**SLOPE DEVELOPMENT STANDARDS:** The topographical slope for portions of The Crossings Division No. 2, specifically Lots 4-11 and Lot 14, Block 5, exceed 15% and are therefore subject to the slope development standards (17.05.100). The applicant met with Planning and Public Works staff to determine the applicability of the provisions of Chapter 17.05.100, the need for specific geologic or other studies, and identified the applicable review process. In order to ensure that these standards are met, an updated slope analysis shall be submitted to the City, prior to acceptance of the construction plans and prior to any construction of this development. Per City Code 17.05.140.A.5 all building permit applications for structures on such lots shall be accompanied by a geotechnical assessment. Additionally, Public Works staff has determined that if any of the criteria is met in section 800 Geotechnical and Earthwork of the City of Pocatello Design Principles and Standards on any one proposed lot, then this development shall follow all requirements outlined (Exhibit 1). All standards of 17.05.140, Site and Building Development Guidelines shall be met at the time of building permit submittal.

**RIGHT-OF-WAY IMPROVEMENTS:** Access to The Crossings Division No. 2 will be provided from Chubbuck Road to the south, the future construction of the northward extension of Fairgrounds Road and the westward extension of Hartford Drive. The proposed subdivision provides a continuation of a connected transportation system as it connects to Chubbuck Road, which is abutting. A traffic impact study is required as determined by the Public Works Department per City Code 16.20.050.E and as a condition of the Public Works Memorandum (2.E.3.) See Attachment B from the Public Works Department for further comments/conditions regarding the proposed right-of-way improvements.

**WATER, SEWER, & STORMWATER:** All Infrastructure improvements such as water and sewer will be provided meeting all standards as set forth by the Public Works Department. Lot 15, Block 5, shall be dedicated to the City of Pocatello for access and maintenance of a public stormwater detention/retention pond as well as a public pathway. Said lot is covered in its entirety by a public utility, access and stormwater easement (see Attachment B). All other stormwater will be contained on individual lots as part of future development. All development of the lots must comply with Portneuf Valley Storm Water Design Manual requirements. See Attachment B from the Public Works Department for additional comments/conditions.

**UTILITY PROVIDER & CITY DEPARTMENT NOTICE:** Utility providers and affected City Departments were provided notice on 02/20/19. No comment was received at the time of final plat application, however, one written comment was received from the Department of Fish and Game at time of preliminary plat (Attachment C). No additional utility provider comments were received. As recommended by the Department of Fish and Game at the time of preliminary plat application, staff encourages that the applicant notify future property owners of the nearby shooting range and activities therein, in order to avoid future conflict. City staff comments/conditions are contained in the Public Works Memorandum (Attachment B).

**PRIVATE COVENANTS, RESTRICTIONS & CONDITIONS:** Recorded Owner’s Covenants, Conditions and Restrictions (CC &R’s) for the subdivision, if any, must be submitted after the recording of the final plat.

**COMPREHENSIVE PLAN:**
The Comprehensive Plan Land Use Map designates the area Mixed-Use. The following goals, objectives and policies from the Comprehensive Plan to be applicable to this application:

*Economic Development Policy under Objective 3.2: Encourage mixed-use commercial, professional and residential developments to serve as transition areas between residential neighborhoods and commercial or industrial uses.*

*Housing Goal 1: Encourage development of a wide variety of high-quality housing opportunities that are safe, sanitary, attractive and affordable.*

*Objective 1.1: Encourage development of housing affordable for households of all income levels throughout the community.*

**ATTACHMENTS:**
- A. Application & final Plat
- B. Public Works Memorandum
- C. Fish and Game letter
- D. Aerial
Filing Fee: Planning Review $250 + Survey Accuracy Review $250 + Public Improvements Plan Review $200 + (15 lots x $25 = $375) = Total Due $1375. (Add all the yellow highlighted amounts to get the total due amount).

Applicant:
Name: KEN PAPE PORTWELF DEVELOPMENT
Mailing address: 4990 VALENTY RD, SUITE H
City, State, Zip: CHUBBUCK, ID, 83202
Phone: 208-243-1977
Email: kenpape.pd@gmail.com

Project Information:
Zoning: RCP
Comprehensive Plan Designation: MIXED USE
Legal Description & Deed Instrument Number: 21706686-93
Location (Section, Township, Range): SE 1/4 SEC 2 & SW 1/4 SEC 1, TGS, R 34E
General Location: EAST OF I 15 & NORTH OF CHUBBUCK RD
Total Acreage: 38.44
Total Number of Lots: 15

Proposed Subdivision Name: THE CROSSINGS DIVISION NO 2

TERMS AND CONDITIONS

Approval of this application does not permit the violation of any section of the Building Code or other Municipal Codes.

This application shall not be considered complete, nor will City Council meeting date be scheduled, until all required information has been submitted and verified by City staff.

