

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING ORDINANCE NO. 3105, THE APPROPRIATION ORDINANCE FOR THE FISCAL PERIOD OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023; PROVIDING FOR AN INCREASE IN EXPENDITURES IN THE FOLLOWING FUNDS: GENERAL FUND, STREET FUND, PARKS AND RECREATION FUND, CEMETERY FUND, TRANSIT RURAL FUND, TRANSIT URBAN FUND, WATER FUND, WPC FUND, INFORMATION TECHNOLOGY FUND, EMPLOYEE WELLNESS FUND, STREET - FEDERAL AID FUND, AND ENGINEERING - ALTERNATE TRANSPORTATION FUND; WHICH INCREASES THE TOTAL FISCAL YEAR EXPENDITURES BY \$4,162,069; PROVIDING THAT THE REVENUE TO PAY FOR SAID INCREASES SHALL BE DERIVED FROM GRANTS, UNEXPECTED REVENUES, AND PREVIOUSLY UNAPPROPRIATED CASH BALANCES; PROVIDING THAT ALL OTHER PORTIONS OF ORDINANCE NO. 3105 SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, after the Fiscal Year (“FY”) 2023 appropriations ordinance was passed and approved, additional revenues, including grant funds, have been received which require additional appropriations; and

WHEREAS, the City Council has also decided to use existing cash balances to proceed with certain other additional expenditures to account for unanticipated events; and

WHEREAS, an amendment to the FY 2023 appropriation ordinance is required to reflect the increased revenue and expenditures for the above-mentioned purposes; and

WHEREAS, notice and hearing have been provided in accordance with Idaho Code §50-1002, §50-1003, and §50-1006;

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

Section 1: That the appropriations and the amount appropriated for the General Fund, Street Fund, Parks and Recreation Fund, Cemetery Fund, Transit Rural Fund, Transit Urban Fund, Water Fund, WPC Fund, Information Technology Fund, Employee Wellness Fund, Street – Federal Aid Fund, and Engineering – Alternate Transportation Fund and the resultant expenditures as set out in Section 1 of Ordinance No. 3105 be hereby further amended to reflect

increased expenditures to be derived from additional revenues, fund cash balances and/or grant funds:

Budget Amendment Totals			
Fund	Adopted Budget	Request	Amended Budget
General Fund	\$ 41,233,297	\$ 732,522	\$ 41,965,819
Street Fund	\$ 10,512,855	\$ 227,402	\$ 10,740,257
Parks and Recreation Fund	\$ 3,112,780	\$ 78,917	\$ 3,191,697
Cemetery Fund	\$ 539,441	\$ 65,000	\$ 604,441
Transit Rural Fund	\$ 1,495,128	\$ 525,000	\$ 2,020,128
Transit Urban Fund	\$ 2,742,703	\$ 1,730,744	\$ 4,473,447
Water Fund	\$ 21,460,931	\$ 16,140	\$ 21,477,071
WPC Fund	\$ 17,059,629	\$ 465,000	\$ 17,524,629
Information Technology Fund	\$ 1,776,864	\$ 8,000	\$ 1,784,864
Employee Wellness Fund	\$ 52,447	\$ 18,344	\$ 70,791
Street - Federal Aid Fund	\$ 146,862	\$ 75,000	\$ 221,862
Engineering - Alternate Transportation Fund	\$ -	\$ 220,000	\$ 220,000
Total	\$ 100,132,937	\$ 4,162,069	\$ 104,295,006

Section 2: That all other portions of Ordinance No. 3105 not herein amended shall remain in full force and effect.

Section 3: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 16th day of February 2023.

CITY OF POCA TELLO, a municipal corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

PUBLISHED:
ORDINANCE

#18(b)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, ABANDONING AND VACATING THE PUBLIC'S INTEREST IN A SIXTY FOOT (60') WIDE STRIP OF LAND BEING A PORTION OF 4TH AVENUE, A SIXTY FOOT (60') WIDE STRIP OF LAND BEING A PORTION OF CONNER STREET AND A TWENTY FOOT (20') WIDE ALLEY IN BLOCK 355, POCATELLO TOWNSITE, ALL PARCELS BEING PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT "A"; PROVIDING THAT THE PUBLIC RIGHTS-OF-WAY HEREIN VACATED SHALL BE DISTRIBUTED IN THEIR ENTIRETY TO THE ADJOINING CURRENT PROPERTY OWNER, ROY F. MILLER, IN ACCORDANCE WITH IDAHO CODE SECTIONS §50-311 AND §50-1306(A) AS DEEMED TO BE IN THE BEST INTERESTS OF THE OWNER OF THE VACATED PROPERTY AND FOR THE PUBLIC GOOD; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Application was made to the City of Pocatello requesting that the City Council abandon and vacate three public rights-of-way above described; and

WHEREAS, a Public Hearing was held at the regular City Council meeting on October 19, 2000; and

WHEREAS, the conditions set forth within Resolution No. 2000-31, dated November 2, 2000, have been met and it is timely to prepare, adopt, and record this Ordinance to effectuate the transfer of ownership; and

WHEREAS, the City Council deems that the proposed vacation of the rights-of-way do not adversely affect the rights of the public.

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

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Section 1: That the platted rights-of-way identified a 60' wide strip of land being a portion of 4th Avenue, a 60' wide strip of land being a portion of Conner Street and a 20' wide alley in Block 335, Pocatello Townsite, all more particularly described on Exhibit A, are hereby vacated.

