IDAHO FALLS
City Clerk's Office

NOTICE OF PUBLIC MEETING
Monday, April 20, 2026
City Council Chambers
680 Park Avenue, Idaho Falls, ID 83402
3:00 p.m.

The public is invited to attend in-person or watch via the livestream at https://www.idahofallsidaho.gov/429/Live-Stream. This meeting may be cancelled or recessed to a later time in accordance with law. If you need communication aids or other physical accommodation to attend or access this meeting, please contact Emily Geisler, City Clerk, at (208) 612-8414 or Lisa Farris, ADA Coordinator, at (208) 612-8323 prior to the meeting.

CITY COUNCIL WORK SESSION

Times listed in parentheses are only estimates.

Call to Order and Roll Call

City Council, Mayor	**Discussion:** Citywide updates, concerns, questions, reports (15) *Action: Council Direction to Staff (or take other appropriate action)*
	Acceptance or Receipt of Minutes (5) *Action: Receive recommendation(s) from the April 7, 2026, meeting of the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA)*
Municipal Services	**Presentation:** Audit with Baker Tilly (30) *Action: Council Direction to Staff (or take other appropriate action)*
	Discussion: Cost Allocation and ERP Repayment (20) *Action: Council Direction to Staff (or take other appropriate action)*
Power	**Discussion:** Falls Water Easement (10) *Action: Council Direction to Staff (or take other appropriate action)*
Parks & Recreation	**Discussion:** Planning for Zoo Entrance Improvements (30) *Action: Council Direction to Staff (or take other appropriate action)*
Public Works, CDS, Legal	**Discussion:** Strategic Extension of Utilities within the Area of Impact (30) *Action: Council Direction to Staff (or take other appropriate action)*
	Discussion: Principles of Annexation (25) *Action: Council Direction to Staff (or take other appropriate action)*
Legal	**Discussion:** Draft Written Decision for Denial of Willows Place PUD (20) *Action: Council Direction to Staff (or take other appropriate action)*
Mayor	Announcements, Events, Calendaring, Proclamations, Notes and/or Minutes from Boards and Commissions (10)

Dated the 17th day of April 2026

_____
Emily Geisler, City Clerk

COMMUNITY DEVELOPMENT SERVICES

Planning Department
Office (208) 612-8276
Fax (208) 612-8520

IDAHO FALLS

Building Department
Office (208) 612-8270
Fax (208) 612-8520

MEMORANDUM

TO: Honorable Mayor and Council

FROM: Wade Sanner, Community Development Services Director
DATE: April 8, 2026
RE: April 7, 2026, Planning Commission Action

Planning Commission took the following action during the April 7, 2026, meeting.

1. **ANX26-002: ANNEXATION and INITIAL ZONING of R3, Multiple Dwelling Residential for approximately 11.154 acres for the SE ¼ of Section 5, Township 1 North, Range 38 East.** Located north of E 65th South, east of S 11th East, south of E 49th South, and west of S 15th East. On April 3, 2026, the Planning Commission unanimously voted to recommend approval of the annexation and initial zoning of R3 to the Mayor and City Council as presented.

2. **ANX26-003: ANNEXATION and INITIAL ZONING of LC, Limited Commercial for approximately 7.692, Part of the SW ¼ of Section 25, Township 2 North, Range 37 East.** Located north of W Sunnyside Road, east of Snake River Parkway, south of Event Center Drive, and west of Milligan Road. On April 7, 2026, the Planning Commission unanimously voted to recommend approval of the annexation and initial zoning of LC to the Mayor and City Council as presented.

3. **PLT26-004: FINAL PLAT for Stillwater Apartment. Part of the SW ¼ of Section 7, Township 2 North, Range 38 East.** Located north of W Anderson Street, east of US Highway 20, south of Science Center Drive, and west of N Boulevard. On April 7, 2026, the Planning Commission unanimously voted to recommend approval of the final plat to the Mayor and City Council as presented.

4. **PLT26-006: FINAL PLAT for Swire Pacific Division No. 1. NW ¼ of Section 1, Township 1 North, Range 37 East.** Located north of W 65th South, east of S Yellowstone Highway, south of Professional Way, and west of the Butte Arm Canal. On April 7, 2026, the Planning Commission unanimously voted to recommend approval of the final plat to the Mayor and City Council as presented.

RECOMMENDED COUNCIL ACTION: To receive recommendation(s) from the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA).

April 13, 2026

Pam Alexander, Municipal Services Director
Mark Hagedorn, Finance Manager / Treasurer
Brooks Slyter, Assistant Finance Manager
City of Idaho Falls
308 Constitution Way
Idaho Falls, Idaho 83402

We have completed our audit of the financial statements of the City of Idaho Falls, Idaho (the City) for the year ended September 30, 2025, and have issued our report thereon dated April 2, 2026. In planning and performing our audit of the financial statements in accordance with auditing standards generally accepted in the United States of America, we considered the City's internal control over financial reporting (internal control) as a basis for designing our auditing procedures and for the purpose of expressing our opinion on the financial statements but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

During the course of the audit, we noted certain matters involving the internal control structure, operations, and financial reporting that we would categorize as 'best practices', which we reviewed with you verbally during the course of the audit. We have included these comments in our letter below.

We have also included in this letter new accounting matters the City will face in the coming years. We welcome the opportunity to continue the discussion of these comments in further detail at your convenience.

New Best Practices Recommendations

1) We tested airport fund revenue for proper revenue recognition cutoff. Two October 2025 billings to customers were for terminal rental space and parking services provided during September 2025. City staff explained the billings were provided late to customers and due to timing, the revenue was posted to FY26, which is the wrong fiscal year. The revenue should have been recorded in FY25 when the services were provided. The amounts were immaterial, so no audit adjustment was deemed necessary. We recommend customer billings are performed timely to ensure revenue is reported in the correct fiscal year and payments are collected closer to the date services are provided.

2) We selected 25 employees to test if their pension census information in the PERSI system was correct. One employee's birthdate on their personnel action form did not match their birthdate in the system. The difference in dates was three days, and upon further review we noted the personnel action form was the document with the wrong birthdate. We recommend when personnel action forms are created, a review is done to check key information is accurate.

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3) We understand the City would like to submit its Annual Comprehensive Financial Report (ACFR) for the certificate of excellence in financial reporting in a future fiscal year. That award requires presenting a complete statistical section. Currently, the City is omitting a table for pledged revenue coverage, as required by 18-803-05 in the GFOA ACFR checklist. We recommend the City add the pledged revenue coverage information to next year's ACFR.

4) We observed a quarterly collateral statement reporting the City's pledged assets. On a quarterly basis, the City should review the statement to verify the collateral levels are sufficient to meet its requirements. We could not understand if a review occurred because no such review was documented. We recommend the City document this internal control to provide evidence a review is occurring.

Recurring Best Practices Recommendations

1) During our testing of the design and implementation of controls over capital assets, we noted a physical inventory of capital assets has not been performed recently for the airport fund and general fund. It was noted that the City's finance department is reviewing capital asset additions and disposals through annual inquiries with other departments. While that review is important for financial reporting purposes, it does not provide the evidence obtained from physically observing the capital assert exists. Another benefit obtained from periodic inventories is gaining an understanding of capital assets that are impaired or held for sale. Such classifications can trigger additional financial reporting requirements. In addition, the OMB's Uniform Guidance requires a physical inventory of federally funded equipment is taken at least once every two years with results reconciled with equipment records. We recommend the City implement a control which cycles through all City departments over the course of two years. The burden can be reduced by performing physical inventories outside of the traditional fiscal year-end period.

2) There is currently no formal process for closing out completed capital projects for the water and wastewater funds to the proper capital asset account for financial reporting purposes. In the absence of a formal policy, the City relies on communication between the finance department and project engineers. We recommend adopting a policy to ensure completed capital projects are identified and reported in a complete, accurate, and timely manner.

3) The City's financial statements include the financial statements of its discretely presented component unit, the Idaho Falls Redevelopment Agency (the Agency). The City is responsible for obtaining financial information from the Agency's audited financial statements and including that in the City's financial reporting package. In reading the Agency's most recent audited financial statements, we noted several disclosures were not following current generally accepted accounting principles (GAAP). While these are not material departures from GAAP, there is increased risk. We recommend the City review the Agency's financial statement disclosures for areas that can be improved upon and provide the Agency with that feedback.

4) State Code 50-1005A provides that Cities may accumulate fund balances at the end of a fiscal year and carry over such fund balances into the ensuing fiscal year sufficient to achieve or maintain city operations. In reviewing the City's individual fund budgetary schedules, we identified some funds reported budgets with beginning fund deficits. We also noted that while some funds reported budgets with positive beginning fund balance, those budgets reported an ending fund deficit. Since the City is not actually budgeting fund deficits, we suggest removing that presentation. For adopting the next fiscal year's budget, we recommend the City looks at each fund's current fund balance and uses that amount for the fund's budgeted beginning fund balance. For budgeting purposes, a fund's current fund balance can be adjusted for large dollar transactions the City expects to occur at the end of the fiscal year.

Resolved Best Practices Recommendations

1) The City's general fund is leasing a building for the next 17 years, and the entire lease receivable is reported as an asset in the general fund's balance sheet. Since GAAP requires governmental funds, like the general fund, to report only assets and liabilities that are considered relevant to an assessment of near-term liquidity, only the current portion of the lease receivable should be reported in the governmental fund balance sheet. We recommend the City review its governmental fund assets and liabilities and ensure the noncurrent portions are not reflected in the balance sheet.

   Resolved – In the FY25 ACFR, the City's general fund followed GAAP by only reporting the current portion of the lease receivable as an asset.

2) The City's power fund has transferred $19.2 million to the fiber fund as of September 30, 2024, and as of that date $1.1 million of interest has accrued. This transaction is anticipated to remain until the "Fiber to Home Project" is completed. Currently there is no formal loan agreement or decision on the repayment of funds. Under GAAP, if repayment is not expected within a reasonable time, the interfund loan balances should be reduced and the amount that is not expected to be repaid should be reported as a transfer from the fund that made the loan, not the fund that received the loan. Prior to June 30, 2025, we recommend the City set the parameters for the loan and formalize a loan agreement to establish this is an interfund loan, and not a subsidy.

