CITY OF POCATELLO

CITY OF POCATELLO, IDAHO
CITY COUNCIL
BUDGET DEVELOPMENT MEETING
MAY 15, 2025

AGENDA ITEM NO. 1:
ROLL CALL

Mayor Brian Blad called the City Council Budget Development meeting to order at 9:02 a.m. Council members present were Rick Cheatum, Linda Leeuwrik, Corey Mangum, Hayden Paulsen and Brent Nichols.

AGENDA ITEM NO: 2:
FISCAL YEAR 2026 BUDGET DEVELOPMENT OVERVIEW:

Gene Hill, Chief Financial Officer (CFO), gave a brief overview of budget development items to create the City's Fiscal Year 2026 Budget. Mr. Hill gave an overview of the overall economic forecast for Fiscal Year 2026 highlighting topics pertaining to inflation and historic revenue trends. He clarified that Council guidance would be necessary for departments to build budget documents, but final decisions would be made at a later date.

Council members discussed the following topics: City investment practices; revenue diversification and reporting procedures.

AGENDA ITEM NO. 3:
FISCAL YEAR 2026 REVENUE FORECAST:

Gene Hill, CFO, was present to discuss Fiscal Year 2026 projected revenue. Mr. Hill stated that the Association of Idaho Cities (AIC) provides data pertaining to projected revenues to cities. He reviewed projected revenue spreadsheets with Council members.

Council members discussed the following items: Projected sales tax estimates, projected liquor tax revenue; natural gas fees, cable franchise fees and new construction projections. Council members considered available excess reserve amounts, fee changes in various departments; projected enterprise revenue and available forgone funds. Council members discussed potential projects which may be accomplished using excess reserve funds.

Mr. Hill emphasized the importance of fiscal responsibility throughout the budget process while balancing the needs of citizens and providing essential services.

AGENDA ITEM NO. 4:
FISCAL YEAR 2026 PROPOSED FEE INCREASES:

Finance staff members and department representatives were present to discuss proposed fee increases.

Gene Hill, CFO, was present to discuss proposed fee increases for FY2025. He explained that fees are assessed for specific services to cover the cost of services provided for each department. Increases, if any, must be considered at a public hearing and all fees are set in a Fee Resolution and adopted by Council for the fiscal year.

Key topics discussed included the following: **Airport and Business Licenses:** Ensuring fees align with actual service costs. **Parks and Recreation:** Significant increases for cemetery fees to fund an endowment for long-term maintenance; program, rental, and admission fees adjusted to reflect staffing, insurance, and operating costs; new fees for Ross Park facilities; minor increases to pavilion rentals; equipment rentals and recreation program fees reviewed for competitiveness. **Building and Engineering:** Updates to building permit fees, engineering review fees, grading, and plat improvement fees; debate on valuation-based vs. per-project fees; addition of GIS dataset and aerial photography fees. **Fire Department:** Adjustments to food vendor inspection fees to align with other jurisdictions; elimination of burn permit fees due to adoption of online processing. **Planning:** Fee changes primarily due to increased publication costs; some planning activities still require taxpayer subsidy. **Sanitation and Recycling:** Fees adjusted per the 5-year rate study, with inclusion of new commercial recycling rates. **Water and Water Pollution Control (WPC):** 3% annual increases continue under the 5-year rate study; Council discussed agreements with Chubbuck for Building Department services.

Council members emphasized aligning fees with actual costs, maintaining fairness compared to industry standards and regional practices, and ensuring predictability for citizens.

Mayor Blad called a recess at 10:49 a.m.

Mayor Blad reconvened the meeting at 11:04 a.m.

AGENDA ITEM NO. 5:
FISCAL YEAR 2026 BENEFITS AND EMPLOYEE COMPENSATION:

Heather Buchanan, Human Resources Director, and AJ Argyle, GBS Benefits, presented proposed FY2026 benefits and compensation updates.

- **Action Item #1 - Insurance Renewal:** Pacific Source renewal capped at a 9.9% increase. Mr. Argyle articulated that due to large claims experienced, a significant increase is expected in 2027, and that the City would likely request proposals from alternative carriers.
- **Action Item #2 – Dental:** Met Life renewal presents a 9% increase.
- **Action Item #3 – EAP**: Blomquist Hale renewal reports a 4.92% increase.
- **Action Item #4 – Health Joy**: Cost of Health Joy was covered by Pacific Source in FY2025, but will not be covered in FY2026, as telehealth is available through Pacific Source. Discussion was held regarding adding or enhancing telehealth services. Staff noted limited utilization and technical issues, but benefits include reduced ER/urgent care visits and improved accessibility for dependents.

A motion was made by Ms. Leeuwrik, seconded by Mr. Mangum, to direct staff to prepare preliminary budget documents to include Action Items #1- #4, as recommended. Upon roll call, those voting in favor were Leeuwrik, Mangum, Cheatum, Nichols and Paulsen.

- **Action Item #5 – 30-hour employee benefit rates**: Ms. Buchanan gave an overview of the current rates and division of costs pertaining to benefits rates of

30-hour employees. Staff recommended to move 30-hour employees to match the full time rates for dental and vision, which matches the City's portion for medical rates.

A motion was made by Mr. Mangum, seconded by Ms. Leeuwrik, to direct staff to prepare preliminary budget documents to include Action Item #5, as recommended. Upon roll call, those voting in favor were Mangum, Leeuwrik, Cheatum, Nichols and Paulsen.

- **Action Item #6 – Tuition Reimbursement Funding Requests:** Ms. Buchanan gave an overview of the current tuition reimbursement funding requests totaling $111,000 for all departments. Staff anticipates approximately $20,000 to remain in the fund at the end of FY2025, once spring and summer reimbursements have been fully paid.

A motion was made by Mr. Mangum, seconded by Ms. Leeuwrik, to direct staff to prepare preliminary budget documents to include tuition reimbursement funding requests, as requested. Upon roll call, those voting in favor were Mangum, Leeuwrik, Cheatum, Nichols and Paulsen.

- **Action Item #7 – Compensation Step and Table Movement**: Ms. Buchanan gave an overview of the costs associated with a Step Movement and Table Adjustment for General Employees, Fire Union, Fire Management, Police Union and Police Management. Recommendations include a step movement for General Employees, Fire Union, Fire Management and Police Management. Police Union would receive a placement upon a new table instead of a step. Recommendations for table adjustments include 1.5% for General Employees, Fire Management and Police Management and 1.5%, as outlined in the Collective Bargaining Agreement for Fire Union employees.