Section 2: That the lands herein vacated shall be distributed to the adjoining current property owner, Roy F. Miller, in accordance with Idaho Code Section §50-311 as deemed to be in the best interests of the adjoining property owner and for the public good.

Section 3: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this ____ day of February, 2023.

CITY OF POCATELLO, a municipal
corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

STATE OF IDAHO)
 ss:
County of Bannock)

On this ____ day of February, 2023, before me, the undersigned, a Notary Public in and for the State, personally appeared Brian C. Blad and Konni R. Kendell, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

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

(SEAL)

NOTARY PUBLIC FOR IDAHO
Residing in _____
Commission Expires _____

EXHIBIT A

A sixty (60) foot wide strip of land being a portion of 4th Avenue, a 2nd sixty (60) foot wide strip of land being a portion Connor Street and a twenty (20) foot wide Alley in Block 335, in the Pocatello Original Townsite, Bannock County, Idaho also being in the Northeast 1/4 of the Northeast 1/4 of Section 27, T.6S., R.34E., B.M., more particularly described as follows:

4TH AVENUE:

Commencing at the Northeast corner of Section 27, T.6S., R.34E., B.M.; thence N89°40'17"W (Basis of Bearing per Central Meridian of the East Zone of the Idaho State Plane Coordinate System) along the North line of said Section 27, the same being the North boundary line of the Pocatello Original Townsite, a distance of 186.92 feet to the Northeasterly Right-Of-Way line of 4th Avenue, THE TRUE POINT OF BEGINNING; Thence continuing N89°40'17"W. along said North line 78.85 feet to the Southwesterly Right-Of-Way line of said 4th Avenue; thence S40°07'17"E along said Southwesterly Right-Of-Way line 126 feet, more or less, to the Northwesterly Right-Of-Way line of U.S. Highway 30 North defined by a 367.31 foot radius curve concave to the Southeast, described in instrument No. 99021051 of the official Records of the County of Bannock and being the Right-Of-Way line for the Future project BR-M-MG-7181(001); thence in a Northeasterly direction along said curve 62 feet, more or less, to the Northeasterly Right-Of-Way line of said 4th Avenue; thence N40°07'17"W along said Right-Of-Way line parallel with and 60 feet right angle distance Northeasterly of the Southwesterly Right-Of-Way line of said 4th Avenue 94 feet, more or less, to the North line of Section 27, T.6S., R.34E., B.M., THE TRUE POINT OF BEGINNING.

CONNOR STREET:

Commencing at the Northeast corner of Section 27, T.6S., R.34E., B.M.; thence N.89°40'17"W. (Basis of Bearing per Central Meridian of the East Zone of the Idaho State Plane Coordinate System) along the North line of said Section 27, the same being the North boundary line of the Pocatello Original Townsite, a distance of 426.65 feet to the Southeasterly Right-Of-Way line of Connor Street, THE TRUE POINT OF BEGINNING; Thence continuing N89°40'17"W along said North line 92.42 feet to the Northwesterly Right-Of-Way line of said Connor Street; thence S49°50'43"W along said Southwesterly Right-Of-Way line 67 feet, more or less, to the Northeasterly Right-Of-Way line of U.S. Highway 30 North, described in instrument No. 99021051 of the official Records of the County of Bannock and being the Right-Of-Way line for the Future project BR-M-MG-7181(001); thence in a Southeasterly direction along said Right-Of-Way line 60 feet, more or less, to the Southeasterly Right-Of-Way line of said Connor Street; thence N49°50'43"E along said Right-Of-Way line parallel with and 60 feet right angle distance Southeasterly of said Northwesterly Right-Of-Way line of said Connor Street 139 feet, more or less, to the North line of Section 27, T.6S., R.34E., B.M., THE TRUE POINT OF BEGINNING.

ALLEYWAY IN BLOCK 335

Commencing at the Northeast corner of Section 27, T.6S., R.34E., B.M.; thence N89°40'17"W (Basis of Bearing per Central Meridian of the East Zone of the Idaho State Plane Coordinate

System) along the North line of said Section 27, the same being the North boundary line of the Pocatello, Original Townsite, distance of 426.65 feet to the Southeasterly Right-Of-Way line of Connor Street; thence S49°50'43"W along said Southeasterly Right-Of-Way line 14.94 feet to the Northeasterly Right-Of-Way line of the Alley in Block 335, THE TRUE POINT OF BEGINNING; Thence continuing S49°50'43"W along said Southeasterly Right-Of-Way line of Connor Street 20 feet to the Southwesterly Right-Of-Way line of said Alley; thence S40°07'17"E along said Southwesterly Right-Of-Way line 183 feet, more or less, to the Northwesterly Right-Of-Way line of U.S. Highway 30 North defined by a 240.00 foot radius curve concave to the North, described in instrument No. 99021051 of the official Records of the County of Bannock and being the Right-Of-Way line for the Future project BR-M-MG-7181(001); thence in a Northeasterly direction along said curve 23 feet, more or less, to the Northeasterly Right-Of-Way line of said Alley; thence N40°07'17"W along said Right-Of-Way line parallel with and 20 feet right angle distance Northeasterly of the Southwesterly Right of Way line of said Alley 195 feet, more or less, to the North line of Section 27, T.6S., R.34E., B.M., THE TRUE POINT OF BEGINNING.