   Resolved – We noted the August 13, 2025, Idaho Falls Power Board meeting presented a loan repayment plan for the fiber fund to follow over the next ten years. Additionally, we observed the City's FY26 adopted annual budget includes the fiber fund making a $1.25 million repayment to the power fund.

3) The City's budget includes a separate contingency fund which is an estimate based on the assumption that operations may necessitate spending during the year on items that cannot be specifically identified at the time of the budget. Rather than budgeting a separate contingency fund, we recommend budgeting a contingency line item by fund. This can reduce the need for transfers between funds and provide better transparency on where contingencies are anticipated and occurring. Addressing this recommendation may be more appropriate following the City's implementation of its new enterprise resource planning (ERP) system.

   Resolved – We observed the FY26 budget document, includes contingency expenditures within various funds, as opposed to just one contingency fund.

4) During our audit of the Federal Transit Cluster, a major federal program in the City's current year single audit, we identified the payroll dollar amount charged to the grant was more than the actual employee's payroll for the grant by $2,289. This occurred because the City was charging the grant based on the employee's budgeted personnel costs, and the actual personnel costs incurred on the grant was $2,289 less than budgeted. The personnel costs were less than expected because the actual health insurance increases were less than budgeted. The Idaho Transportation Department advised the City the overage was small enough that no repayment was necessary. To avoid overcharging grants, we recommend that toward fiscal year end, or toward the end of the grant period, the City compares the grant's budgeted payroll to the actual payroll. If the budgeted payroll is higher than the payroll actually incurred for the grant, a true-up should occur to reduce future payroll charges to the grant and ensure there are no payroll overcharges.

   Resolved – We did not observe this issue during our current year single audit testing of payroll.

The recommendation below also discusses the deficiency in internal control that is classified as a significant deficiency as described in our Communication to Those Charged with Governance and Communications of Internal Control Related Matters dated April 13, 2026:

Significant Deficiency in Internal Control over Compliance for Procurement, Suspension and Debarment

Federal regulations require that grantees have controls in place to verify that vendors are not suspended or debarred prior to entering into contracts for goods and services exceeding $25,000. For five of the contracts tested, there was no evidence of verification from sam.gov being obtained to verify vendors were not suspended or debarred prior to conducting business. There was also no evidence in the City's contract with the vendor that the appropriate language had been included. Of the 17 vendors that had expenditures greater than $25,000, we selected seven vendors for procurement testing. The City could be transacting with parties that are suspended or debarred and may be subject to questioned costs or other sanctions from funding agencies. However, during the course of the audit we verified these vendors were not previously suspended or debarred. There were ineffective controls in place during the period, along with lack of management oversight. We recommend that before the City executes contracts with vendors that exceed $25,000, the vendor is compared to the listing of suspended and debarred vendors on the sam.gov website and that this verification is properly documented.

Comments on New Accounting Standards

Below is a summary of the new accounting standards that will be effective in future years. We have found management to be very supportive of the accounting staff in obtaining the necessary training and education on the requirements of new accounting standards, and we appreciate that continued support. We welcome the opportunity to discuss with you the implementation issues and financial reporting ramifications of any of these new standards.

Financial Reporting Model Improvements

In May 2024, the Governmental Accounting Standards Board (GASB) issued Statement No. 103, *Financial Reporting Model Improvements*, which will require improvement of key components of the financial reporting model to enhance its effectiveness in providing information that is essential for decision making and assessing a government's accountability. These key components include changes to the content of management's discussion and analysis, reporting of unusual or infrequent items, presentation of operating and nonoperating revenues and expenses in the proprietary fund statements, presentation of major component units, and presentation of the budgetary comparison information. This standard is effective for the fiscal year ending September 30, 2026.

Impact to the City. Management will need to evaluate the guidance of the key components of this standard that are likely to be most applicable to the City. These components will include the content of management's discussion and analysis, the presentation of operating and nonoperating revenues and expenses in the proprietary fund statements, and the presentation of the budgetary comparison information. Overall, this is not expected to have a material impact on the financial reporting of the City, but it should be evaluated to ensure procedures are appropriately updated and applied.

Disclosure of Certain Capital Assets

In September 2024, GASB issued Statement No. 104, *Disclosure of Certain Capital Assets*, which requires certain types of capital assets to be disclosed separately in the capital assets note disclosures. Lease assets recognized in accordance with Statement No. 87, *Leases*, and intangible right-to-use assets recognized in accordance with Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*, should be disclosed separately by major class of underlying asset in the capital assets note disclosures. Subscription assets recognized in accordance with Statement No. 96, *Subscription-Based Information Technology Arrangements*, also should be separately disclosed. In addition, this Statement requires intangible assets other than those three types to be disclosed separately by major class. Statement 104 also defines the term capital assets held for sale is met if the government has decided to pursue the sale of the capital asset, and it's probable the sale will be finalized within one year of the financial statement date. Disclosures for capital assets held for sale by major class include the capital asset's historical cost and accumulated depreciation or amortization and the carrying amount of debt for which the capital assets held for sale are pledged as collateral. This standard is effective for the fiscal year ending September 30, 2026.

Impact to the City. Management will be required to evaluate the different types of capital asset disclosures and adjust to align with the requirements of Statement No. 104. Overall, this is not expected to have a material impact on the financial reporting of the City, but it should be evaluated to ensure disclosures are appropriately updated.

Subsequent Events

In December 2025, GASB issued Statement No. 105, *Subsequent Events*, which will require the City to consider reporting significant transactions or events that occur after the date of the financial statements but before the date the financial statements are available to be issued. The date through which subsequent events have been evaluated should be disclosed in notes to the financial statements, and the date should be disclosed regardless of whether there is a recognized event or a nonrecognized event. A recognized event is a subsequent event that provides evidence of conditions that existed at the financial statement date that inform accounting estimates reported as of the financial statement date. A nonrecognized event is a subsequent event that results in a significant effect (favorable or unfavorable) that is recognized or disclosed in the basic financial statements in the reporting period in which the event occurs if it involves: a debt related transaction, a government combination or disposal of government operations, a change to the legally separate entities that compose the financial reporting entity, or a transaction or other event that is of such a nature that the information is essential to a user's analysis for making decisions or assessing accountability. This standard is effective for the fiscal year ending September 30, 2027.

Impact to the City. Management should consider the guidance on an annual basis. In some years, this Statement may have no effect, aside from disclosing the date through which subsequent events are considered. In the years there is a recognized event or nonrecognized event to consider, the City will want to review this guidance for reporting purposes.

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We wish to thank you and other members of your staff for their support and assistance during our audit. The City's team was professional and pleasant to work with.

Baker Tilly US, LLP

Baker Tilly US, LLP

COMMUNITY DEVELOPMENT SERVICES

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FROM: Wade Sanner, Community Development Services Director
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RECOMMENDED COUNCIL ACTION: To receive recommendation(s) from the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA).

Communications with Those Charged with Governance and
Communication of Internal Control Related Matters

City of Idaho Falls, Idaho

September 30, 2025

bakertilly

Communications with Those Charged with Governance

To the Honorable Mayor and Members of the City Council
City of Idaho Falls, Idaho

We have audited the financial statements of the governmental activities, business-type activities, the discretely presented component unit, each major fund, the aggregate remaining fund information, and the respective budgetary comparison for the General Fund the City of Idaho Falls, Idaho (the City), as of and for the year ended September 30, 2025. Professional standards require that we provide you with the following information related to our audit.

Our Responsibility under Auditing Standards Generally Accepted in the United States of America and Generally Accepted Government Auditing Standards

As stated in our engagement letter dated June 17, 2025, we are responsible for forming and expressing an opinion about whether the financial statements that have been prepared by management, with your oversight, are prepared, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your responsibilities.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. As part of an audit conducted in accordance with those standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, we considered the City's internal control solely for the purposes of determining our audit procedures and not to provide assurance concerning such internal control.

We are also responsible for communicating significant matters related to the financial statement audit that, in our professional judgment, are relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

The supplementary information was subject to certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves.

Other Information in the Document Containing the Audited Financial Statements

Management is responsible for the other information included in the financial statements. The other information comprises the introductory and statistical information sections, but does not include the financial statements and our auditor's report thereon. Our opinion on the financial statements does not cover the other information, and we do not express an opinion or any form of assurance thereon. Our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the audited financial statements. We have read the information, and nothing came to our attention that caused us to believe that such information is materially inconsistent with the financial statements.

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Planned Scope and Timing of the Audit

We performed the audit according to the planned scope and timing previously communicated to you in the audit planning letter dated January 9, 2026.

Significant Audit Findings and Issues

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note 1 to the financial statements. There were no changes in the application of existing policies during 2025; however, the City implemented the following new accounting standards of the Governmental Accounting Standards Board (GASB):

- GASB Statement No. 101 – *Compensated Absences*
- GASB Statement No. 102 – *Certain Risk Disclosures*

We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most significant accounting estimates affecting the financial statements were:

- The fair value determination of the City's investment balances
- The provision for discounts and allowances in the City's receivables
- The remaining useful lives of capital assets being depreciated
- The accruals for the City's claims, judgements, and risk financing activities
- The accruals for the City's employee pension plans

Financial Statement Disclosures

The disclosures in the financial statements are consistent, clear, and understandable. Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

- Notes I and IV.P addressing the reporting entity and component unit included in the City's financial statements, along with the City's other significant accounting policies
- Note III.B addressing the City's expenditures in excess of budget
- Note IV.A disclosing the City's cash and investments, including interest rate risk, credit risk, custodial credit risk, and concentration of credit risk inherent in the City's investment portfolio
- Note IV.I disclosing changes to the City's long-term debt balances along with details of each debt outstanding and future repayment terms
- Note IV.O disclosing details of three employee pension plans: PERSI Base Plan, Firefighters Retirement Fund, and Idaho Falls Policeman's Retirement Fund

Significant Unusual Transactions

We encountered no significant unusual transactions during our audit of the City's financial statements.

Significant Difficulties Encountered in Performing the Audit

Professional standards require us to inform you of any significant difficulties encountered in performing the audit. No significant difficulties were encountered during our audit of the City's financial statements.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. No such disagreements arose during the course of our audit.