A motion was made by Ms. Leeuwrik, seconded by Mr. Mangum, to direct staff to prepare preliminary budget documents to include step movement and table adjustments as recommended. Upon roll call, those voting in favor were Leeuwrik, Mangum, Cheatum, Nichols and Paulsen.

- **Action Item #8 – Adjust Overtime**: Ms. Buchanan explained that in past budget development proceedings, Council may have granted step movements, but did not adjust the overtime budget to address the increased compensation for overtime. She stated that staff recommends to increase the overtime budget line of each department 3.79%, which represents the compensation increase of steps, table adjustment and new police scale. Ms. Buchanan emphasized that in some departments, such as Street Department, Police, Fire and Water Department, overtime depends on staffing levels and seasonal demand.

A motion was made by Mr. Mangum, seconded by Ms. Leeuwrik, to direct staff to prepare preliminary budget documents to include a 3.79% increase to the overtime budget line of each department, as recommended. Upon roll call, those voting in favor were Mangum, Leeuwrik, Nichols and Paulsen. Cheatum voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 6:
HUMAN RESOURCES DEPARTMENT/WELLNESS:

Heather Buchanan, Human Resources Director, was present to give a presentation. She provided an early review of FY26 expenditures, noting most costs are soft expenses such as office supplies, trainings, and memberships. The Wellness Program proposal included a $14,000 allocation from reserves to pilot a wellness app offering fitness tracking, coaching, and health resources. Costs are per enrollee; unused funds would return to reserves.

Council discussed participation levels, morale benefits, and potential impact on medical claims. Insurance representatives noted large claims are largely unavoidable but affirmed wellness programs improve engagement and preventive care. Council shared their support for further consideration of the wellness app in the FY2026 budget development process.

AGENDA ITEM NO. 7:
ADJOURN

There being no further business, Mayor Blad adjourned the meeting at 12:06 p.m.

APPROVED:

____
BRIAN C. BLAD, MAYOR

ATTEST AND PREPARED BY:

____
KONNI R. KENDELL, CITY CLERK

CITY OF POCATELLO

CITY OF POCATELLO, IDAHO
CITY COUNCIL
CLARIFICATION MEETING
JUNE 5, 2025

AGENDA ITEM NO. 1: ROLL CALL

Mayor Brian Blad called the City Council Clarification meeting to order at 5:32 p.m. Council members present were Rick Cheatum, Corey Mangum, Brent Nichols, and Hayden Paulsen. Council member Linda Leeuwrik was excused.

AGENDA ITEM NO. 2: DISCUSSION

Mayor Blad and City Council members discussed items listed on the June 5, 2025 Regular City Council Meeting agenda. Staff members clarified agenda item information for City Council members.

AGENDA ITEM NO. 3: ADJOURN

Mayor Blad adjourned the City Council Clarification Meeting at 5:39p.m.

APPROVED BY:

____
BRIAN C. BLAD, MAYOR

ATTESTED BY:

____
KONNI R. KENDELL, CITY CLERK

PREPARED BY:

____
AUBRIANA T. RESENDES, DEPUTY CITY CLERK

CITY OF POCATELLO

CITY OF POCATELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
JUNE 5, 2025

AGENDA ITEM NO. 1: ROLL CALL AND PLEDGE OF ALLEGIANCE

The Regular City Council meeting was called to order at 6:00 p.m. by Mayor Brian Blad. Council members present were Rick Cheatum, Corey Mangum, Brent Nichols, and Hayden Paulsen. Council member Linda Leeuwrik was excused.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: INVOCATION

The invocation was offered by Pastor Nancy Pearson, representing First Presbyterian Church.

Mayor Blad announced Agenda Item No. 13 (a) had been pulled from the agenda.

AGENDA ITEM NO. 3: CONSENT AGENDA

Council was asked to consider the following business items:

(a) MINUTES
Waive the oral reading of the minutes and approve the minutes from the Clarification and Regular City Council meetings of April 17, 2025.

(b) MATERIAL CLAIMS
Approve the Material Claims for the period of May 16 - 31, 2025 in the amount of $2,372,132.37.

(c) RESOLUTION – 2025 DESTRUCTION OF CITY RECORDS
Adopt a Resolution (2025-16) providing for the destruction of temporary records pursuant to Idaho Code §50-907 and the City's Records Policy.

A motion was made by Mr. Cheatum, seconded by Mr. Mangum, to approve the items on the Consent Agenda. Upon roll call, those voting in favor were Cheatum, Mangum, Nichols, and Paulsen.

AGENDA ITEM NO. 4: PROCLAMATIONS

Mayor Blad announced there were no proclamations.

AGENDA ITEM NO. 5: CALENDAR REVIEW

Mayor Blad reminded Council members of the following meetings:

June 10 and 11 City Council Budget Development meetings beginning at 9 a.m. each day; June 12 City Council Work Session at 9:00 a.m.; June 19 is the Juneteenth holiday - all regularly scheduled City Council meetings on this day have been canceled; June 25 Special City Council Town Hall meeting.

Mayor Blad announced that on June 10 from 4 p.m. – 6 p.m. there will be an Open House for North Portneuf Crossing Project at the Pocatello Water Department located at 1889 North Arthur Avenue; the Poky Paddle will take place on June 13 from 5 p.m. – 8 p.m. at Centennial Park; the June Jaunt Fun Run will be June 14 at 8:00 a.m. Please contact the Parks and Recreation Department for details; June 15 is Father's Day at the Zoo. Fathers will receive a 50% discount off their admission when accompanied by a paid child; City offices will be closed on June 19 for the Juneteenth Holiday. Garbage, compost, and recycling pick-ups will continue on schedule; Municipal Band Concerts on Sunday evenings at the Ross Park Bandshell from 7 p.m. to 8 p.m. beginning June 29 and continuing through August 3. The concerts are free to the community.

AGENDA ITEM NO. 6: CONFIRMATION OF COUNCIL MEMBER APPOINTMENT – BATES

Council was asked to confirm the Mayor's appointment of Dakota Bates to serve as a City Council member fulfilling the unexpired term of Josh Mansfield, City Council member Seat No. 4, with the appointment to be effective June 5, 2025.