If the applicant is not the legal owner of record of the property, then proper authorization from the owner must be submitted with the application.

A copy of the current recorded deed for the property must be submitted with the application.

For Short Plats that require construction drawings for infrastructure improvements, additional City Engineering review and Inspections fees will be required in conjunction with the submittal of required construction drawings.

I hereby acknowledge that I have read this application and state that the above information is correct and agree to the above terms and conditions.

Signature of Applicant: [Signature]
Date: 2/15/19
ATTACHMENT B
Memorandum

To: Carl Anderson, Senior Planner

From: Merrill Quayle PE, Public Works/Development Engineer
Jeremy Manska, Sr. Engineer Technician

Date: March 12, 2019

Re: The Crossings – Division 2 – City Council Final Plat (03-21-19)

The Public Works Departments have reviewed the final plat/construction drawings application for the above mentioned project and submits that the following changes and items shall be addressed and approved prior to beginning construction. Approval is contingent on the completeness, accuracy, serviceability, and compliance to City Standards.

1. Plat
   A. Prior to recording the Plat a more inclusive and comprehensive review shall be done, coordinate all plat correction through City Surveyor.
   B. Subdivision plat shall conform to all state and local laws and ordinances.
   C. Notes on the plat shall be approved by the City of Pocatello Engineering and Legal Department prior to recording.
   D. The City of Pocatello certificate to read: The plat on which this certificate appears is hereby approved and the dedications are hereby accepted by the City of Pocatello...
   E. Submit any CCR’s associated with this plat to the City after recording.
   F. Provide adjoining property owners recorded deeds, a copy of all recorded easements and document(s) which grants the signatory to sign the plat on behalf of the owner(s) to the City Surveyor for final review.
   G. The plat shall be reproducible on an 8.5x11 sheet of paper per Bannock County instructions.
   H. The plat shall be black opaque ink, no gray scale or color
   I. Add a “Rd” restriction on Lot 6, Block 5 dedicating lot to the City of Pocatello and to be utilized for pathway, sewer, and public access.
   J. Add note, Easements not depicted:
      All lots in this subdivision are subject to a drainage easement equal to the primary structure setback line along all lot lines. Lots must be graded and maintained so as to minimize drainage to adjoining properties.

2. Construction Plans/Infrastructure
   A. PP01
      1. Reconfigure relationship between fire hydrants on Chubbuck Rd. and the storm main line. The storm system will interfere with the thrust block required for the fire hydrant.
   B. PP02
      1. Reconfigure relationship between fire hydrants on Chubbuck Rd. and the storm main line. The storm system will interfere with the thrust block required for the fire hydrant.
C. PP05
1. Add a water valve after the fire hydrant at approximate station 14+00.

D. PP10
1. Verify that manhole 6 frame and lid will fall outside of new curb and gutter.
2. Add ADA ramps on the north and south side of the road, connecting the pathway.

E. General
1. Show proposed water system on all profiles at a depth of five (5) feet minimum and six (6) feet maximum. Verify all utility crossings with potable water line have a minimum of eighteen (18) inches of vertical separation.
2. Show ADA ramps at all intersections.
3. To be submitted and accepted by the City, prior to acceptance of the construction plans and prior to any construction of this development commences. This development is subject to all findings and recommendations of the Traffic Impact Study, as required from the Preliminary Plat Application, to be prepared by a licensed traffic engineer and submitted to the City for review. The Traffic Impact Study must include the proposed development (Northgate Districts) to the north. Should the study make recommendations that would require significant reconfiguration of lots and roads, the development would be required to go back to the Planning and Zoning Commissions with a revised preliminary plat and subject to all application fees.

4. Filing of a notice of intent (NOI) and a formal Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Environmental Protection Agency (EPA) Construction General Permit (CGP) shall be submitted if the project requires, if required then a copy shall be submitted to the City.

5. An erosion and sediment control plan and a final stabilization plan will be required as part of the final plat application. An individual who has successfully completed an approved training course and who has demonstrated competence, through education, training, and knowledge of the applicable laws and regulations in erosion and sediment, and is current on certifications shall be required to be the responsible person to oversee the plan (if certified person is unknown indicate that information will be submitted prior to any work to the site). Submittal shall meet the requirements of the federal construction general permit.

6. Stormwater design and construction shall meet the core elements in the Portneuf Valley Stormwater Design Manual such as but not limited to; on site retention of the 95% storm, treatment Design (volume, flow, and bypass), site passage of upland flow and site runoff, Operation and Maintenance Manual, access to pond and structures.

7. Pond side slopes and embankments shall be designed and constructed per Section 6.4.6 SETBACKS, SLOPES, EMBANKMENTS & SPILLWAYS of the Portneuf Valley Stormwater Design Manual, embankments 4 feet in height or more shall be constructed as recommended by a Geotechnical Engineer.