Circumstances that Affect the Form and Content of the Auditor's Report

There may be circumstances in which we would consider it necessary to include additional information in the auditor's report in accordance with generally accepted auditing standards or *Government Auditing Standards*. The City's financial statements include the financial statements of Idaho Falls Redevelopment Agency. The auditor's report notes those financial statements were audited by other auditors whose reports were furnished to us, and our opinion, insofar as it relates to the amounts included in those other financial statements, is based solely on the report of the other auditors. There were no other circumstances that affected the form and content of the auditor's report.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all factual and judgmental misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. There were no corrected or uncorrected misstatements identified during the audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated April 2, 2026.

Management Consultation with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Significant Audit Findings or Issues

We are required to communicate to you other findings or issues arising from the audit that are, in our professional judgment, significant and relevant to your oversight of the financial reporting process. Aside from Finding 2025-001, reported in our Communications of Internal Control Related Matters on the next page, there were no such items identified.

Communications of Internal Control Related Matters

In planning and performing our audit of the City's compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended September 30, 2025, we considered the City's internal control over compliance as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the City's compliance, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance. We consider the deficiency in internal control over compliance described below as Finding 2025-001, to be a significant deficiency.

FINDING 2025-001 – Procurement, Suspension and Debarment - Significant Deficiency in Internal Controls over Compliance

Criteria or specific requirement – Federal regulations require that grantees have controls in place to verify that vendors are not suspended or debarred prior to entering into contracts for goods and services exceeding $25,000.

Condition – For five of the contracts tested, there was no evidence of verification from sam.gov being obtained to verify vendors were not suspended or debarred prior to conducting business. There was also no evidence in the City's contract with the vendor that the appropriate language had been included.

Context – Of the 17 vendors that had expenditures greater than $25,000, we selected seven vendors for procurement testing.

Effect – The City could be transacting with parties that are suspended or debarred and may be subject to questioned costs or other sanctions from funding agencies. However, during the course of the audit we verified these vendors were not previously suspended or debarred.

Cause – There were ineffective controls in place during the period, along with lack of management oversight.

Repeat Finding – No.

Recommendation – We recommend that before the City executes contracts with vendors that exceed $25,000, the vendor is compared to the listing of suspended and debarred vendors on the sam.gov website and that this verification is properly documented.

This information is intended solely for the use of the Mayor, City Council, and management of the City, and is not intended to be, and should not be, used by anyone other than these specified parties.

Baker Tilly US, LLP

Eugene, Oregon
April 13, 2026

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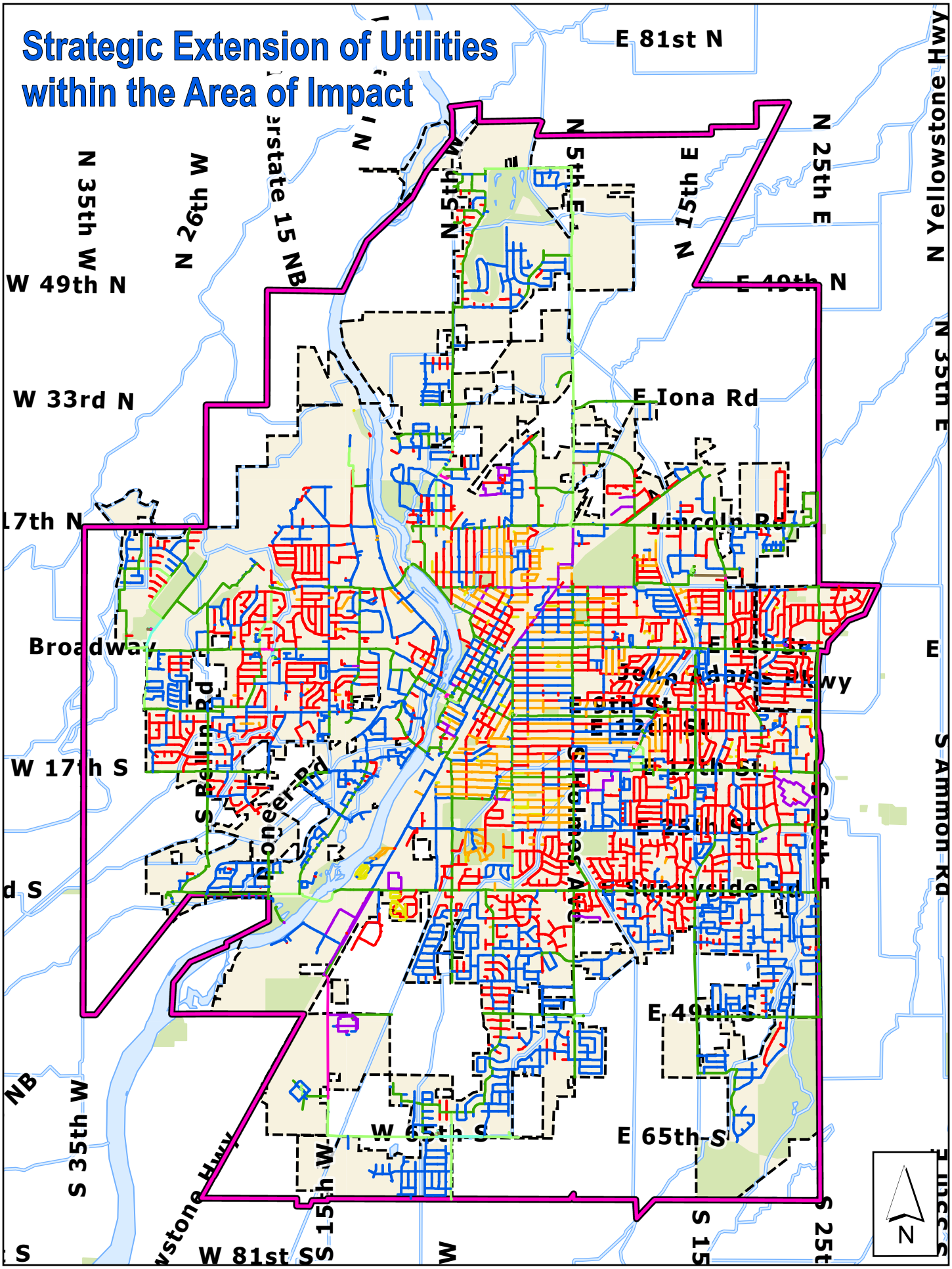
BDI Insulation of Idaho Falls
LLKM Properties
AdaptHealth
15' Falls Water Easement- With a 20' IF Power Easement Over Top of the 15' Falls Water Easement
City of Idaho Falls
Ray's Auto Clinic
Idaho Falls Power Peaking Plant
St Leon Road
E Iona Rd
Iona Road
E Iona Rd
25th E
C&S Auto Repair
26


Strategic Extension of Utilities
within the Area of Impact
E 81st N
N 35th W
N 26th W
Interstate 15 NB
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E Iona Rd
Lincoln Rd
Broadway
E 1st St
John Adams Pkwy
E 9th St
E 12th St
E 17th St
E 25th St
Sunnyside Rd
S Ammon Rd
S Bellin Rd
Pioneer Rd
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AGREEMENT FOR HOOKUP OF PROJECT TO THE CITY OF NAMPA WATER AND SEWER SYSTEM AND AGREEMENT TO BE ANNEXED INTO THE CITY OF NAMPA

Commented [CL1]: Adjust agreement language if only hooking up to one system.

THIS AGREEMENT is made and entered into this _____ day of _____, 2022, by and between the **CITY OF NAMPA**, a Municipal corporation of the State of Idaho, hereinafter referred to as "CITY", and **Owner,** hereinafter referred to as "USER".

1. **RECITALS**:

1.1 **WHEREAS**, User is the sole owner in law and/or in equity of land in Canyon County, Idaho described on Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full, hereinafter referred to as the "Real Property"; and

1.2 **WHEREAS,** User is developing the Real Property to be known as the project in partnership with Developer, which is proposed to consist of number (XX) single-family residential lots and associated open space as reflected in Exhibit B; and

1.3 **WHEREAS,** the Real Property is located outside of the city limits of the City; and

1.4 **WHEREAS,** it would be advantageous to User to develop the Real Property with City of Nampa sewer and domestic water service; and

1.5 **WHEREAS,** the City is empowered to establish, create, develop, maintain and operate domestic water service and sanitary sewer systems; and

1.6 **WHEREAS,** the City has enacted an ordinance governing its Water System codified in *Title 8, Chapter 1 of the Nampa City Code;* and

1.7 **WHEREAS**, the City has enacted an ordinance governing its Sewer System codified in *Title 8, Chapter 2 of the Nampa City Code;* and

1.8 **WHEREAS,** it is in the best interests of both the City and the User that City Domestic Water and Sewer System services be extended to the Real Property; and

1.9 **WHEREAS,** the City is willing to allow the User to develop the Real Property by connecting the Real Property to City of Nampa sewer and

domestic water service, subject to the following terms, conditions, and consideration of this Agreement; and

1.10 **WHEREAS,** as an express consideration of the City's willingness to enter into this Agreement, the City's Regulations which govern its Domestic Water and Sewer Systems are hereby included as a term and condition of this Agreement; and

1.11 **WHEREAS,** as an express consideration of the City's willingness to enter into this Agreement, the User hereby provides perpetual consent to the annexation of the Real Property into the City.

1.12 **WHEREAS**, the provisions and stipulations of this Agreement shall be binding on City, User, each subsequent owner of the Real Property or portion thereof, and each other person acquiring an interest in the Real Property and are, in no particular order, as set forth below and in the conditions of approval attached hereto as Exhibit C.

2. **DEFINITIONS:**

For all purposes of this Agreement, the following words, terms, and phrases herein contained in this section shall be defined and interpreted as hereinafter provided, unless the clear context of the presentation of the same requires otherwise:

2.1 **"City"**: means and refers to the City of Nampa, County of Canyon, State of Idaho.

2.2 "**User**": means the owner of the Real Property as noted above (Owner), and any successors or assigns in ownership of the Real Property or any portion therein.

2.3 "**Real Property**": means and shall refer to the parcel(s) of real property located in the County of Canyon which constitute the Project, described in Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full, together with all improvements thereon.