A motion was made by Mr. Nichols, seconded by Mr. Cheatum, to confirm the Mayor's appointment of Dakota Bates to serve as a City Council member fulfilling the unexpired term of Josh Mansfield, City Council member Seat No. 4, with the appointment to be effective June 5, 2025. Upon roll call, those voting in favor were Nichols, Cheatum, Mangum, and Paulsen.

Konni Kendell, City Clerk, administered the oath of office to the newly appointed City Council member. Council member Dakota Bates was sworn in and assumed the dais as he completed his oath.

AGENDA ITEM NO. 7: PUBLIC HEARING – SOUTH 5TH AVENUE AREA WIDE PLAN

This time was set aside for the Council to hear comments from the public regarding the South 5th Area Wide Plan. Council was asked to adopt the proposed document as an official City plan by resolution.

Mayor Blad declared the public hearing open.

Jennifer Flynn, Assistant Planner, presented the final draft of the South 5th Area Wide Plan for Council consideration and adoption by resolution. She explained that in 2023, the City was awarded $500,000 from the Environmental Protection Agency to conduct Brownfield assessments and develop redevelopment plans. The plan outlines a community vision focused on diversified housing, improved appearance, safer streets, and enhanced pedestrian and bicycle infrastructure to support economic development. Ms. Flynn said the plan encourages mixed-use zoning, increased student and senior housing, multi-use paths, improved transit, ADA access, park improvements, and code enforcement. It aligns with several existing City and regional planning documents and is intended to guide future public and private developments. The plan was presented at the May 8, 2025 Work Session and is available on the City website and in the agenda materials. She confirmed that since the May 8 Work Session, no changes were made and added that all public notice requirements were met.

Mayor Blad announced that no written correspondence had been received.

Dale Spencer, Pocatello resident, spoke in support of the proposal. He noted that Westside Players Theater has been located on South 2nd Avenue for 38 years and he felt the plan would benefit the area.

Kevin Spencer, Pocatello resident, spoke in opposition of the proposal. He brought up concerns regarding the annexation of the South 5th area and a business he felt was not keeping the aquifer safe due to their practices. It was revealed that his complaints weren't in relation to the area plan being discussed.

In response to questions from the Council, Ms. Flynn explained how this area plan is different than the annexation. She explained the location of the area plan and explained where a map could be found.

Nikki Taysom, Pocatello resident, spoke in opposition to the proposal. She questioned the need for additional pedestrian improvements along South 5th, requested clearer maps and information, and expressed concern about public safety and the use of funds.

Nanette Smith, Pocatello resident, spoke in opposition to the proposal. She expressed concern about traffic safety near South 5th and 4th Avenues, stating that entering and exiting nearby businesses is dangerous and that a lower speed limit or traffic light is needed. She urged the City to address these safety issues before moving forward with the plan.

Paul Gregerson, Pocatello resident, spoke in opposition to the proposal. He expressed concern about heavy traffic and dangerous conditions near the Maverick on South 5th, recalling past serious accidents in the area. He said trucks often take risks pulling into traffic, creating frequent near misses, and urged the City to address the need for a traffic light and other safety measures before increasing traffic through the area.

In response to questions from the Council, Ms. Flynn explained that the traffic concerns near Maverick are outside the South 5th Area Wide Plan boundary. She said the plan focuses on slowing traffic and improving pedestrian safety through the ISU corridor but does not propose new traffic lights. Ms. Flynn noted that South 5th is under the jurisdiction of Idaho Transportation Department (ITD), so any signals or speed adjustments would require coordination with the state. She explained that the goal of the South 5th Area Wide Plan is to create a continuous and connected bike path network. She noted that while the path runs well in front of the cemetery, it ends past Idaho State University, and the plan advocates for safer pedestrian travel and improved connectivity throughout the corridor from 5th Avenue to 1st Avenue. Ms. Flynn clarified that the southernmost street in the plan area is Velton Avenue and the northernmost is Terry Street.

In response to questions from the Council, Brent McLane, Planning and Development Services Director, explained that the Planning Department does not control street speed limits and that questions on that issue should be directed to the Street Department. He stated the South 5th Area Wide Plan only addresses the defined project boundaries and does not include the area near Maverick, though that area could be considered in a future comprehensive plan. He explained that the plan encourages bike commuting on routes other than South 5th and South 4th, where traffic is lighter. He said South 5th has a mostly adequate bike path, but South 4th is dangerous due to heavy traffic and parked cars. The plan proposes creating safer bike paths on nearby streets, such as 2nd Avenue, to provide a safer southbound route.

In response to a request from the Council, Ms. Flynn explained that the South 5th Area Wide Plan is available through the agenda attachments on the City's website, which include both a presentation overview and the full 83-page plan. She noted that a QR code is also available to access the plan on a smartphone, and she offered to provide the information directly to anyone who contacts her.

Council members acknowledged ongoing concerns about traffic and safety at the South 5th interchange and explained that the issue falls under ITD's jurisdiction. Council members noted they have been in contact with ITD leadership for the past two years and that traffic lights and major reconstruction are planned but likely will not occur until the mid-2030s due to budget constraints. They emphasized that the City has made pedestrian safety improvements where possible, but the interchange remains under ITD control.

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

A motion was made by Mr. Paulsen, seconded by Mr. Mangum, to adopt the proposed document as an official City plan and adopt resolution (2025-17). Upon roll call, those voting in favor were Paulsen, Mangum, Bates, Cheatum, and Nichols.

AGENDA ITEM NO. 8: FINAL PLAT – HOSPITAL VIEW DIVISION 1

Council was asked to approve a final plat application submitted by JG Ventures, LLC, represented by Bryce Marsh, Horrocks Engineering (mailing address: 2194 Snake River Parkway, Suite 205, Idaho Falls, ID 83402) to subdivide 3.669 acres (more or less) into four (4) commercial lots and two (2) common lots. The proposed subdivision is located east of Portneuf Medical Center and will be known as Hospital View Division 1. Staff recommended approval of the final plat with conditions.

Mr. Nichols recused himself from voting as he has a personal conflict of interest.