8. If any of the criteria is met in section 800 Geotechnical and Earthwork of the City of Pocatello Design Principles and Standards on any one proposed lot, then this development shall follow all requirements outlined in this section.

9. Provide access to all structures in ponds for maintenance.
10. As-Built Drawings shall be submitted on Arch D (24” x 36”).
11. A “will serve” letter from each serving utilities is required to be submitted to the City.
12. Utility and street light approval is required by the City.
13. Provide a copy of the bid schedule of the infrastructure for the City’s year end reporting.
14. Based on the proposed water use provided by the Developer, the “Wet Water” payment due prior to recording of the plat will be Seventy-Three Thousand Fifty-Seven Dollars and Forty-Two Cents ($73,057.42).
15. Per ordinance 16.24.110: **SUBDIVISION SURETY BOND AND WARRANTY BOND**, a
warranty bond for a minimum of twenty five thousand dollars ($25,000.00) or a maximum of
five percent (5%) of one hundred twenty five percent (125%) of the original cost estimate for
the required infrastructure and improvements, whichever is the greater amount.

16. Per section 500.04.16 Asphalt of the City of Pocatello Public Works Design Principles and
Standards, Pavement preservation technique "Fog Seal" of streets shall be required prior to
the two (2) year warrantee period on all newly accepted streets. Developer can have this
done by a private contractor or have the City perform the work at the Developer's expense
(approximately $0.30 per square yard for materials, 2017 cost). The city will bill the
Developer after the work is completed if the City performs the work.

17. The developer will be responsible to muck out any ponds constructed with the development
as well as clean all storm water infrastructure prior to the two (2) year warrantee period.
January 25, 2019

Terri Neu
City of Pocatello
911 N 7th Avenue
Pocatello, ID 83201

RE: Northgate District and The Crossings Preliminary Plat

Dear Ms. Neu,

The Idaho Department of Fish and Game (Department) has reviewed the document “Northgate District and The Crossings Preliminary Plat” submitted to the Pocatello Utilities Department January 14, 2019. This application proposes the platting of 134.369 acres into 77 lots north of Chubbuck Road and west of Olympus Drive in Pocatello, Idaho.

The purpose of these comments is to assist you by providing technical information addressing potential effects to wildlife, fisheries, and habitats; and how any adverse effects might be avoided, minimized, or mitigated. It is not the intention of the Department to support or oppose the proposed subdivision. Resident species of fish and wildlife are property of all Idaho citizens. The Department and the Idaho Fish and Game Commission are expressly charged with statutory responsibility to preserve, protect, perpetuate and manage all fish and wildlife in Idaho (Idaho Code36-103(a)). In fulfillment of our statutory charge and direction as provided by the Idaho Legislature, we offer the following comments and recommendations.

The proposed property is located approximately 1.6 miles southwest of the Oregon Trail Shooting Range, located at 9999 West 2 1/2 Mile Rd, Pocatello. The shooting range, operated by the Gate City Sport Shooting Association, is the only officially designated outdoor range for sport shooting in the greater Pocatello area and offers a safe, structured environment for these activities. The range receives considerable use by the public, as well as being used for training and mandatory recertification by Idaho Department of Fish and Game, Pocatello Police Department, Chubbuck Police Department, and Bannock County Law Enforcement Officers. The noise associated with the shooting range may be audible from the lots at Northgate District and The Crossings. Any potential impact associated with conflicts between residents and the Oregon Trail Shooting Range is of concern for the Department. The Department recommends homeowners should be made aware of the shooting range and the activities therein prior to purchase.
Thank you for the opportunity to comment. Department staff is available to provide any additional technical input or assistance required. Please contact Becky Abel in the Southeast regional office at (208)232-4703 or becky.abel@idfg.idaho.gov if you have additional questions.

Sincerely,

[Signature]

Dan Garren
Regional Supervisor
SHORT PLAT SUBDIVISION APPLICATION
MEETING MARCH 21, 2019
STAFF REPORT

SUBDIVISION: Sutherland Subdivision
APPLICANT/OWNER: Victor Sutherland
SURVEYOR/ENGINEER: Peterson Land Surveying – Frank W. Peterson
LOCATION: S. 5th Ave. & E. Sutter St.
ZONING: Commercial General (CG) & Original Townsite Overlay (OTO)
LOTS/UNITS: Three (3) Lots

RECOMMENDATION & CONDITIONS:
Staff finds that the proposal is compliant with all applicable standards of Pocatello Municipal Code Sections 16.16 and 16.24, assuming compliance with the following conditions:
1. All comments contained in the Public Works Memorandum, dated March 13, 2019, shall apply;
2. The title shall be amended to identify the proposed subdivision as a replat of Lots 8, 9, and 10 Block 307, Original Townsite of the City of Pocatello;
3. The proposed Lots shall be renumbered to be Lots 1, 2, and 3 Block 1 of the Sutherland Subdivision; and
4. All other standards or conditions of Municipal Code not herein stated but applicable to the subdivision shall apply.