2.4 "**Ordinance**": means and shall refer to the City's ordinances that pertain to the regulation, control, and use of its Domestic Water and Sewer Systems presently codified at Chapter 1 and 2 of Title 8 of the Nampa City Code, and this definition specifically includes any prospective amendments and/or recodifications to said ordinance or any parts thereof, and shall also refer to any other ordinance of the City of Nampa governing the Domestic Water and Sewer Systems.

2.5 "**Policy/Regulations**": means and shall refer to any City Council enacted policy and/or regulation of its Domestic Water and Sewer Systems.

2.6 "**Domestic Water System**": means and shall refer to the City's domestic water system.

2.7 "**Sewer System**": means and shall refer to the City's sewer system.

NOW THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

3. **INCORPORATION OF RECITALS:**

The above recitals are contractual and binding and are incorporated herein as if set forth in full.

4. **INSTALLATION OF WATER MAINS:**

The User agrees, at User's own cost and expense, to design, construct and install, pursuant to the standards of the City and subject to final approval of the City, domestic water mains to the boundary of the Real Property sufficient to connect the future residential lots of Project into the City's Water System.

5. **INSTALLATION OF SEWER MAINS:**

The User agrees, at User's own cost and expense, to design, construct and install, pursuant to the standards of the City and subject to final approval of the City, sanitary sewer mains, to the boundary of the Real Property and sufficient to connect the future residential lots of Project to the City's Sewer System.

6. **SUBSTITUTE DEVELOPMENT IMPACT FEES:**

User, its successors and assigns, further agree that each lot developed in said Project shall be subject to a substitute development impact fee equal to the development impact fees charged pursuant to Ordinance 4665 adopted April 18, 2022, and updated with Resolution 16-2023 on June 5, 2023, by the City of Nampa. In addition to the sewer and water connection fees payable to the City of Nampa, each applicant for a water and sewer connection shall also pay a fee to the City of Nampa equal to the development impact fees then being charged to like development/buildings in the City of Nampa. Failure to pay such substitute development impact fee will constitute a breach of this agreement and no sewer or water connection will be permitted unless such substitute development impact fee is paid.

7. **RESTRICTIVE COVENANTS:**

The User agrees that the Covenants, Condition & Restrictions (CCRs) for Project

shall include provisions that the purchasers of the residential lots in Project agree to the annexation of their property into the City of Nampa at such time as the City shall determine and that this provision agreeing to annexation may not be amended or removed without consent of the City. User will provide the City with a copy of the CCRs within 30 days after their adoption.

8. **RESPONSIBILITIES OF CITY FOR WATER AND SEWER HOOKUP SERVICE:**

Upon User's proper installation of the domestic water distribution system and sewage collection system serving the Real Property and the City's completion of testing and final approval of the systems, the City agrees to allow connection to the City Domestic Water and Sewer Systems respectively, and agrees to assume the full operation and maintenance of the systems installed by the User to serve the Real Property.

9. **CONDITIONS AND REQUIREMENTS OF USER FOR THE HOOKUP OF THE WATER AND SEWER LINES TO THE REAL PROPERTY:**

User agrees to connect to the City domestic water and sewer systems as provided herein and agrees to pay all costs and expenses associated with the physical construction of the Real Property's domestic water and sewer systems and connection to the City Domestic Water and Sewer Systems and will pay for all inspection fees associated with such construction in accordance with the City's then-applicable fee Ordinance. User shall be obligated to pay all regularly scheduled and identified water hookup fees, inspection fees, and service fees charged or assessed by the City after connection to the City Domestic Water and Sewer Systems. The charges for hookup, inspection, and service fees shall be in accordance with the provisions of the "Ordinance" and/or "Policy/Regulations" as are applicable for real properties outside of the city limits. Notwithstanding the foregoing, the parties hereto understand and agree that individual sewer and water connections for an individual lot are required to be made and will be the responsibility of that lot owner or the builder constructing the improvement on the lot.

10. **ORDINANCE APPLICATION:**

The "Ordinance" and "Policy/Regulations" apply to the water and sewer service and connection and are herein incorporated as specific terms of this Agreement. At such time or times as the "Ordinance" and/or "Policy/Regulations" are amended or recodified, including Ordinance 4665 regarding development impact fees, this Agreement is automatically amended in accordance therewith.

11. **ANNEXATION**:

In accordance with Section 6 hereof, the User hereby gives irrevocable consent to annexation at such time as there is an annexation path sufficient to satisfy the requirements of City and Idaho code. When such requirements are met, the City shall notify the User of the intent to annex and will then proceed with filing an annexation application on the User's behalf. This provision of this Agreement shall be deemed written request and consent for such annexation in

accordance with *Idaho Code §50-222* or any amendments or recodification of said statute. The City will waive all fees associated with the annexation application. As a condition of this agreement, the User hereby agrees to pay an early annexation fee in the amount of $X,XXX to cover the future cost incurred by the City to process the annexation.

12. **REQUIREMENT FOR RECORDATION**:

City shall record this Agreement once fully executed and shall submit proof of such recording to the User. The City agrees to pay all recording costs, if any.

13. **DEFAULT**:

Time is of the essence. Any failure to perform the terms and conditions of this Agreement shall be a default.

14**.** **REMEDIES**:

14.1 This Agreement shall be enforceable in any court of competent jurisdiction by either City or User, or by any successor or successors in title or by the assigns of the parties hereto. Enforcement may be sought by an appropriate action at law or in equity to secure the specific performance of the covenants, agreements, conditions, and obligations contained herein. In addition, remedies available to the City include but are not limited to, termination of sewer and/or water service to all users located on the Real Property covered by this Agreement.

14.2 In the event of a default, written Notice of Default shall be served and the defaulting party shall then have thirty (30) days after delivery of notice of default to correct the same before the non-defaulting party may seek any remedy provided for herein.

14.3 In the event the performance of any covenant to be performed hereunder by either User or the City is delayed for causes which are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.

15. **NOTICES:**

15.1 Any notice desired by the parties and/or required by this Agreement shall be deemed delivered if and when personally delivered or three (3) days after deposit in the United States Mail, registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

CITY:	USER:
City of Nampa (c/o City Engineer)	Owner
Nampa Development Services Center	c/o Contact
500 12th Ave South	Address 1
Nampa, ID 83651	Address 2

15.2 A party shall have the right to change their address by delivering to the other party a written notification thereof in accordance with the requirements of this section.

16. **ATTORNEY FEES**:

Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney's fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

17. **TIME IS OF THE ESSENCE**:

The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the other party so failing to perform.

18. **BINDING UPON SUCCESSORS**:

This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, transferees, assigns and personal representatives, including City's corporate authorities and their successors in office. This Agreement shall be binding on the owner of the property, each subsequent owner and each other person acquiring an interest in the Real Property. Nothing herein shall in any way prevent sale or alienation of the Real Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed.

19. **INVALID PROVISION**:

If any provision of this Agreement is held not valid by a court of competent jurisdiction, such provision shall be deemed to be excised therefrom and the invalidity thereof shall not affect any of the other provisions contained herein.

20. **FINAL AGREEMENT**:

This Agreement sets forth all promises, inducements, agreements, condition and understandings between the User and City relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written, express or implied, between the User and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, a duly adopted resolution of City.

21. **EFFECTIVE DATE**:

This Agreement shall be effective at such time as both parties have executed this Agreement.

[*end of text – signatures on following page*]

IN WITNESS WHEREOF, the parties have herein executed this Agreement and made it effective as hereinabove provided.

CITY:

CITY OF NAMPA

By: _____
Debbie Kling, Mayor

Attest: _____
City Clerk

USER:

OWNER

By: _____
Signatory, Title

STATE OF IDAHO)
: ss
County of Canyon)

On this _____ day of _____, in the year 2022, before me, a Notary Public, personally appeared Debbie Kling and Charlene Tim, Mayor and City Clerk, respectively, of the CITY OF NAMPA, known or identified to me to be the persons whose names are subscribed to this instrument, and acknowledged to me that they executed the same on behalf of the City of Nampa.

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

(SEAL)

_____
Notary Public for Idaho
Commission Expires:_____

STATE OF IDAHO)
: ss
County of Canyon)

On this _____ day of _____, in the year 2022, before me, a Notary Public, personally appeared Signatory, Title of the Owner, known or identified to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same both individually and on behalf of Owner.

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

(SEAL)

_____
Notary Public for Idaho
Commission Expires:_____

EXHIBIT A
PROPERTY DESCRIPTION

EXHIBIT B
CONCEPTUAL PLAN

EXHIBIT C
CONDITIONS OF APPROVAL

RESOLUTION NO._____

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, APPROVING A STATEMENT OF CITY ANNEXATION PRINCIPLES; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, pursuant to Idaho Code Section 50-222, the City of Idaho Falls, Idaho, has authority delegated by the State of Idaho to annex property which are reasonably necessary to assure orderly development and allow efficient and economically viable provision of tax-supported and fee-supported municipal services; and,

WHEREAS, the City desires to exercise its annexation authority according to law and in a reasonable and logical way and including when necessary initiating annexation of land; and,

WHEREAS, the Idaho Falls City Council ("Council") desires to create and articulate a predictable and consistent approach to annexations; and

WHEREAS, pursuant to these desires Council has developed a Statement of Annexation Principles made a part of this Resolution as Exhibit A to outline the reasons and benefits of annexation and the general criteria and procedures the City intends to follow when considering various types of annexation.

NOW, THEREFORE, be it resolved by the Mayor and Council of the City of Idaho Falls, as follows:

1. That the Statement of Annexation Principles - 2026 attached as Exhibit "A" and incorporated in this Resolution is hereby adopted as the policy for considering and processing annexation applications.

2. That this Resolution amends all previous Resolutions regarding Statements of Annexation Principles.

3. That any Resolution or provision thereof that is inconsistent with this Resolution is hereby repealed.

ADOPTED and effective this ____ day of _____, 2026.