A motion was made by Mr. Mangum, seconded by Mr. Paulsen, to approve a final plat application submitted by JG Ventures, LLC, represented by Bryce Marsh, Horrocks Engineering, to subdivide 3.669 acres (more or less) into four (4) commercial lots and two (2) common lots with the following conditions: 1) All conditions set out in the Public Works Department Memorandum from Merril Quayle, P .E. dated May 6, 2025, shall be met; 2) All conditions set out in the Executive Summary dated June 5, 2025, shall be met; 3) All other standards and conditions of Municipal Code not herein stated but applicable to the subdivision shall apply and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Mangum, Paulsen, Bates, and Cheatum. Mr. Nichols recused himself from voting on the motion. The motion passed.

AGENDA ITEM NO. 9: FINAL PLAT APPLICATION – FAIRMONT PLACE

Council was asked to approve a final plat application submitted by Cody Christensen, represented by Laura-Louise Radke, Sunrise Engineering (mailing address: 600 East Oak Street, Pocatello, ID 83201) to subdivide 2.22 acres (more or less) into thirteen (13) lots. The properties are located in the 1100 block of East Poplar Street and 600 block of Franklin Avenue. Staff recommended approval of the final plat with conditions.

A motion was made by Mr. Mangum, seconded by Mr. Cheatum, to approve a final plat application submitted by Cody Christensen, represented by Laura-Louise Radke, Sunrise Engineering to subdivide 2.22 acres (more or less) into thirteen (13) lots located in the 1100 block of East Poplar Street and 600 block of Franklin Avenue with the following conditions: 1) All conditions set out in the Public Works Department Memorandum from Merril Quayle, P.E. dated May 23, 2025, shall be met; 2) All other standards and conditions of Municipal Code not herein stated but applicable to the subdivision shall apply and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Mangum, Cheatum, Bates, Nichols, and Paulsen.

AGENDA ITEM NO. 10: IDAHO FIRE CHIEFS LICENSE PLATE GRANT APPLICATION REQUEST

Council was asked to approve submission of a grant application for the Idaho Fire Chiefs License Plate Grant in the amount of $3,000.00 and if awarded, authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. Grant funds will be used for the purchase of fire prevention outreach materials. There is no grant match required.

A motion was made by Mr. Mangum, seconded by Mr. Paulsen, to approve submission of a grant application for the Idaho Fire Chiefs License Plate Grant in the amount of $3,000.00 and if awarded, authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. Upon roll call, those voting in favor were Mangum, Paulsen, Bates, Cheatum, and Nichols.

AGENDA ITEM NO. 11: HOUSING PLAN AWARD/ PROFESSIONAL SERVICES AGREEMENT – STANTEC CONSULTING SERVICES, INC.

Council was asked to accept the recommendations of staff and award a contract and approve a professional services agreement between the City of Pocatello and Stantec Consulting Services, Inc. for a Housing Plan and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. The City conducted a Request for Qualifications (RFQ) for the Housing Plan and received eleven (11) responsive and responsible proposals for the services and Stantec Consulting Services, Inc. was deemed the most highly qualified.

A motion was made by Mr. Nichols, seconded by Mr. Mangum, to award a contract and approve a professional services agreement between the City of Pocatello and Stantec Consulting Services, Inc. for a Housing Plan and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. Upon roll call, those voting in favor were Nichols, Mangum, Bates, Cheatum, and Paulsen.

AGENDA ITEM NO. 12: BID ACCEPTANCE AND CONTRACT FOR EAST OAK STREET CHILD PEDESTRIAN SAFETY IMPROVEMENTS PROJECT – D-CO CONCRETE, LLC

Council was asked to approve the following requests regarding the East Oak Street Child Pedestrian Safety Improvements Project:

(a) ACCEPT BID - D-CO CONCRETE, LLC
Accept the low responsive bid received on May 13, 2025, from D-Co Concrete, LLC for $237,970.66, and if accepted;

(b) AUTHORIZE AGREEMENT - D-CO CONCRETE, LLC
Authorize an agreement between the City of Pocatello and D-Co Concrete, LLC in the amount of $237,970.66 for the East Oak Street Child Pedestrian Safety Improvements Project, and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review.

The City was awarded $250,000.00 through the State of Idaho Children Pedestrian Safety (CPS) Program to provide infrastructure improvements for the Greenacres Elementary School project development. There is no fiscal requirement or match for the project.

A motion was made by Mr. Paulsen, seconded by Mr. Mangum, to approve the requests regarding the East Oak Street Child Pedestrian Safety Improvements Project as outlined in Agenda Item No. 12(a) and 12(b) and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review.

In response to questions from the Council, Mariela Mejia, Project Manager, stated that construction at Greenacres Elementary School is scheduled to begin next week and be completed by the end of July. She explained that the work is planned during the summer to avoid disrupting students when school resumes.

Mr. Paulsen's motion was voted upon at this time. Upon roll call, those voting in favor were Paulsen, Mangum, Bates, Cheatum, and Nichols.

AGENDA ITEM NO. 13: PROFESSIONAL SERVICES AGREEMENT – BIOTA CONSULTING

Council was asked to approve the following lease agreements and adopt corresponding Resolutions for property at the Airport and authorize the Mayor's signature on all applicable documents, subject to Legal Department review:

(a) IDAHO INLINE HOCKEY – PULLED FROM AGENDA
As announced earlier, Agenda Item No. 13 a) A lease agreement with Idaho Inline Hockey for approximately 3.25 acres of property upon which they will construct and operate an indoor hockey facility, was pulled from the agenda.

(b) LEASE AGREEMENT WITH RDM ONSITE
A lease agreement with RDM Onsite for approximately 4,208 square feet of warehouse space for the purpose of cold storage of business supplies and equipment. Term will be five (5) years and rental rate will be $553.80 per month; and

(c) LEASE AGREEMENT RENEWAL WITH MARILYN MERRILL
A lease agreement renewal with Marilyn Merrill for approximately 1,760 square feet of hangar space for the storage of aircraft. Term will be five (5) years and rental rate will be $324.20 per month.

All rental rates will be increased annually according to the CPI with a full rate review in 2026 and every five (5) years thereafter.

A motion was made by Mr. Mangum, seconded by Mr. Bates, to approve the following lease agreements with rental rates to be increased annually according to the CPI with a full rate review in 2026 and every five (5) years thereafter and adopt the following corresponding resolutions and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review: 13b) Adopt a resolution (2025-18), and approve a lease agreement with RDM Onsite for approximately 4,208 square feet of warehouse space for the purpose of cold storage of business supplies and equipment, with a five (5) year term and rental rate of $553.80 per month; and 13c) Adopt a resolution (2025-19) and approve a lease agreement renewal with Marilyn Merrill for approximately 1,760 square feet of hangar space for the storage of aircraft, with a five (5) year term and rental rate of $324.20 per month. Upon roll call, those voting in favor were Mangum, Bates, Cheatum, Nichols, and Paulsen.