REQUEST: Victor Sutherland, represented by Peterson Land Surveying, has submitted a short plat application requesting to replat Lots 8, 9, and 10 Block 307 of the Original Townsite of the City of Pocatello, located at the corner of S. 5th Ave. and E. Sutter St. into three (3) commercial properties.

DENSITY & LOT DESIGN: The proposed subdivision encompasses 0.293 acres (more or less) and is zoned Commercial General (CG), which does not require a minimum lot size, and within the Original Townsite Overlay (OTO). The buildings on each proposed lot are existing and developed with a residential use. All setbacks are existing with the exception of the new side yard setback separating the buildings facing E. Sutter St. The distance between the two buildings is existing. The new setback will be 4'-9.5" where the requirement is 5' for a residential use in the OTO, and eligible for a minor variance. Additionally, a property line adjustment application (18-2204) was processed and approved in August of 2018, which removed the property line separating proposed lots 23 and 22 (then parcels RPOC196401 and RPOC196400), and moved the property line between proposed Lots 21 and 22 (then Lots 8 and 9). All other bulk and placement standards of Pocatello Municipal code will be met.

STREETS: Access to the proposed subdivision is existing and provided from South 5th Avenue and East Sutter Street.

PRIVATE COVENANTS, RESTRICTIONS & CONDITIONS: Recorded Owner’s Covenants, Conditions and Restrictions (CC &R’s) for the subdivision, if any, must be submitted after the recording of the short plat.

UTILITY PROVIDER & CITY DEPARTMENT NOTICE: Utility providers and affected City Departments were provided notice on 2/22/19, and no comments have been received from utility providers at this time.

ATTACHMENTS:
A. Public Works Memorandum
B. Application & Plat
C. Aerial
ATTACHMENT A
Memorandum

To: Carl Anderson, Senior Planner

From: Merril Quayle PE, Public Works Development Engineer

Date: 3/13/2019

Re: Sutherland Subdivision – City Council Final Plat (3/21/2019)

The Public Works Departments have reviewed the final plat application for the above mentioned project and submits that the following changes and items shall be addressed and approved prior to recording. Approval is contingent on the completeness, accuracy, serviceability, and compliance to City Standards.

1. Plat
   A. Prior to recording the Plat a more inclusive and comprehensive review shall be done, coordinate all plat correction through City Surveyor.
   B. Subdivision plat shall conform to all state and local laws and ordinances.
   C. Notes on the plat shall be approved by the City of Pocatello Engineering and Legal Department prior to recording.
   D. The City of Pocatello certificate to read: The plat on which this certificate appears is hereby approved and the dedications are hereby accepted by the City of Pocatello...
   E. Submit any CCR’s associated with this plat to the City after recording.
   F. Provide adjoining property owners recorded deeds, a copy of all recorded easements and document(s) which grants the signatory to sign the plat on behalf of the owner(s) to the City Surveyor for final review.
   G. The plat shall be reproducible on an 8.5x11 sheet of paper per Bannock County instructions.
   H. The plat shall be black opaque ink, no gray scale or color
   I. Add note, Easements not depicted:
      All lots in this subdivision are subject to a drainage easement equal to the primary structure setback line along all lot lines. Lots must be graded and maintained so as to minimize drainage to adjoining properties.

2. Infrastructure
   A. General
      1. Provide evidence that all structures are on their own sewer and water service lines, such as Closed Circuit Television (CCTV). If it is found that the structures are on the same or a common line, then provide easements and separate sewer and water service lines prior to recording the plat. Separate water per City Code 13.04.080, separate sewer per Idaho State Plumbing Code section 7.13.
      2. Any curb, gutter, or sidewalk found deteriorated or damaged shall be repaired or replaced per City Standards. Guidelines for determination of deteriorated or damaged concrete can be found in City of Pocatello Public Works Design Principles and Standards Appendix B.
ATTACHMENT B
PLANNING & DEVELOPMENT SERVICES
PO Box 4169, 911 NORTH 7 AVENUE
POCATELLO, IDAHO 83205
PHONE (208)234-6194; FAX (208)234-6586

SHORT PLAT APPLICATION

Submittal Received: 2.20.19
City Council Date: 3.21.19
Permit No.: 19-391

Staff Contact: CA
Receipt Date: 
Receipt #: 

P&D Review $350 + ENG Survey $250 + (3 lots x $25) = $750.00 = Total Due $675.00
Planning & Development Review Fee: $350.00
Public Works Survey Review Fee: $250.00 + $25.00/lot

Applicant:
Name: VICTOR SUTHERLAND
Mailing address: 985 N. CAPITOL AVE.
City, State, Zip: IDAHO FALLS, IDAHO 83402
Phone: (208) 421-1191
Email: VICTOR.G@JACOB.COM

Project Information:
Zoning: CG & OTO
Legal Description & Deed Instrument Number:
Location (Section, Township, Range): 12N, 3W, TOWNSHIP 6 SOUTH, RANGE 34 EAST
General Location: S, 5TH AVE. W SUTTER
Total Acreage: 0.293
Total Number of Lots: 3

Proposed Subdivision Name: SUTHERLAND SUBDIVISION
Is this a replat? ☑ Yes ☐ No
Replats of existing subdivision lots require the submittal of a copy of the original subdivision plat with the application.