ATTEST: CITY OF IDAHO FALLS, IDAHO

_____ _____

Emily Geisler, City Clerk Lisa M. Burtenshaw, Mayor
(SEAL)

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Statement of Annexation Principles - 2026

In an effort to provide efficient and equitable tax and fee supported services, encourage orderly growth, and thoughtfully and carefully expand the tax base of the City of Idaho Falls ("City"), the principles espoused in this document are intended to provide guidance when considering annexation. These principles represent the general practice of the City and do not bind City leaders from exercising annexation authority granted by Idaho statutes. Typically, a departure from these principles would most commonly occur as a response to an unusual circumstance or need.

General Principles

When considering land use and growth, the City will prefer annexation policies that:

- ***Encourage Core Development***. When possible, the City prefers to support development closer to the City's core where infrastructure such as roads and utilities already exists. This will help to avoid urban sprawl.
- ***Strengthen the Tax Base***. The City recognizes the value of maintaining the efficient and cost-effective provision of both tax and fee-supported services.
- ***Balance Property Rights with Growth***. Individual property rights must be protected while at the same time ensuring the City is able to continue to grow.
- ***Provide Public Services and Amenities that Enhance Quality of Life***. The Community derives value and strength from a robust Parks and Recreation system, a highly rated Fire Department, excellent Police protection, a wonderful Library, well-maintained streets and neighborhoods, and a commitment to providing a high quality of life at an affordable tax rate.
- ***Support the Comprehensive Plan.*** The City's Comprehensive Plan is carefully developed to capture best practice planning principles coupled with careful implementation of public input. The resultant document outlines principles and policies designed to guide growth in a healthy, sustainable manner.

City-Initiated Annexation

The City strongly believes there is value in being annexed. The City of Idaho Falls proudly offers excellent tax and fee supported services and utilities. All residents, both City and County, benefit from a strong City of Idaho Falls. Residents in the County close to the City's core benefit from being close to City limits and should bear an equal burden in the provision of those benefits. As was argued in a court case in Baltimore in 1918, *"Those who locate near the city limits are bound to know that the time may come when the legislature will extend the limits and take them in. No principle of right or justice or fairness places in their hands the power to stop the progress and development of the city, especially in view of the fact that a large majority of them have located near the city for the purpose of getting benefit of transacting business or securing employment . . . in the city*." (Emphasis added).

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At times, the City may exercise its authority to annex prior to the request of the property owner. When considering these city-initiated annexations, the City will strive to:

- Focus on properties that receive a City-operated utility. Many such properties agreed to annexation at a future date as a condition of receiving the utility service. However, in cases where the utilities of water or wastewater was connected prior to July 1, 2008, Idaho Code considers the connection to be implied consent to annexation. Idaho Falls will consider utility connections just as valid as written agreements in terms of consent to annexation.
- For properties that do not receive a City-operated utility, focus on properties that are enclaved, i.e. completely surrounded, by existing City limits (or land that cannot be legally or physically annexed) and which clearly benefit from their proximity to City limits and tax-supported services that support and enhance surrounding City neighborhoods.
- Except in response to unusual circumstances or needs, avoid initiating annexation for properties that are contiguous merely by touching corners, that do not have primary structures, or that do not have immediate access to utilities.
- The City recognizes that some adjacent areas may be served by non-City utility providers (such as water or sewer) nonetheless benefit from City tax-supported services and would benefit from City annexation. The City anticipates that in many cases, non-City utility services would continue to serve newly City annexed areas. In situations where a property owner or a non-City utility provider requests a property's transition to a City-provided utility service, the City will address these transition requests on a case-by-case basis. The City has entered into area of service agreements with some utility providers, such as Falls Water and Rocky Mountain Power, to address areas where the City's legal jurisdictional boundaries overlap with another utility provider's service area.
- Educate property owners of these principles and annexation law to provide predictability and avoid undue concern over potential annexation.

The following sections specify how the City intends to exercise annexation authority within the bounds of the Idaho Code Section 50-222 in conjunction with the principles outlined above:

Annexation with Consent

The City of Idaho Falls exercises its legal annexation authority for all annexations in which all landowners of the subject property have requested annexation or where consent has been given or implied.

Procedures:

1. For annexation in which all private landowners have consented to annexation:
    - The application will be considered at a public hearing by the Planning and Zoning Commission ("P&Z") for its recommendation
    - The application will then be considered at a public hearing by the Council for final decision, passage of the annexation ordinance, and adoption of a reasoned statement of relevant criteria and standards

Annexation of Residential Enclaves

The City of Idaho Falls exercises its legal annexation authority for all annexations in which thirty (30) or fewer residential parcels are surrounded on all sides by lands within the City (or by or lands that cannot be legally or physically annexed).

Procedures

1. For annexation of residential enclaved lands of less than thirty (30) privately-owned parcels, which are surrounded on all sides by land within a city or lands that cannot be legally or physical annexed:
    - City staff will hold a neighborhood meeting prior to the advertisement of the proposed

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annexation

- A public hearing will be held before the P&Z for its recommendation
- A public hearing will be held before the Council for final decision, passage of the annexation ordinance, and adoption of a reasoned statement of relevant criteria and standards

All Other Annexations

The City of Idaho Falls may initiate annexation hearings for properties that are contiguous or surrounded by the City.

Procedures:

- City staff, at the Council's direction, will prepare an intent to annex notice to each landowner within the proposed annexation area and the Bonneville County Board of County Commissioners. The notice will include:
  - A summary of the City's annexation plan.
  - An advisement of a landowner's right to give or withhold consent.
  - A description on how consent can be made, where the consent may be filed, the deadline for filing consent. No deadline shall be later than forty-five (45) days after the date of the notice.
  - Information on where the entire record of the proposed annexation may be reviewed.
  - A legal description of the subject land and a simple map depicting the location of the subject land.
- City staff will publish notice of the intent to annex public hearing in the official newspaper. The notice will establish a date and time for the public hearing. In addition, the notice shall designate a procedure by which the City will accept written comments concerning the proposed annexation. The published notice shall comply with the notice and hearing procedures that govern a zoning district boundary change as set out in the Local Land Use Planning Act. The initial notice of the public hearing shall also be mailed by first class mail to every landowner of property included in the annexation proposal at least twenty-eight (28) days prior to the initial public hearing.
- The Council shall adopt a written annexation plan that describes:
  - The manner of City provided tax-supported services to the subject land.
  - The changes in taxation and other costs that would result if the subject land were to be annexed.
  - The means of providing City fee-supported services, if any, to the subject land
  - An analysis of the potential effects of annexation on other units of local government that provide tax-supported or fee-supported services to the subject land
  - The proposed future land use plan and zoning designation, subject to a public hearing, for the subject land.
  - A statement of the public purposes that would benefit from annexation.
- After publishing notice of intent to annex and providing the annexation plan, a public hearing will be held by P&Z for its recommendation to the Council on whether the proposed area should be annexed. Landowners and city residents shall be afforded an opportunity to testify for or against the annexation. In particular, P&Z shall make a finding of whether landowners who represent at least sixty percent (60%) of the parcels and at least fifty percent (50%) of the area proposed for annexation have given consent, as defined by Idaho Code § 50-222(2), to be annexed.
- After P&Z conducts a hearing, a public hearing shall be held by the Council for the final decision, passage of the annexation ordinance, and adoption of a reasoned statement of relevant criteria and standards. Provided that Council shall not approve any annexation where landowners who represent at least sixty percent (60%) of the parcels and at least fifty

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percent (50%) of the area proposed for annexation have not given consent, as defined by Idaho Code § 50-222(2), to be annexed.

Agricultural and Forest Lands

The City does not intend to annex lands that are actively devoted to agriculture or forest land unless the City receives a request from the landowner for annexation and such annexation will not interfere with the City's ability to provide local governance services.

Road Rights-of-way

Generally, the City intends to include annexation of the full County right-of-way on any non-local County right-of-way (e.g., arterial, collector) when one side of such non-local County right-of-way is eligible for annexation; however, the City will generally defer the annexation of a local County right-of-way (e.g., street, road, or other right-of-way not functioning as an arterial or collector) until properties on both sides of the local County right-of-way occurs. For all roads, City Public Works staff will confer with County Public Works staff to determine the appropriate limits of the annexation of a County right-of-way when annexation of such County right-of-way is considered.

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WRITTEN DECISION REGARDING REQUEST FOR RECONSIDERATION

PLANNED UNIT DEVELOPMENT FOR WILLOWS PLACE TOWNHOMES, GENERALLY NORTH OF HIGHLAND CANAL, EAST OF BLUE BIRD LANE, SOUTH OF PLOMMON STREET, WEST OF SOUTH BELLIN ROAD.

WHEREAS, Bear Hunter Holdings, LLC, ("Applicant") filed an application for a planned unit development ("PUD") on August 25, 2025; and

WHEREAS, on February 12, 2026, the Idaho Falls City Council ("Council") issued a Reasoned Statement of Relevant Criteria and Standards denying the application for a PUD; and

WHEREAS, Applicant submitted a request for reconsideration, which was considered by Council at a public hearing held on April 2, 2026; and

WHEREAS, having reviewed the application and request for reconsideration, including all exhibits and evidence entered into the record, and having considered the issues presented:

I. FINDINGS OF FACT

The Council makes the following factual findings:

1. On August 25, 2025, a neighborhood meeting took place as required by City Code 11-6-8.
2. The proposed PUD consists of fourteen units that the Applicant intends to have platted on individual lots.
3. The property is approximately 1.815 acres located generally north of the Highland Canal, east of Blue Bird Lane, south of Plommon Street, west of S Bellin Road.
4. The property consists of a vacant field with no residential structures.
5. The property is currently zoned R1, as are the immediately surrounding properties.
6. The Applicant is proposing approximately seven units per acre.
7. At least twenty-five percent of the proposed PUD is designated by Applicant to be maintained as common space for the recreational and/or common use of the occupants of the development.
8. The Applicant has proposed two amenities, a playground and basketball court, for this proposed PUD. These amenities are located at the southeast part of the proposed PUD. For the public to access these amenities from Plommon Street, which is the only street from which access would be had, the public would have to travel over two hundred feet to reach either amenity. This distance would, as a practical matter, discourage the public from using the amenities, even if the Applicant made them available to the public.
9. The Applicant has proposed constructing a private street, named Zoey Lane, to access the units from the public street, Plommon St.
10. Each unit in the proposed PUD has two parking stalls, provided by a garage and one parking pad. On the west side of the proposed private street, Zoey Lane, these parking stalls constitute on average more than half of the linear distance of the total street length for Lots

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1 through 14 as shown on the proposed PUD. In addition, the southern length of the proposed Zoey Lane on the east side is almost entirely composed of parking spaces, with a gap between the block parking spaces for a basketball court. If built, these parking spaces would likely be filled with parked vehicles.