AGENDA ITEM NO. 14: ORDINANCE – ANNEXING APPROXIMATELY 77.95 ACRES OF LAND NORTH OF EAST CENTER STREET AND SOUTHEAST OF VISTA DRIVE

Council was asked to approve an ordinance annexing approximately 77.95 acres of land to extend the Pocatello city limits north of East Center Street and southeast of Vista Drive. The subject property will be zoned Residential Low Density (RL) with concurrent Comprehensive Plan Land Use Map designation of Residential (R).

A motion was made by Mr. Nichols, seconded by Mr. Cheatum, that the ordinance, Agenda Item No. 14, be read only by title and placed on final passage for publication and that only the ordinance summary sheet be submitted for publication. Upon roll call, those voting in favor were Nichols, Cheatum, Bates, Mangum, and Paulsen.

Jared Johnson, City Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance annexing approximately 77.95 acres of land to extend the Pocatello city limits north of East Center Street and southeast of Vista Drive and that subject property will be zoned Residential Low Density (RL) with concurrent Comprehensive Plan Land Use Map designation of Residential (R). Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Bates, Cheatum, Mangum, Nichols and Paulsen. Mayor Blad declared the ordinance passed, that it be numbered 3159 and that only the ordinance summary sheet be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 15: ITEMS FROM THE AUDIENCE

Wayne “Skip” Rudd, Pocatello resident, spoke regarding maintenance of tennis facilities in the community. He provided written information for the Council to review at their convenience and offered to return to answer questions, stating that the issue is of significant concern to many community members.

Council members thanked Mr. Rudd, stated tennis facility improvements are already on their radar, and that they are pursuing grants and working with ISU on the issue. Council members invited Mr. Rudd to follow up directly to discuss the matter further.

Stephen Adams, Pocatello resident, spoke regarding the April 5, 2025, officer-involved shooting of Victor Perez. He feels the critical incident video was poorly edited and lacked transparency. He believes the Idaho Attorney General’s Office now has all relevant information for the investigation.

Nikki Taysom, Pocatello resident, spoke regarding community safety. She expressed concern that children and families are not safe and urged the City and community to take action to address ongoing issues.

AGENDA ITEM NO. 16: ADJOURN

There being no further business, Mayor Blad adjourned the meeting at 6:54 p.m.

APPROVED BY:

____
BRIAN C. BLAD, MAYOR

ATTESTED BY:

____
KONNI R. KENDELL, CITY CLERK

PREPARED BY:

____
AUBRIANA T. RESENDES, DEPUTY CITY CLERK

CITY OF POCATELLO

CITY OF POCATELLO, IDAHO
CITY COUNCIL
CITY COUNCIL SPECIAL MEETING
AUGUST 7, 2025

A Special Meeting of the City Council was called to order by Mayor Brian Blad at 4:04 p.m. in the Paradice Conference Room at City Hall. Council members in attendance were Datoka Bates, Rick Cheatum, Linda Leeuwrik, Corey Mangum and Hayden Paulsen. Council Member Brent Nichols was excused.

A motion was made by Mr. Paulsen, seconded by Mr. Cheatum, to convene into Executive Session as outlined in Idaho Code 74-206(1)(j) To consider labor contract matters authorized under section 74-206A (1)(a) and (b), Idaho Code; and 74-206(1)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general. Upon roll call, those voting in favor were Paulsen, Cheatum, Bates, Leeuwrik and Mangum.

In addition to the Mayor and Council members, Jared Johnson, City Attorney, Heather Buchanan, Human Resources Director, Anne Nichols, Chief of Staff, and Konni Kendell, City Clerk, were in attendance.

Council members discussed topics within the parameters of the above statutes.

Ms. Buchanan was excused at 4:22 p.m.

There being no further business, Mayor Blad adjourned the meeting at 5:09 p.m.

APPROVED:

____
BRIAN C. BLAD, MAYOR

ATTEST AND PREPARED BY:

____
KONNI R. KENDELL, CITY CLERK

CITY COUNCIL DECISION
VACATION OF EASEMENT

APPLICANT:	Kartchner Homes, Inc. 601 W 1700 S Building B Logan, UT 84321
LOCATION OF REQUEST:	Saunter Lane Bannock County, Idaho
LEGAL DESCRIPTION:	See attached Exhibit "A"
TYPE OF REQUEST:	Vacation and abandonment of the public's interest in approximately 0.5 acres of right-of-way located at Saunter Lane, extending from Wayfarer Street south through the cul-de-sac of Saunter Lane

PUBLIC HEARING

At its regular meeting held August 7, 2025, the Pocatello City Council reviewed the request of the Applicant, reviewed the recommendation for approval of the vacation from Planning and Development Services staff, and heard testimony on the request during a Public Hearing. Additionally, Pocatello City Council considered previous owner assertions regarding the Covenants, Conditions, and Restrictions (CC&Rs) related to the subdivision. Eleven (11) written public comments and six (6) verbal comments were received in opposition to the application.

CITY COUNCIL FINDINGS

Following the hearing, the City Council agreed with the staff review of the established vacation of right-of-way review criteria; finding that:

1. The property owner has a viable plan to replace the cul-de-sac with a more efficient design that will fit with adjacent uses.

2. It is not anticipated that any damages will incur upon the general public by vacating the cul-de-sac of Saunter Lane, provided all conditions are adhered to as recommended by staff.

3. The updated site plan is in the best interest of the adjacent owners by developing the site with multi-family housing, which matches existing, adjacent land uses.

4. Significant infrastructure exists; therefore, the recommendations of the attached public works memorandum should be followed.

CITY COUNCIL DECISION

Pursuant to the above findings, the Pocatello City Council hereby approves the vacation and abandonment of the public's ownership interest in a right-of-way of approximately 0.5 acres of right-of-way located at Saunter Lane, extending from Wayfarer Street south through the cul-de-sac of Saunter Lane, legally described on the attached Exhibit A, and further approves conveyance of said vacated right-of-way in its entirety to Kartchner Homes, Inc., subject to the following conditions:

1. All comments contained in the Staff Report, dated August 7, 2025, attached hereto and incorporated herein as Exhibit "B", shall be adhered to;

2. Any other requirements not herein noted but applicable to the subject right-of-way vacation shall be strictly adhered to.