Engineer/Surveyor:
Firm & Contact: PETERSON LAND SURVEYING
Mailing address: 5234 THUNDER DR
City, State, Zip: IDAHO FALLS, IDAHO 83402
Phone: (208) 313-5033
Email: F.PETERSON.3@HOTMAIL.COM

Comprehensive Plan Designation: Mixed Use

TERMS AND CONDITIONS
Approval of this application does not permit the violation of any section of the Building Code or other Municipal Codes.

This application shall not be considered complete, nor will City staff schedule review/meetings, until all required information has been submitted and verified by City staff.

If the applicant is not the legal owner of record of the property, then proper authorization from the owner must be submitted with the application. A copy of the current recorded deed for the property must be submitted with the application.

For Short Plats that require construction drawings for infrastructure improvements, additional City Engineering review and inspections fees will be required in conjunction with the submittal of required construction drawings.

I hereby acknowledge that I have read this application and state that the above information is correct and agree to the above terms and conditions.

Signature of Applicant: __________________________ Date: 2.20.19

Page 1 of 14
Updated 10/1/16
MEMO

DATE: March 11, 2019
TO: Mayor Brian Blad
FROM: Tom Kirkman, Deputy Public Works Director
SUBJECT: Recommendation for Purchase of GSB-88 2:1 Emulsion

It is my recommendation that the City of Pocatello Street Operations Department be able to purchase GSB-88 (Gilsonite Sealer-Binder Rejuvenator) 2:1 Emulsion from Asphalt Systems Inc. for use in the 2019 pavement maintenance program.

Asphalt Systems Inc. is the only company who makes this product, which is a trademarked material. Since it is a proprietary material and trademarked, it is impractical/impossible to obtain three (3) bids. The quantity requested is 101 tons for a total oil price of $86,880.00 (F.O.B. Salt Lake City, Utah). This price is within the budgeted amount.

The Council may also wish to authorize the Mayor to sign any contract documents necessary for the purchase.
Sealing Agreement #ASIRL-PC030719: City of Pocatello, ID

Updated 3-7-19
By Rick LaBelle
Asphalt Systems, Inc. (ASI)

Attn: Tom Kirkman

Product: GSB-88 2:1 Emulsion
    (Gilsonite Sealer-Binder Rejuvenator)

I. Oil Cost: F.O.B Salt Lake City, UT

* Quantity: 101 tons = approx. 24,000 gallons
* Application Rate: .09 gallons per sq. yd.
* Square Yardage: 267,461 sq. yds.
* Cost Per Gallon: $3.62
* Total Oil Cost: $86,880.00
* = $0.32 per sq. yd.

- Note: A 5% discount will be applied to oil taken by June 30, 2019.

II. Anticipated Job Dates: June & July (4 loads total)

III. Freight Cost

* F.O.B. Salt Lake City, UT

3/7/2019

Rick LaBelle
Sales & Marketing
Asphalt Systems, Inc. (ASI)

Accepted By:

City of Pocatello
March 7, 2019

Attn: Tom Kirkman
City of Pocatello Street Department
Pocatello, Idaho

To whom it may concern,

This letter is to confirm that we manufacture and supply our GSB-88® sealer/binder/rejuvenator emulsion as a Sole Source pavement preservation material. Moreover, GSB-88® is a registered and trademarked product of Asphalt Systems, Inc.*, located in Salt Lake City, Utah.

If you have any further questions or concerns, please do not hesitate to contact myself at 801-972-2757, or you may also contact Rick LaBelle at 208-313-3455 for further assistance.

Sincerely,

Phil Manning – General Manager
Asphalt Systems, Inc.
Salt Lake City, Ut.
MEMORANDUM

TO: Tom Kirkman, Streets Superintendent
FROM: Rich Diehl, Deputy City Attorney
RE: Purchase of GSB-88 1:1 + Latex from Asphalt System, Inc. (Streets Department)
DATE: March 12, 2019

Regarding the declaration of “sole source” purchase from Asphalt System, Inc., (ASI) for the GSB, Idaho Code requires that the City Council make the declaration that we will be going “sole source” on this purchase and then the City needs to publish notice of the sole source procurement in the Idaho State Journal at least fourteen (14) days before awarding the contract. Idaho Code § 67-2808 (2) (a) (v) allows for sole source procurement where there is “no functional equivalent” and since the GSB is a trademarked product, there is no functional equivalent.