11. The proposed PUD provides guest parking in addition to the required parking.

12. The Applicant has requested the front setback to be varied from twenty-five feet to twenty feet.

13. Council has approved three PUDs in the past that were under two acres.[1] They were as follows:

    a. The Anderson Townhomes PUD 22-005 was approved on April 27, 2023. This PUD had 1.0 acres, an underlying zone of R-3A, and proposed 16 residential units per acre. The R-3A zone permits a density of up to 35 residential units per acre. City Code 11-3-4, Table 11-3-1. Council finds that the Anderson Townhomes PUD had a proposed density that was below what was permitted in the underlying zone.

    b. The Skyline Manor PUD 20-009 was approved on July 29, 2021. This PUD had 1.6 acres, an underlying zone of R-3, and proposed 14 residential units per acre. The R-3 zone permits a density of up to 35 residential units per acre. City Code 11-3-4, Table 11-3-1. Council finds that the Skyline Manor PUD had a proposed density that was below what was permitted in the underlying zone.

    c. The Skyline Manor Division 2 PUD 21-005 had 0.6 acres, an underlying zone of R-3, and proposed 15 residential units per acre. The R-3 zone permits a density of up to 35 residential units per acre. City Code 11-3-4, Table 11-3-1. Council finds that the Skyline Manor Division 2 PUD had a proposed density that was below what was permitted in the underlying zone.

14. On October 7, 2025, the Planning Commission recommended to The Mayor and Council approval of the application for a PUD as presented by a vote of 5 to 1.

15. On January 3, 2026, notice was published in Post Register regarding the public hearing on January 22, 2026, to consider the application for a PUD.

16. On January 22, 2026, Council held a public hearing on the application for a PUD. At the public hearing, the Applicant represented that it was willing to make the two amenities available to the public.

17. After the public hearing, Council voted to deny the application for a PUD by a vote of 5 to 0.

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[1] Conflicting evidence was presented as to whether a fourth PUD, the Cleveland PUD 23-001, had been approved. Council need not resolve this factual dispute, as this PUD—even if approved—had the same track record of proposing a ratio of residential units per acre that was under the density limit of the underlying zone. Specifically, the Cleveland PUD was proposed for 0.5 acres, was zoned R-3A, and had a proposed density of 13 residential units per acre. The R-3A zone permits a density of up to 35 residential units per acre. City Code 11-3-4, Table 11-3-1.

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18. On February 12, 2026, Council issued a Reasoned Statement of Relevant Criteria and Standards memorializing the reasons for denying the application for a PUD.

19. Applicant submitted a timely Request for Reconsideration on February 26, 2026.

20. On April 2, 2026, Council held a public hearing to consider Applicant's Request for Reconsideration and took additional argument and evidence on the record from both Applicant and members of the public.

21. After this second public hearing, Council voted to "deny the appeal on the basis that this is resolvable issue through mediation" by a vote of 3 to 2 and directed City staff to prepare this Written Decision memorializing Council's decision.

II. RELEVANT CRITERIA AND STANDARDS

1. The Council considered the Applicant's original request and request for reconsideration pursuant to City of Idaho Falls Comprehensive Plan, City of Idaho Falls Zoning Ordinance, City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.

2. The notices referenced in Finding of Fact 15 that were published on January 3, 2026, satisfied the notice requirements of Title 67, Chapter 65 of Idaho Code.

3. Council denies the proposed PUD for the reasons discussed below.

A. The Proposed PUD is under Two Acres

4. Council denies the proposed PUD because the site size is under two acres and Council, in its discretion, has decided not to consider the exception to the requirement that a PUD site size shall be at least two acres. This is the first, independent basis for the Council's decision to deny the proposed PUD.

5. The City Code provides that "the minimum site size for a PUD shall be two (2) acres." City Code 11-2-6(W)(4)(a). This requirement, considered by itself, sets a requirement that a PUD shall not be less than two acres. Importantly, Idaho Code expressly permits municipalities to adopt ordinances that include "requirements for minimum area" for PUDs. *See* Idaho Code § 67-6515. As such, this requirement that a PUD shall be at least two acres is a valid requirement under Idaho Code.

6. As with many requirements, there is an exception contained in the City's ordinance—the very next sentence provides that "[s]maller acreage *may* be considered for a PUD on land that the Council finds is redeveloping, or provides a public benefit or amenity." City Code 11-2-6(W)(4)(a) (emphasis added). The rules of interpretation that apply to statutes also apply to interpreting municipal ordinances. *See Neighbors for a Healthy Gold Fork v. Valley Cnty.*, 145 Idaho 121, 131, 176 P.3d 126, 136 (2007) (citing *Friends of Farm to Mkt. v. Valley Cnty.*, 137 Idaho 192, 197, 46 P.3d 9, 14 (2002)). As held by the Idaho Supreme Court, "the word 'may' is permissive rather than the imperative or mandatory meaning of 'must' or 'shall.'" *S. Valley Ground Water Dist. v. Idaho Dep't of Water Res.*, 173 Idaho 762, 784, 548 P.3d 734, 756 (2024) (quoting *Rife v. Long*, 127 Idaho 841, 848, 908 P.2d 143, 150 (1995)). When a decision is permissive, the decision comes within the discretion of the deciding body. *See Edwards v. Lane*, ___ Idaho ___, ___, 578 P.3d 525, 529 (2025) (citing *State v. Mosqueda*, 150 Idaho 830, 835, 252 P.3d 563, 568 (Ct. App. 2010)); *see also Neighbors for a Healthy Gold Fork v. Valley*

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Cnty., 145 Idaho 121, 130, 176 P.3d 126, 135 (2007) (holding that plain language of statute, which included the word "may," meant that a board "was not required" to perform the action). A recent Idaho Court of Appeals opinion has noted that courts cannot construe the word "may" in a statute to mean "shall." *See Tucker v. State*, Docket No. 51877, 2026 WL 859978, at *3 (Idaho Ct. App. Mar. 30, 2026) (disavowing prior inconsistent Idaho Court of Appeals' opinions but not prior Idaho Supreme Court opinions). Therefore, the use of the word "may" in this subsection gives Council discretion to deny an application for a PUD—even if the land is redeveloping or provides a public benefit or amenity—for the sole reason that the area of the proposed PUD is smaller than two acres.

7. Here, the acreage for the proposed PUD is approximately 1.815 acres. (Finding of Fact 3.) In the exercise of its discretion, Council denies the proposed PUD for the sole reason that the area of the proposed PUD is under two acres.

B. Council Declines to Exercise its Discretion to Consider the Exception

8. In the alternative, and as a second and independent basis for denial, Council holds that its discretion to grant the exception in City Code 11-2-6(W)(4)(a) is informed by the problems inherent in increasing density for acreage that is under two acres and by the overall purposes of the PUD ordinance and, based on those factors, declines to consider the exception. Based on the plain language of the ordinance (that a PUD site shall be at least two acres), it is clear that a concern driving this rule is density. Here, the proposed PUD site is zoned R-1. (Finding of Fact 5.) The R-1 zone permits up to six residential units per acre. City Code 11-3-4, Table 11-3-1. Here, the Applicant's PUD proposes fourteen residential units in approximately 1.815 acres, (Findings of Fact 2–3), or approximately 7.71 residential units per acre. This ratio is above the six residential units permitted in the underlying R-1 zone, increasing the density in an already-tight area and beyond what the neighboring properties in the same zone could have. This increased density distinguishes this PUD from past PUDs that the Council has approved that were under two acres—in each prior instance, the PUDs had an actual residential unit-to-acre density that was less than the underlying zone. (Findings of Fact 13.) In addition, although prior decisions regarding PUDs are relevant to Council's decision, they are not binding. *See Workman Fam. P'ship v. City of Twin Falls*, 104 Idaho 32, 36, 655 P.2d 926, 930 (1982) (holding that, "[a]lthough it may be true that the prior approval of other applications for rezoning does not establish a binding precedent, it does not follow that evidence of this nature is not relevant"). The increased density of the Applicant's proposed PUD weighs heavily against considering the exception to the two-acre requirement.

9. Turning to the purposes of the PUD ordinance, one purpose is to "[p]rovide for attractive streetscapes that are not dominated by parked vehicles or garage entrances." City Code 11-2-6(W)(1)(k). Here, more than half of the length of the proposed Zoey Lane on the west side would be dedicated to parking stalls and garages. (Finding of Fact 10.) In addition, the east side of the proposed Zoey Lane's southern end is almost entirely composed of parking spaces. (*Id.*) These parking spaces would most likely be filled with parked vehicles once the residential units are occupied. *Id.* Based on these findings, Council concludes that the streetscape of the proposed Zoey Lane would be dominated by parked vehicles and garage entrances if the proposed PUD were to be accepted. Thus, the proposed PUD does not fulfil the purpose outlined in City Code 11-2-6(W)(1)(k). In light of the increased density from the underlying R1 zone and that the streetscape would be dominated by parked vehicles and garage entrances, Council exercises its discretion to not consider the exception to the two-acre requirement.

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10. To the extent that this decision must include consideration of the exception, Council, in its discretion, also does not find that the proposed PUD provides a sufficient benefit or amenity to the public to be considered a public benefit or amenity under 11-2-6(W)(4)(a). Here, the public would have to travel over 200 feet to reach either amenity. (Finding of Fact 8.) This distance, as a practical matter, would discourage the public from using the amenities. (*Id.*) To be clear, Council is not holding that the ordinance includes an undisclosed but categorical requirement that amenities need to be within 200 feet to qualify as public. Instead, Council is holding that, based on the particular configuration of this specific PUD, the distance of more than 200 feet would discourage the public from using the amenities, rendering them not public as a practical matter.