After the above conditions have been met, City Council further directs that an ordinance be prepared to vacate and abandon the right-of-way.

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

DATED this ____ day of August, 2025.

APPROVED AS TO FORM AND CONTENT	CITY OF POCATELLO, a municipal corporation of Idaho
______________________________	______________________________
JARED JOHNSON, City Attorney	BRIAN C. BLAD, Mayor

ATTEST:

____
KONNI R. KENDELL, City Clerk

STATE OF IDAHO)
ss:
County of Bannock)

On this ___ day of _______________, 2025, before me, the undersigned, a Notary Public 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: ______________________
My commission expires: ____________

EXHIBIT A

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 6 SOUTH, RANGE 34 EAST OF THE BOISE MERIDIAN ALSO BEING SAUNTER LANE RECORDED ON THE CROSSINGS DIVISION NO. 1 AMENDED PLAT IN BANNOCK COUNTY, IDAHO RECORDER'S OFFICE UNDER INSTRUMENT NO. 21918332 ON NOVEMBER 20, 2019 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 1, TOWNSHIP 6 SOUTH, RANGE 34 EAST OF THE BOISE MERIDIAN (THE SOUTHWEST CORNER OF SAID SECTION BEARS S 89°53'17" W 2608.73 FEET) THENCE S 89°53'17" W 1018.88 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE N 00°06'43" W 436.00 FEET TO THE NORTHWEST CORNER OF LOT 12 OF THE CROSSINGS DIVISION NO. 1 AMENDED PLAT AS RECORDED IN THE BANNOCK COUNTY RECORDER'S OFFICE UNDER INSTRUMENT NO. 21918332 ON NOVEMBER 20, 2019, SAID POINT ALSO BEING THE POINT OF BEGINNING AND RUNNING THENCE ALONG THE RIGHT OF WAY OF SAUNTER LANE AS SHOWN IN SAID PLAT THE FOLLOWING 6 COURSES:

1) THENCE S 44°57'53" W 28.25 FEET;
2) THENCE S 00°02'30" W 220.25 FEET;
3) THENCE 275.22 FEET ALONG A CURVE TO THE RIGHT, WITH A CENTRAL ANGLE OF 262°49'09", A RADIUS OF 60.00 FEET, AND A CHORD THAT BEARS N 48°32'55" W 90.00 FEET;
4) THENCE WITH A REVERSE CURVE 28.91 FEET ALONG A CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 82°49'09", A RADIUS OF 20.00 FEET, AND A CHORD THAT BEARS N 41°27'04" E 26.46 FEET;
5) THENCE N 00°02'30" E 140.64 FEET;
6) THENCE N 45°02'07" W 28.32 FEET TO THE SOUTH RIGHT OF WAY OF WAYFARER STREET;
7) THENCE ALONG THE SOUTH RIGHT OF WAY OF SAID STREET N 89°53'16" E 90.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.50 ACRES, MORE OR LESS.

Agenda Item #3(f)

CITY COUNCIL DECISION
ANNEXATION AND ZONING REQUEST

APPLICANT:	Brady Smith
OWNER:	McCormick Ranch, LLC 1086 Horizon Drive Rexburg, ID 83440
LOCATION OF REQUEST:	Approximately 12.46 acres of the parent parcel RPR3853028016, legally described on the attached Exhibit "A"
NATURE OF REQUEST:	Request to annex the subject property into the corporate boundary of the City and zone the same as Residential Low Density (RL) with a concurrent Comprehensive Plan Land Use Map designation of Residential (R)

At a Public Hearing held July 9, 2025, the Planning and Zoning Commission heard testimony and later made Findings of Fact and drew conclusions therefrom based on the standards listed therein. A copy of the Findings of Fact is attached hereto as Exhibit "B" for reference.

PLANNING AND ZONING COMMISSION'S RECOMMENDATION
TO POCATELLO CITY COUNCIL

Based upon the conclusions contained in Exhibit B, the Commission recommended approval of the request.

ANNEXATION AND ZONING ORDINANCE STANDARDS FOR DECISION

1. Cities have the authority to annex land into a City which is reasonably necessary to assure the orderly development of the City pursuant to Idaho Code §50-222.

2. Development standards in Residential Low Density (RL) zoning districts are contained in Table 17.03.500 of the Pocatello Municipal Code.

3. City of Pocatello Resolution No. 2006-02 provides for the developer of real property being annexed into the city limits to provide a water source sufficient to support the water needs of the development of said property, or to provide a cash payment of an amount sufficient to purchase a water source utilizing a formula determined by the City.

POCATELLO CITY COUNCIL FINDINGS OF FACT AND CONCLUSIONS

At its regularly-scheduled meeting on August 7, 2025, the City Council held a public hearing and considered the record of the application and the Findings of Fact from the Planning and Zoning Commission. The Applicant, represented by Brady Smith, and City staff made presentations. Two (2) public comments were received in opposition to the application.

After discussion, the City Council found that the application is in compliance with the review criteria relevant to the proposed annexation.

POCATELLO CITY COUNCIL DECISION

After considering the above-named Findings of Fact and Conclusions, public comments, and the Applicant's proposal; the Pocatello City Council hereby approves the annexation and zoning of approximately 12.4 acres of the parent parcel RPR3853028016, as described in Exhibit A, subject to the following terms and conditions:

1. The subject property shall be annexed into the corporate boundaries of the City of Pocatello.

2. All conditions set out in the Public Works Department Memorandum from Merril Quayle, P.E. dated July 1, 2025, attached hereto and incorporated herein, as Exhibit "C" shall be met.

3. Any standards/regulations not herein noted but applicable to the proposed development shall be strictly adhered to.

4. Any activity requiring a separate development or building permit shall comply with applicable regulations.

ADOPTED this ___ day of August, 2025.