For purposes of the Council Meeting on the March 12th, 2019, I would recommend that you ask the Council to declare this a “sole source” purchase (and explain to them why you need to go with sole source regarding the GSB). Once the Council has declared “sole source”, publish as soon as possible so as to be able to close the deal.

I would suggest that you include this memo with the PIAs you submit to the Council. If you have any questions, please feel free to contact me.
MEMO

TO: MAYOR BLAD AND MEMBERS OF CITY COUNCIL

FROM: TOM KIRKMAN, STREET OPERATIONS SUPERINTENDENT

DATE: MARCH 11, 2019

SUBJECT: STREET OPERATIONS TYPE III FIBERIZED MICRO SURFACING SERVICES

On March 6, 2019, proposals were opened Type III Fiberized Micro Surfacing Services. During the course of solicitation, we sent out six (6) Request for Proposal packets. One company submitted a proposal, Valley Slurry Seal (“VSS”). This proposal has been evaluated and received a score of 93/100.

It is my recommendation that Council award the Type III Fiberized Micro Surfacing Services procurement proposal to Valley Slurry Seal (“VSS”) in the amount of $1.85/square yard. The area we intend to cover this year will be approximately 330,000 square yards. If the proposal is accepted, we request authorization for the execution of a contract between the City of Pocatello and Valley Slurry Seal (“VSS”) in the amount of $610,500 for Type III Fiberized Micro Surfacing Services for the Street Operations Department 2019 Pavement Maintenance Program, subject to Legal Department review.

The procurement of these goods and services has been budgeted for in the FY2019 budget.
MEMORANDUM

TO: Tom Kirkman, Streets Superintendent
FROM: Rich Diehl, Deputy City Attorney
RE: Purchase of GSB-88 1:1 + Latex from Asphalt System, Inc. (Streets Department)
DATE: March 12, 2019

Regarding the declaration of “sole source” purchase from Asphalt System, Inc., (ASI) for the GSB, Idaho Code requires that the City Council make the declaration that we will be going “sole source” on this purchase and then the City needs to publish notice of the sole source procurement in the Idaho State Journal at least fourteen (14) days before awarding the contract. Idaho Code § 67-2808 (2) (a) (v) allows for sole source procurement where there is “no functional equivalent” and since the GSB is a trademarked product, there is no functional equivalent.

For purposes of the Council Meeting on the March 12th, 2019, I would recommend that you ask the Council to declare this a “sole source” purchase (and explain to them why you need to go with sole source regarding the GSB). Once the Council has declared “sole source”, publish as soon as possible so as to be able to close the deal.

I would suggest that you include this memo with the PIAs you submit to the Council. If you have any questions, please feel free to contact me.
Sealing Agreement #ASIRL-PC030719: City of Pocatello, ID

Updated 3-7-19
By Rick LaBelle
Asphalt Systems, Inc. (ASI)

Attn: Tom Kirkman

Product: GSB-88 2:1 Emulsion
          (Gilsonite Sealer-Binder Rejuvenator)

I. Oil Cost: F.O.B Salt Lake City, UT

* Quantity: 101 tons = approx. 24,000 gallons

* Application Rate: .09 gallons per sq. yd.

* Square Yardage: 267,461 sq. yds.

* Cost Per Gallon: $3.62

* Total Oil Cost: $86,880.00
* = $0.32 per sq. yd.

- Note: A 5% discount will be applied to oil taken by June 30, 2019.

II. Anticipated Job Dates: June & July (4 loads total)

III. Freight Cost

* F.O.B. Salt Lake City, UT

3/7/2019

Rick LaBelle
Sales & Marketing
Asphalt Systems, Inc. (ASI)

Accepted By:

City of Pocatello
EXECUTIVE SUMMARY

TO: Mayor and Council

FROM: Ryan Howerton, GIS Coordinator

CC: Jeff Mansfield, Public Works Director/City Engineer

RE: Professional Services Agreement – SavageTribe, LLC.

DATE: March 4, 2019

Council may wish to approve and authorize the Mayor to sign an annual Professional Services Agreement with SavageTribe, LLC., subject to Legal Department review. The agreement will begin April 1, 2019 to provide technical support for the City’s GIS system. The support services will be provided at the off-site rate of $125 per hour, with a $2000 per year mobilization fee. The cost of the services will be split among the Public Works Departments and is available in the FY19 budgets.