11. The PUD ordinance makes it clear that an amenity being available to the public is important when the proposed PUD is under two acres. In the part of the ordinance that applies to PUDs in general, it states that one intent is to "[p]rovide usable and suitably located **common** space, recreation facilities or other public/common facilities." City Code 11-2-6(W)(1)(f) (bolding added). But, when a PUD is under two acres, then the requirement is that the PUD must provide a "**public** benefit or amenity." City Code 11-2-6(W)(4)(a) (bolding added). The intent behind this requirement that the benefit or amenity be "public" is driven by the idea that, when the PUD site is under two acres, there is a greater impact on the surrounding neighborhood due to the increased density in the PUD site. This impact is reduced by requiring the PUD to provide a public benefit or amenity, which benefits the surrounding neighborhood.

12. Although the Applicant offered to make the amenities available to the public, (Finding of Fact 16), the Applicant did not offer to move the amenities to a location that would, as a practical matter, make the amenities available to the public. Thus, even though the Applicant offered to make the amenities public, Council finds that the amenities are not sufficiently accessible to the public to be considered public benefits or amenities.

C. Any Invalidity of the Exception Does Not Affect Council's Decision

13. Finally, in the event a court holds that the exception is invalid due to not satisfying the requirements of Idaho Code § 67-6535(1), Council will still have properly denied the PUD. Idaho courts do not rewrite ordinances but, instead, invalidate the offending part of the ordinance. *See Verska v. Saint Alphonsus Reg'l Med. Ctr.*, 151 Idaho 889, 895, 265 P.3d 502, 508 (2011) (holding that the Idaho Supreme Court lacks authority to revise statute); *KGF Dev., LLC v. City of Ketchum*, 149 Idaho 524, 531, 236 P.3d 1284, 1291 (2010) (invalidating ordinance that conflicted with state law). "When part of a statute or ordinance is unconstitutional and yet is not an integral or indispensable part of the measure, the invalid portion may be stricken without affecting the remainder of the statute or ordinance." *Voyles v. City of Nampa*, 97 Idaho 597, 600, 548 P.2d 1217, 1220 (1976) (citing cases). It stands to reason that this same rule applies to ordinances that are invalid due to conflicting with the Idaho Code, not just to those scenarios where part of an ordinance is unconstitutional. Notably, under this rule, courts can strike even just a "single word" from the ordinance. *Id.* (citing cases). Here, the exception is contained in a separate sentence from the rule that PUDs shall have a minimum of two acres. In addition, the exception provides a discrete function from the rule because the exception provides just that—an exception to the general rule. The exception operates independently of the general rule and is severable. As such, should a court invalidate the exception contained in City Code 11-2-6(W)(4)(a), the ordinance would read simply that "[t]he minimum site size for a PUD shall be two (2) acres." Again, the Applicant has failed to

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satisfy this condition. Thus, even if the exception is invalidated by a court, Council has properly denied the PUD for the reason that the proposed PUD site is under two acres.

D. Invitation to Mediate

14. Council wishes to make it clear that its denial is based on the PUD as currently proposed. Council believes that there is a path to approval, provided additional conditions are placed on the PUD. Under City Code 11-6-4(G), the Applicant "may, by written request submitted to the Community Development Services Department, request mediation provided that the request is received no later than within seven (7) days of" this Written Decision. Council expressly invites Applicant to request mediation.

15. Council would propose the following topics to consider at a mediation:

    a. Privacy.

    b. Streetscape and parking.

    c. Placement of the public amenities.

    d. Connections to surrounding neighborhood and public lands.

    e. Reduced density.

16. This list is not intended to be exhaustive, but simply as a starting point for mediation.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls denies the application for the PUD as presented but invites Applicant to mediate this matter to find a path to approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2026

[Signatures on following page]

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CITY OF IDAHO FALLS, IDAHO

_____

LISA M. BURTENSHAW, MAYOR

_____ _____

JIM FRANCIS
COUNCIL PRESIDENT

MICHELLE ZIEL-DINGMAN
COUNCIL MEMBER

_____

BRANDON LEE
COUNCIL MEMBER

ATTEST:

_____

EMILY GEISLER, CITY CLERK

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NOTICE TO APPLICANT

This Written Decision is a final decision pursuant to Idaho Code § 67-3535(2). The Applicant or any other person aggrieved by this final decision may file a petition for judicial review within twenty-eight (28) days of the date of this Written Decision.

In addition, the above Applicant has the right to request a regulatory taking analysis pursuant to Idaho Code § 67-8003.

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WAR BONNET ROUND UP RODEO ADVISORY COMMITTEE
Thursday, February 26, 2026
Recreation Center
11:00 a.m.

Members in Attendance: M. Warnke, K. Jones, K. Staten, B. Robertson, S. Woolstenhulme, T. Fonnesbeck, B. Skinner, H. Pettingill, T. Smith

Members not in Attendance: P. Holm, R. Buchan, R. Abreo, C. Price, K. Felker, J. Stephens

Call to Order
K. Jones called the meeting to order at 11:05

Approval of Minutes
B. Skinner motioned to approve the January 22nd meeting minutes. T. Fonnesbeck seconded. All in favor.

Director Updates – P. Holm (absent)

Chair Report/Production – K. Jones
K. Jones reported on the following:

- K. Jones introduce Matt Warnke, who will be our newest committee member following approval by the City Council.
- She reported that P. Holm has received a majority of the signed contracts back and that P. Holm approved the new purse amount of $9,900.
- PRCA and WRPA rodeo applications have been submitted, with contestant interviews being added to the ground rules.
- K. Jones asked committee members for their nominees on the 2027 bullfighter replacement for Chuck Swisher. K. Staten motioned to recommend we approve Nathan Harp as the 2027 bullfighter. T. Fonnesbeck seconded. All in favor.

- K. Jones advised that John Harrison will be our barrelman for 2027 and Kyle Lamon for 2026.
- K. Jones reached out to Dougie Hall regarding the opening of the War Bonnet. D. Hall gave her a quote on having some professional riders from Montana ride in our rodeo. The quote was high, and K. Jones would rather we give the opportunity to our local Shoshone-Bannock riders this year.

Committee Reports

Tribal Relations – S. Woolstenhulme

S. Woolstenhulme reported on the following:

- The same dancers and drummers will be returning this year.
- She asked P. Holm to ask the tribe about increasing military involvement. She would like to add additional members to the military segment this year.
- S. Woolstenhulme needs budget information on what we can pay before she approaches tribal riders to participate.

Military Affairs/American Legion – B. Skinner

B. Skinner reported on the following:

- B. Skinner is trying to think 'outside the box' for the country's 250th anniversary celebration for the military segment. He asked for ideas. He would also like to display a 30 x 50 ft flag this year, instead of using a flag girl. There was committee discussion on the segment.

Vice Chair/Hospitality/Sponsorship – K. Staten

K. Staten reported on the following:

- IdaGold lost the Mackay rodeo but picked up New Plymouth.
- She got a new three-year sponsorship from the Bank of Commerce, so the pickup men will all get brand new chaps.
- She has about a quarter of the sponsorship contracts back, and she picked up a new $15,000 sponsorship.
- The War Bonnet Association will be participating in the Teton Horse Experience and holding the royalty coronation on April 16th at Legion Hall.
- The hospitality area will be decorated in red, white and blue for all three nights of the War Bonnet.
- She reported that R. Buchan has rodeo marketing underway and ticket sales go live on April 2nd.

Marketing/Advertising/Tickets – R. Buchan (absent)

Facilities & Grounds & Security – J. Stephens (absent)

Security – T. Smith

T. Smith reported on the following:

- He has received two quotes from security companies for the War Bonnet thus far. There was discussion on how many security officers we will need for certain hours of the rodeo.

Communications/Public Information – K. Felker (absent)
Youth Rodeo/Family Night – R. Abreo (absent)
Livestock Welfare – B. Robertson
No Updates
Finance – C. Price (absent)

Outreach – T. Fonnesbeck
T. Fonnesbeck reported on the following:

- He will have a detailed draft of his plans for Rodeo 101 at our next meeting.
- He is working on ideas for the 2026 Fourth of July parade. He advised his sister has obtained a team of horses and a wagon that we can use for the War Bonnet section of the parade alongside a flatbed.
- He's working on a contact list for all staff, contractors and volunteers for this year's rodeo.

Round Table

- M. Warnke has an idea for our Wednesday night event. He suggested a calf scramble like they have in Fort Worth. There was group discussion on this new event idea.
- The committee also discussed the new fees for vendors at the War Bonnet.

Adjournment
Meeting adjourned at 12:25pm.

Next Meeting to be held Thursday, March 26th.

PARKS & RECREATION COMMISSION MEETING
March 2, 2026
Recreation Center
12:00 Noon

Members in Attendance: B. Combo, T. Deane, M. Hill, J. Walker, N. Birch, C. White, B. Nitschke, P. Holm, and four citizen guests.

Members Not in Attendance: T. Hobson

Call to Order
B. Combo called the meeting to order at 12:02 p.m.

Approval of Minutes
C. White moved to approve the February 2nd meeting minutes. B. Nitschke seconded. All were in favor.

Director's Report – P. Holm
P. Holm reported the following:

- He asked if anyone had any questions regarding his director's report he sent out prior to the meeting. B. Nitschke stated he had some questions about an interdepartmental loan relating to the Tautphaus Park Zoological Society (TPZS) and whether there is any oversight of this group. P. Holm explained they are considering an interdepartmental loan as an option to keep up with inflation costs on zoo construction projects. He also stated that the Parks Department has regular meetings with members of the TPZS regarding all zoo infrastructure design and construction.
- P. Holm, in answer to B. Nitschke's question about shelter designs at Heritage Park, reported that he signed off on the shelter specs from the design team, and that after the shelters are completed and stained, they will look great.
- P. Holm reported on the passing of Deb Jensen, an administrative assistant at the zoo for twenty years.
- There has been recent vandalism at Esquire Park and tagging in the underpass south of the Japanese Friendship Garden. Following this report, there was discussion on the number, placement, and effectiveness of security cameras in the park system.

<u>Tubing Hill Report</u>
P. Holm gave a presentation to the commissioners on the timeline and events pertaining to the Gateway to Kelly Canyon Tubing Hill at Ryder Park Project.