Approved as to form and content	CITY OF POCATELLO, a municipal corporation of Idaho
______________________________	______________________________
JARED JOHNSON, City Attorney	BRIAN C. BLAD, Mayor

ATTEST:

____

KONNI R. KENDELL, City Clerk

STATE OF IDAHO)
ss:
County of Bannock)

On this ____ day of ______________________, 2025, before me, the undersigned, a Notary Public 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 PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 28, TOWNSHIP 6 SOUTH, RANGE 34 EAST, BEING MARKED BY 5/8" REBAR WITH AN ALUMINUM CAP AS SHOWN ON CORNER PERPETUATION AND FILING, INSTRUMENT NO. 20715537; THENCE ALONG THE EAST LINE OF SAID SECTION 28, NORTH 00°49'31" EAST 1181.12 FEET; THENCE NORTH 89°10'29" WEST 868.68 FEET TO THE SOUTHWEST CORNER OF POCATELLO CITY LIMITS, ORDINANCE NO. 2789, INSTRUMENT NO. 20614097, COMMON WITH CENTERLINE STATION 20+94.30 OF BAN-NOCK COUNTY TRAIL CREEK ROAD SURVEY AS SHOWN ON THE PLAN AND PROFILE SHEET FILED UNDER SECTION 27 AND 28, DRAWER NO. 8, ON FILE IN THE COUNTY, ALSO BEING THE POINT OF BEGINNING; THENCE IN A SOUTHWESTERLY DIRECTION ALONG A NON-TANGENT CURVE WITH A 286.48 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST OF WHICH THE RADIUS BEARS SOUTH 04°18'58" EAST; THENCE SOUTHWEST-ERLY 202.50 FEET ALONG THE ARC OF SAID 286.48 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 40°30'00" AND A LONG CHORD THAT BEARS SOUTH 65°26'02" WEST 198.31 FEET; THENCE ALONG THE SOUTH LINE OF WARRANTY DEED, INSTRUMENT NO. 22300943 THE FOLLOWING FOUR COURSES; (1) THENCE NORTH 58°42'00" WEST 202.97 FEET; (2) THENCE NORTH 27°44'33" WEST 143.54 FEET; (3) THENCE NORTH 55°59'09" WEST 138.39 FEET; (4) THENCE NORTH 89°52'33" WEST 114.91 FEET; THENCE NORTH 00°23'50" EAST 143.85 FEET TO POINT OF NON-TANGENCY WITH A 330.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST OF WHICH THE RADIUS BEARS NORTH 20°36'43" WEST; THENCE SOUTHWESTERLY 20.61 FEET ALONG THE ARC OF SAID 330.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 03°34'44" AND A LONG CHORD THAT BEARS SOUTH 71 °10'39" WEST 20.61 FEET; THENCE NORTH 17°01'59" WEST 60.00 FEET; THENCE NORTH 18°44'38" WEST 98.02 FEET; THENCE NORTH 46°48'11" EAST 91.26 FEET TO A POINT OF NON-TANGENCY WITH A 330.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST OF WHICH THE RADIUS BEARS NORTH 46°48'11" EAST; THENCE NORTHWESTERLY 52.31 FEET ALONG THE ARC OF SAID 330.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 09°04'58" AND A LONG CHORD THAT BEARS NORTH 38°39'20" WEST 52.26 FEET; THENCE NORTH 55°53'09" EAST 161.47 FEET TO THE WEST LINE OF WARRANTY DEED, INSTRUMENT NO. 22412821; THENCE ALONG SAID WEST LINE, SOUTH 22°32'18" EAST 50.40 FEET TO A FOUND 1/2" REBAR WITH CAP STAMPED SRSI PLS 843; THENCE ALONG THE SOUTH LINE OF SAID WARRANTY DEED, INSTRUMENT NO. 22412821, NORTH 68°40'24" EAST 609.49 FEET TO THE WEST LINE OF POCATELLO CITY LIMITS, ORDINANCE NO. 2789, INSTRUMENT NO. 20614097; THENCE ALONG SAID WEST LINE THE FOLLOWING ELEVEN COURSES; (1) THENCE SOUTH 34°28'56" EAST 104.45 FEET; (2) THENCE SOUTH 52°15'04" WEST 176.12 FEET; (3) THENCE SOUTH 57°34'13" EAST 193.73

FEET; (4) THENCE SOUTH 78°34'39" EAST 168.51 FEET; (5) THENCE SOUTH 00°21'17" WEST 13.84 FEET TO A POINT OF TANGENCY WITH A 135.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST OF WHICH THE RADIUS BEARS NORTH 89°38'39" WEST; (6) THENCE SOUTHWESTERLY 91.85 FEET ALONG THE ARC OF SAID 135.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 38°58'56" AND A LONG CHORD THAT BEARS SOUTH 19°50'49" WEST 90.09 FEET; (7) THENCE SOUTH 39°20'17" WEST 348.82 FEET TO A POINT OF TANGENCY WITH A 90.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST OF WHICH THE RADIUS BEARS SOUTH 50°39'50" EAST; (8) THENCE SOUTHWESTERLY 86.4 7 FEET ALONG THE ARC OF SAID 90.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 55°02'55" AND A LONG CHORD THAT BEARS SOUTH 11 °48'43" WEST 83.18 FEET; (9) THENCE SOUTH 15°42'45" EAST 26.49 FEET; (10) THENCE SOUTH 30°26'09" WEST 51.81 FEET; (11) THENCE SOUTH 04°18'58" EAST 33.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 12.426 ACRES, MORE OR LESS.

Agenda Item #3(g)

CITY COUNCIL DECISION
FINAL PLAT APPROVAL
RIDGES @ HIGH TERRACE DIVISION I

Bill Isley as Developer and Owner and represented by Sunrise Engineering, Inc., submitted a request to subdivide approximately 63.18 acres of land, more particularly described on the attached Exhibit “A”, into forty (40) lots which are located within a Residential Low Density (RL) zoning district.

This matter came before City Council at its regularly scheduled meeting on August 7, 2025, whereat the City Council approved the plat for the Ridges @ High Terrace Division I and authorized City staff to sign the plat, subject to the following conditions:

1. All conditions set out in the Public Works Department Memorandum from Merril Quayle, P.E. dated July 25, 2025, attached hereto and incorporated herein, as Exhibit “B” shall be met.

2. All other standards and conditions of Municipal Code not herein stated but applicable to the subdivision shall apply.

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

DATED this ____ day of ________________, 2025.