The City of Pocatello uses Lucity for its asset management system. The City has had an annual agreement with Lucity inc. to provide technical support services for the City’s GIS system since 2007. Luke Savage was employed by Lucity and provided these services for the City. Lucity was recently purchased by Central Squared and Luke Savage has elected to leave Lucity and open his own company, SavageTribe, LLC. Previously the City was paying Lucity $150/hr for technical support services. Luke has offered to provide the same service for $125/hr. These services are necessary to provide technical support services to the various departments throughout the City.

Staff recommends that Council approve the professional services agreement, subject to legal department approval.
PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of ________, 2019, by and between the City of Pocatello, a municipal corporation of Idaho, hereinafter referred to as “City”, and SavageTribe LLC, an Oregon corporation, whose principal place of business is 2260 Devos Street, Eugene, OR 97402, hereinafter referred to as “Consultant.”

WHEREAS, the City has developed and maintains an extensive GIS database and associated programs, including Lucity, AutoDesk, ArcGIS Enterprise, Microsoft Windows Server and SQL Server, for which information and programs are maintained for use as City projects arise during the course of the year; and

WHEREAS, the City requires support and services relating to its GIS and Asset Management system; and

WHEREAS, the Consultant possesses the necessary expertise, technical support and consultation services available in the areas of Lucity (CMMS), Esri and Microsoft to serve the needs of the City;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, THE PARTIES AGREE AS FOLLOWS:

1. **SCOPE OF WORK**: Consultant shall make its best effort to provide the City with support and consultation including but not limited to answering questions and providing solutions that deal with ArcGIS Enterprise, ArcGIS Desktop, Web, Mobile and Application Implementation, Hardware architectural design, Lucity applications, and like products and services. Consultant will provide an internet meeting service for whiteboarding, presentations, and small operational support.

2. **TERM**: The term of this Agreement shall be approximately one (1) year, commencing April 1, 2019 and terminating March 31, 2020.

3. **PAYMENT**: The City agrees to pay $125.00 per hour for remote and onsite services plus material costs, travel expenses incurred by Consultant for services rendered under this Agreement and $2,000 annual mobilization fee for offsite testing and development for the City. Payment shall be made to Consultant upon receipt of a written
invoice, under the normal monthly payment schedule of the City. A statement of out-of-pocket expenses for travel and other direct charges shall be sent to the City by the Consultant at the end of any month during which expenses were incurred by the Consultant. This statement shall also be paid monthly, under the normal monthly payment schedule.

4. INDEPENDENT CONTRACTOR RELATIONSHIP: The Consultant is an independent contractor and is not an employee of the City. The City shall determine the work to be done by the Contractor, but the Contractor shall determine the legal means by which it accomplishes the work specified by the City. Because the Consultant is engaged in its own independently established business, the Consultant is not eligible for, and shall not participate in, any employee health or other fringe benefit plans of the City.

5. STANDARD OF CARE: The Consultant shall exercise the same degree of care, skill and diligence in the performance of the services contracted for hereunder as is ordinarily provided by a professional in this field of work under similar circumstances.

6. FEDERAL, STATE AND LOCAL PAYROLL TAXES: Neither federal, state or local income taxes, nor payroll taxes of any kind shall be withheld and paid by the City on behalf of the Consultant or the employees of the Consultant.

7. LICENSES AND LAW: The Consultant represents that it or its employees possess the skill and experience necessary and all licenses required to perform the services under this Agreement. The Consultant further agrees to comply with all applicable laws in the performance of the services hereunder.

8. INDEMNIFICATIONS: It is understood that the Consultant cannot undertake to verify all facts supplied to it by the City or all factual matters included in materials prepared or used by the Consultant and approved by the City. The City agrees to indemnify and hold harmless the Consultant from and against any and all losses, claims damages, legal fees, expenses, or liabilities that Consultant may incur based upon information, representations, reports, data, or releases furnished or approved by the City or its specifically authorized representative for use or release by the Consultant.

The Consultant agrees to indemnify and hold harmless the City and its officers and employees from and against any and all losses, claims, damages, legal fees, expenses, actions, or liabilities or injury to persons or property arising out of or in connection with any negligent or willful acts, errors, or omissions, or activities of Consultant, Consultant’s agents, employees, or representatives arising from activities as a result of this Agreement. This paragraph shall survive the termination of this Agreement and shall continue to bind both parties.

9. ASSIGNMENT PROHIBITED: Neither party shall assign any of its rights or delegate any of its duties or obligations under this Agreement without the express written consent of the other party.
10. **NONWAIVER:** Failure of either party to exercise any of the rights under this Agreement, or breach thereof, shall not be deemed to be a waiver of such right or a waiver of any subsequent breach.

11. **CHOICE OF LAW:** Any dispute under this Agreement shall be decided in accordance with the laws of Idaho.

12. **ENTIRE AGREEMENT:** This is the entire Agreement of the parties and can only be modified or amended in writing by the parties.

13. **SEVERABILITY:** If any part of this Agreement is held unenforceable, the remaining portions of the Agreement will nevertheless remain in full force and effect.