- July 2022 – P. Holm was invited to meet at Heritage Park, with Councilwoman Burthenshaw, Eric Isom (Ball Ventures), Mike Vansteenkiste (owner of Kelly Canyon), and Doug Swanson (facility manager), to hear the group's proposal for a tubing hill. P. Holm

did not like the idea because he didn't think it would work in Heritage Park, and he wasn't interested in stopping the momentum they had going in the park. Over the next several months, they looked at a couple of other locations and agreed on Ryder Park.

- January 2023 – City Council and Mayor Casper visit the Gateway tubing hill in Eagle. They loved the idea and encouraged P&R to work with Gateway.
- February 2023 – P&R staff and Gateway management met with City Council, to propose their idea.
- June 2023 – Gateway had to complete a Conditional Use Permit, meaning they had to present their proposal and site plan to the Board of Adjustments with requested variances. This is when they promised to work with P&R staff to make improvements to Ryder Park that would be beneficial to the entire community, not just them.
- September 2023 – Concession agreement was signed by City Council, with the understanding that they would continue to build permanent amenities.
- October 2023 – Hill is created and 25,000 sq. ft. of sod is laid. The City is told that irrigation would be installed in early 2024.
- December 2023 – Gateway holds a ribbon cutting and grand opening event.
- December 2023-March 2024 – the Tubing hill operates and we deal with several complaints from the neighbors. These complaints dealt with light and sound disturbances.
- July 2024 – The City receives its first financial report, showing that the facility saw roughly 17,000 paying customers.
- All through 2024, the City reiterated to Gateway that they **MUST** install irrigation on the hill, get street trees in, and expand the parking lot, before they open again.
- July 2024 – Asphalt millings are rolled out in the parking area.
- November 2024 – the City is told that the trees will be planted before they open.
- April 2025 – The City informs Gateway that there was severe damage to the turf, from their team removing equipment.
- May 2025 – Gateway informs us that Ryan Neptune has been arrested and is being investigated for embezzlement, by the FBI. Gateway says that we probably won't see a financial report anytime soon because of this, but they are still intending to open in the winter.
- August 2025 – Gateway is reminded that we still need financials for 2024, they must replace all dead trees, and they must complete the landscaping on the backside of the hill, before they open.
- December 2025 – The City received a "Termination of Agreement" letter from Kelly Canyon Management.
- In the end, we never saw financials for 2024/25, they never constructed a restroom, they never replaced the trees that died from lack of an irrigation system, the parking lot is no better than it was before this partnership, they never paid Rock Solid for landscaping the backside of the hill. On the other hand, we now have a promontory point in Ryder Park that can be used as a community sledding hill and will be a cool feature along the river.

Facility Allocation Policy Discussion

- P. Holm and staff met with several user groups who were mostly in agreement with the initial draft of the Facility Allocation Policy.
- Following the meeting with the user groups, P. Holm received a revised policy draft from B. Combo and some thoughts on the policy from B. Nitschke.
- Following extensive discussion on the policy, it was decided that P. Holm will bring a revised final draft to the next meeting for consideration and a vote.

Commission Reports

Golf Advisory – T. Deane

Troy Dean reported the following:

- Mother Nature has allowed the courses to open early, which is generating revenue from green fees, season passes, and pro shop inventory. It's been a great start for the courses.
- The golf maintenance crews have been focusing on improving the landscape and removing diseased, damaged or dying trees.
- The new driving range ball machines are very popular and have been generating a big boost in revenue.

Shade Tree - M. Hill

M. Hill reported the following:

- Arbor Day is officially planned for May 20th at 10 am on the Riverwalk east of the S. Utah Avenue roundabout. Kids from the Career Technical Education Center's horticulture program will be participating along with 5th and 6th graders from another area school. They plan to plant thirty-one trees.
- Idaho Falls received the Legacy of Leaves award. (This was in last month's meeting minutes)
- Revisions to the Idaho Falls Tree Ordinance will be presented to the March City Council Work Session for their consideration.
- Parks employee Brandon Proctor has become the newest city arborist, and Eric Nigg will soon become the next city arborist.

Bonneville County – J. Walker

No Updates

School District 91 – N. Birch

N. Birch referred to T. Hobson's report that was e-mailed to the director.

School District 93 – T. Hobson (absent) Report e-mailed to the Director

T. Hobson reported the following

- Winter sports in District 93 have come to an end.

- Bonneville Boys Basketball was the lone State Qualifier. Thunder Ridge Girls Wrestling Team took 2nd place in the State Tournament.
- Spring sports have started with tryouts the week of May 2nd.
- The district hosted the Dance and Cheer State Championships at the Mountain America Center the last weekend of February. It was a success with an estimated 13,000 participants. The event attendees filled the area restaurants and hotels.

National Trends on Aging – C. White

C. White reported the following:

1. Idaho's senior population is growing very quickly

- Idaho's 65+ population has grown about 68% since 2010, making it one of the fastest-growing age groups in the state.
- About 16% of Idaho residents are now age 65 or older (over 300,000 people).
- Projections show the 65+ population could grow another 30% by 2031, far faster than younger age groups.

Implication: Communities will see growing demand for accessible parks, walking paths, and low-impact recreation.

2. Rural Idaho is aging even faster than cities

- In rural Idaho counties, about 21% of residents are already age 65+, significantly higher than the statewide share.
- Many retirees choose smaller Idaho communities for lifestyle and cost of living.

Implication: Smaller communities need age-friendly outdoor spaces, trails, and social recreation opportunities.

3. More Idaho seniors are living independently with family support

- About 73,000 family caregivers provide support for older adults in Idaho.
- Approximately 30,000 Idaho seniors are living with Alzheimer's disease, highlighting growing health and mobility challenges.

Implication: Parks and recreation programs can support healthy aging, social connections and physical activity for seniors and caregivers.

Sports Tourism – B. Combo

B. Combo reported the following:

- In response to the report by C. White, B. Combo suggested we consider a marketing campaign on area fitness opportunities for senior citizen snowbirds returning to Idaho Falls.

Park Conditions and Needs – B. Nitschke

B. Nitschke reported the following:

- B. Nitschke reminded the Commissioners of his concerns about the adequacy of the AZA final review regarding worker safety that he briefly discussed last month and the need for a discussion and a decision on how best to proceed. To make this happen and to

allow for any public input, he thought it would be best to add a specific action item to the April meeting agenda. All were in favor.

Adjournment at 1:45pm.
Next meeting – April 6, 2026

Recorded by:
Tracy Sessions, Executive Assistant
Parks & Recreation Dept.

Board of Directors Meeting Minutes

March 10, 2025 | 9:00am | Willard Arts Center

Board of Directors Attendees: Chip Langerak, Jill Hansen, Matt Jacobson, Kevin Cutler, Mark Cornelison, Justin Morris, Brandi Newton, Terri Ireland, Gray Augustus IFDDC | **Staff:** Kerry Hammon, Juan Hernandaz, Geetika Gupta **City of Idaho Falls:** Caitlin Long, Jim Francis **Guests:** Cindy Napier, Brandi Keller, Whitney Homes, Tyler Cannon, Mike Thrower, Jane Leymaster, Shane Dial

Topics Discussed:

- Chip Langerak: Welcome & introductions
- Chip Langerak: Reviewed February 9, 2026, minutes. Matt motioned to approve, and Gray seconded. No one apposed.
- Brandi Newton: Reviewed January 31, 2026, financials. Kevin made a motion to approve, and Mark seconded. No one apposed.

Director's report:

- The City/IFDDC BID MOU and Parking Management Agreement have been updated, approved and signed by both entities. Both agreements are available on IFDDC's website.
- Hoping to have the state of downtown meeting in April. Once we hear back from council Kerry will be able to get it scheduled.
- ITD upgraded 10+ traffic cabinet boxes downtown. The Foundation is tasked with leading the initiative to raise funds to bring traffic cabinet art back.
- A more diverse parking advisory group with varying professional skillsets was created to represent all stakeholder groups (merchants/IFDDC/City/County), including IFDDC Director, Kerry Hammon; IFDDC Operations Manager, Geetika Gupta; IFDDC Parking Ambassador Juan Hernandez, IF Street Superintendent, Brian Cardon; IF City Planner II, Caitlin Long; Bonneville County, COO, Austin Black; Bonneville County Planning and Zoning Administrator, Naysha Foster; and Cannon Skate Shop, Business Owner, Tyler Cannon volunteered to represent the merchants

on the committee. For now, they are meeting every other month. The next meeting is May 6, 9-10AM.

- Paddy's Day on Park will be March 14. Easter event will be on April 4th.
- IFDDC will move forward with Wheeler Electric's bid for the parking lot lighting repair above the pay stations.
- Looking for volunteers to walk the intersections downtown and take notes and pictures of what areas need repairs. Kevin and Brandi have volunteered. Once Kerry has them, she will begin working on getting bids for the repairs.
- We've had to cut back this year on the beautification and flowerpots around town due to the rising costs. We are set for this year but come August we will be looking at new bids for the following season.
- April IFDDC meeting will be moved from April 14 to April 7 to accommodate IFDDC staff travel.
- A meeting with the Cliff Street Property/Business Owners to be held on March 18, noon to 1PM TBD location. This meeting is to give the correct information about the BID, IFDDC, partnerships, and the vision for downtown.

Merchant Association Updated:

- Terri Ireland reported they are still working with the delivery trucks to help make sure they aren't delivering during lunch hour times.
- The Merchant Association meetings are held the 1st Wednesday of each month from 10-11AM in the conference room at 447 Park Ave (next to Marcellar's). Their next meeting is April 1, 2026.

City of Idaho Falls Update:

- Lisa Farris via email: They have two projects that are still moving forward. $11,000.00 left remaining for a new project. 2026 CBDG funds are pending a federal budget.
- Caitlin introduced Mike Thrower, the new planner for the City of Idaho Falls. Also, The Historic Preservation Commission was awarded a grant to which they will use a portion of those funds to update their pamphlets.
- Councilman Jim Francis: The city is holding a public comment on April 2nd regarding the training and certification of servers who serve alcohol in the City of Idaho Falls. If anyone has questions or comments, they are welcome to email council members with their questions and or comments.

The meeting was adjourned at 10AM. The next board meeting will be on Tuesday, April 7, 2026, at 9AM.