Approved as to form and content	CITY OF POCATELLO, a municipal corporation of Idaho
______________________________	______________________________
JARED JOHNSON, City Attorney	BRIAN C. BLAD, Mayor

ATTEST:

____
KONNI R. KENDELL, City Clerk

STATE OF IDAHO)
ss:
County of Bannock)

On this ______ day of _________________, 2025, before me, the undersigned, a Notary Public 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: ____________________________
My commission expires: __________________

EXHIBIT A

A PORTION OF LAND LOCATED IN SECTION 19, TOWNSHIP 6 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER 1/4 CORNER OF SECTION 19, BEING MARKED BY A BANNOCKCOUNTY BRASS CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION & FILING INST. NO. 22402293;

THENCE SOUTH 89°52'08” EAST, ALONG THE LATITUDINAL CENTERLINE OF SECTION 19, A DISTANCE OF 1302.07 FEET TO THE CENTER EAST 1/16 CORNER OF SECTION 19, BEING MARKED MY A 2 INCH PIPE WITH NO CAP AS DESCRIBED IN CORNER PERPETUATION & FILING INST. NO. 20524200;

THENCE SOUTH 00°08'22” EAST, LEAVING SAID LATITUDINAL CENTERLINE OF SECTION 19 AND FOLLOWING ALONG THE EAST 1/16 LINE OF SECTION 19, A DISTANCE OF 1327.29 FEET TO THE SOUTHEAST 1/16 CORNER OF SECTION 19, BEING MARKED BY A 2 INCH ALUMINUM CAP AS DESCRIBED IN CORNER PERPETUATION & FILING INST. NO. 20524198;

THENCE NORTH 89°44'04” WEST, LEAVING SAID EAST 1/16 LINE OF SECTION 19 AND FOLLOWING ALONG THE SOUTH 1/16 LINE OF SECTION 19, A DISTANCE OF 1318.89 FEET TO THE CENTER SOUTH 1/16 CORNER OF SECTION 19, BEING MARKED BY A 2 INCH ALUMINUM CAP AS DESCRIBED IN CORNER PERPETUATION & FILING INST. NO. 20524199;

THENCE NORTH 89°44'30” WEST, CONTINUING ALONG SAID SOUTH 1/16 LINE OF SECTION 19, A DISTANCE OF 202.25 FEET TO THE NORTHWEST CORNER OF TUSCANY HEIGHTS SUBDIVISION (RECORD INST. NO. 20324675), BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED “RMES PELS 2341”;

THENCE LEAVING THE SOUTH 1/16 LINE OF SECTION 19 AND PASSING THROUGH A PARCEL OF LAND DESCRIBED IN DEED INST. NO. 22404008 FOR THE FOLLOWING SEVEN (7) COURSES:

1. NORTH 21°20'36” EAST A DISTANCE OF 400.08 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED “LS 13023”;

2. NORTH 29°03'41” EAST A DISTANCE OF 83.59 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED “LS 13023”;

3. NORTH 57°04'46” WEST A DISTANCE OF 204.37 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED “LS 13023”;

4. NORTH 32°55'14” EAST A DISTANCE OF 17.17 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED “LS 13023”;

5. NORTH 57°04'46" WEST A DISTANCE OF 340.00 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "LS 13023";

6. SOUTH 32°55'14" WEST A DISTANCE OF 17.17 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "LS 13023";

7. NORTH 57°04'46" WEST A DISTANCE OF 675.10 FEET TO A POINT ON THE EASTERLY BOUNDARY OF VELLE DI ALBERI (RECORD INST. NO. 21812266), BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "LS 13023";

THENCE FOLLOWING ALONG SAID EASTERLY BOUNDARY OF VELLE DI ALBERI FOR THE FOLLOWING TWO (2) COURSES:

1. NORTH 25°27'50" EAST A DISTANCE OF 25.27 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "RMES PLS 2341";

2. NORTH 05°06'12" EAST A DISTANCE OF 15.28 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "RMES PLS 2341";

THENCE LEAVING THE EASTERLY BOUNDARY OF VELLE DI ALBERI AND FOLLOWING ALONG THE SOUTHEASTERLY AND NORTHEASTERLY BOUNDARY LINES OF TWO (2) PARCELS OF LAND DESCRIBED IN DEED INST. NOS. 22403755 & 22305065 FOR THE FOLLOWING THREE (3) COURSES:

1. NORTH 32°55'14" EAST A DISTANCE OF 126.43 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "LS 13023";

2. NORTH 57°04'46" WEST A DISTANCE OF 70.64 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "LS 13023", ALSO BEING A POINT OF CURVATURE WITH A 1191.49-FOOT-RADIUS CURVE WHOSE CENTER BEARS NORTH 32°55'14" EAST;

3. FOLLOWING SAID CURVE IN A CLOCKWISE DIRECTION THROUGH A CENTRAL ANGLE OF 09°08'06" FOR AN ARC LENGTH OF 189.96 FEET (THE CHORD OF SAID CURVE BEARS NORTH 52°30'43" WEST A DISTANCE OF 189.76 FEET) TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF HIGH TERRACE - DIVISION 2 (RECORD INST. NO. 22209722), BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "PLS 18971";

THENCE NORTH 42°04'09" EAST, LEAVING THE NORTHEASTERLY BOUNDARY OF THE PARCEL OF LAND DESCRIBED IN DEED INST. NO. 22305065 AND FOLLOWING ALONG SAID SOUTHEASTERLY BOUNDARY OF HIGH TERRACE - DIVISION 2 (RECORD INST. NO. 22209722), A DISTANCE OF 215.60 FEET TO A POINT ON THE WEST LINE OF SECTION 19, BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "PLS 18971";

THENCE NORTH 00°26'15" WEST, ALONG THE WEST LINE OF SECTION 19, A DISTANCE OF 0.77 FEET TO A POINT BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "PLS 18971";

THENCE SOUTH 55°15'01" EAST, LEAVING SAID WEST LINE OF SECTION 19, A DISTANCE OF 423.79 FEET TO A POINT ON THE LATITUDINAL CENTERLINE OF SECTION 19, BEING MARKED BY A 2 INCH ALUMINUM CAP STAMPED "LS 13023";

THENCE SOUTH 89°51'09" EAST, ALONG SAID LATITUDINAL CENTERLINE OF SECTION 19, A DISTANCE OF 980.77 FEET TO THE POINT OF BEGINNING.

CONTAINING 63.18 ACRES, MORE OR LESS.