14. **NOTICE:** All notices required under this Agreement shall be made in writing and shall be deemed served when delivered personally or when deposited in the United States Mail with adequate postage to the following addresses:

   CITY: City of Pocatello  
   P.O. Box 6149  
   Pocatello, ID 83205-6149

   CONSULTANT: SavageTribe, LLC  
   2260 Devos St.  
   Eugene, OR 97402

15. **TERMINATION:** This Agreement may be terminated without cause upon thirty (30) days written notice to either party.

16. **ATTORNEY FEES:** Reasonable attorney fees shall be awarded to the prevailing party in any action to enforce the provisions of this Agreement.

17. **CORPORATE AUTHORITY:** Any individual or individuals executing this Agreement on behalf of any corporation which is a party hereto, hereby acknowledge and represent that he, she, or they have the power and authority to so bind the corporate authority, and that such authority was conferred by an act of the Board of Directors of such corporate authority, unless the binding of any such corporation is within the power of the person or persons executing this document on such corporation’s behalf. In the event that the party or parties executing this document on behalf of any corporate party hereto, do not have authority to so bind the corporation for any cause or reason, then such person or persons shall be personally liable under the terms hereof.
IN WITNESS WHEREOF, the authorized representatives of the parties do hereby execute this Agreement.

CITY OF POCATELLO, a municipal corporation of Idaho

BRIAN C. BLAD, Mayor

RUTH E. WHITWORTH, City Clerk

SAVAGETRIBE, LLC, an Oregon corporation

LUKE SAVAGE
Principal

STATE OF IDAHO )
ss:
County of Bannock )

On this _____ day of __________, 2019, before me, the undersigned, a Notary Public for the State, personally appeared Brian C. Blad and Ruth E. Whitworth, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

NOTARY PUBLIC FOR IDAHO
Residing in Pocatello, Idaho
My commission expires: _________
STATE OF OREGON    )
      ss:
County of______________ )

On this _____ day of ____________, 2019, before me, the undersigned, a Notary Public for the State, personally appeared Luke Savage, known to me or proved to me to be the authorized agent of SavageTribe LLC, and acknowledged to me that he executed the foregoing instrument for and on behalf of said corporation, and that said corporation executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

NOTARY PUBLIC FOR OREGON
Residing in __________________
My commission expires: _________
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, ABANDONING AND VACATING THE PUBLIC’S INTEREST IN A 25-FOOT WIDE ACCESS AND UTILITY EASEMENT BETWEEN RUBY STREET AND POCATELLO CREEK ROAD NEAR INTERSTATE 15, BANNOCK COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT “A”.

PROVIDING THAT THE PUBLIC UTILITY EASEMENT HEREBIN VACATED SHALL BE DISTRIBUTED IN ITS ENTIRETY TO THE APPLICANT PROPERTY OWNER, IN ACCORDANCE WITH IDAHO CODE SECTION §50-311 AS DEEMED TO BE IN THE BEST INTERESTS OF THE OWNERS OF THE VACATED PROPERTY AND FOR THE PUBLIC GOOD; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Application has been made to the City of Pocatello requesting that the City Council abandon and vacate the platted 25-foot wide access and utility easement located between Ruby Street and Pocatello Creek Road near Interstate 15; and

WHEREAS, a Public Hearing was held at the regular City Council meeting on March 7, 2019; and

WHEREAS, the required fees have been paid by the Applicant; and

WHEREAS, the City Council deems that the proposed vacation of the 25-foot wide access and utility easement does not adversely affect the rights of the public.

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

Section 1: That the platted 25-foot wide access and utility easement located between Ruby Street and Pocatello Creek Road, and more particularly described on Exhibit A, is vacated.
Section 2: That the easement herein vacated shall be distributed to the applicant property owner, in accordance with Idaho Code Section §50-311 as deemed to be in the best interests of the adjoining property owner and for the public good.

Section 3: 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 ___ day of March, 2019.

CITY OF POCATELLO, a municipal corporation of Idaho

__________________________
BRIAN C. BLAD, Mayor

ATTEST:

__________________________
RUTH E. WHITWORTH, City Clerk

STATE OF IDAHO )
ss:)
County of Bannock )

On this _____ day of March, 2019, before me, the undersigned, a Notary Public in and for the State, personally appeared Brian C. Blad and Ruth E. Whitworth, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

__________________________
NOTARY PUBLIC FOR IDAHO
Residing in ________________________
My commission expires: ____________________

ORDINANCE - 2 -
EXHIBIT A

The north 25 feet of Lots 4 and 5, Block 6, Monte Vista Acres Subdivision, Bannock County, Idaho, as the same appears on the official plat thereof, recorded February 21, 1958 as Instrument No. 329805, excepting therefrom the west 15 feet of the north 25 feet of said Lot 4.