



CITY OF TWIN FALLS, IDAHO

SPECIAL MEETING NOTICE

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The Twin Falls City Council is scheduled to meet in the Twin Falls Council Chambers located at 305 Third Avenue East on Monday, May 6, 2013, at 3:30 P.M.

The purpose of the meeting:

Executive Session 67-2345(1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary

COUNCIL MEMBERS:

SHAWN	DON	SUZANNE	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	HALL	HAWKINS	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON
<i>Vice Mayor</i>			<i>Mayor</i>			



AGENDA
 Meeting of the Twin Falls City Council
 Monday, May 6, 2013
 City Council Chambers
 305 3rd Avenue East -Twin Falls, Idaho

3:30 P.M.

The purpose of the meeting:

Executive Session 67-2345(1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS:
 American Legion Auxiliary Poppy Days
 National Police Week Peace Officer's Memorial Day.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for April 29 – May 6, 2013; May 1, 2013, Fire Payroll, total: \$51,563.43 2. Consideration of a request to approve the April 8 and April 15, 2013, City Council Minutes. 3. Consideration of a request to approve the Western Days Special Events Application and Western Days Parade Application. Western Days is scheduled to be held on Friday, May 31; Saturday, June 1; and Sunday, June 2, 2013. The parade is scheduled to be held on Saturday, June 1, 2013. 4. Consideration of a request to approve a Half Marathon sponsored by the Magic Valley Community Fun Run Organization. This event will be held on Saturday, June 1, 2013, and will coincide with the Western Days Event and Parade.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Sgt. Ryan Howe Sgt. Ryan Howe
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation on the finances of the City of Twin Falls for the first 6 months of fiscal year 2012-2013. The presentation will be an overview of the tax-supported funds and the three major enterprise funds, Water, Wastewater, and Sanitation. 2. Continued discussion on FY 2014 budget. 3. Public input and/or items from the City Manager and City Council.	Presentation Discussion	Lorie Race Travis Rothweiler
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Request for the Vacation of "Tract E", 25' x 109' (2725 sq. ft.), a Utility and Non-Vehicular Access, located between 555 & 583 Falling Leaf Lane (Lots 24 & 25), within Canyon Trails Subdivision No. 9- / Canyon Properties PUD #229. c/o Tim Vawser on behalf of Gary N. Nelson / Canyon Properties, LLC (app. 2559) 2. Request for the Vacation of a platted Utility & Vehicular Access Easement, 30' x 478' (14,340 sf), located between Lot 1 & Lot 14, Block 14, within Canyon Trails Subdivision No. 5- / Canyon Properties PUD #229. c/o Tim Vawser/EHM Engineers on behalf of Gary N. Nelson / Canyon Properties, LLC (app. 2560) 3. A public hearing to consider a request to amend building permit fees.	Public Hearing Public Hearing Public Hearing	Mitchel Humble Mitchel Humble Mitchel Humble
V. <u>ADJOURNMENT:</u>		

**Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council shall wait to be recognized by the Mayor, approach the microphone/podium, state their name and address, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the City Clerk. The City Clerk shall make an audio recording of the Public Hearing.
 3. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor.
 4. A City Staff Report shall summarize the application and history of the request.
 - The City Council may ask questions of staff or the applicant pertaining to the request.
 5. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor may limit public testimony to no less than two minutes per person.
 - Five or more individuals, having received personal public notice of the application under consideration, may select by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the mayor. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
 - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
 6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
 7. The Mayor shall close the Public Hearing. The City Council shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- * Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor.

*Office of the Mayor
City of Twin Falls, Idaho*

Proclamation



WHEREAS, The American Legion Auxiliary of Twin Falls, Idaho, will conduct its annual Poppy Day Donations from May 24th thru May 27th, and

WHEREAS, the Poppy has been the memorial to the war dead since adopted in 1919 by the American Legion and its Auxiliary, and

WHEREAS, these Poppies are made by the hospitalized veterans of Veterans Hospitals throughout the nation, and

WHEREAS, Americans have always given generous support to the Poppy Day Program conducted by the American Legion Auxiliary and this year's observance provides a timely opportunity for reaffirming our heartfelt appreciation for sacrifices made by our armed forces in the defense of America's freedoms,

NOW, THEREFORE, I, Gregory Lanting, Mayor of the City of Twin Falls, Idaho, do hereby proclaim May 24th thru May 27th, as

AMERICAN LEGION AUXILIARY POPPY DAYS

in the City of Twin Falls, Idaho, and urge participation in this program by all citizens as we, together, pause to remember the heroic sacrifices of our gallant fighting men and women.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Mayor Gregory Lanting

Deputy City Clerk Leila A. Sanchez

Date: May 6, 2013

Office of the Mayor
City of Twin Falls, Idaho
Proclamation



A PROCLAMATION by the Mayor of the City of Twin Falls Idaho, declaring Sunday, May 12 through Saturday May 18, as National Police Week and May 15, 2013, as Peace Officer's Memorial Day.

WHEREAS, the Congress and President of the United States have designated the week in which May 15 falls as National Police Week; and

WHEREAS, the members of the law enforcement agency of the City of Twin Falls play an essential role in safeguarding the rights and freedoms of the residents of the City of Twin Falls; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement agency and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder and by protecting the innocent against deception and the week against oppression; and

WHEREAS, the men and women of the law enforcement agency of the City of Twin Falls unceasingly provide a vital public service;

Now, therefore, I, Gregory Lanting, Mayor of the City of Twin Falls, call upon all citizens of the City of Twin Falls and upon all patriotic, civic and educational organizations to observe the week of May 12 through May 18, 2013, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in doing so, have established themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

Furthermore, I call upon all citizens of the City of Twin Falls to observe May 15, 2013, as Peace Officer's Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their communities or have become disabled in the performance of duty and let us recognize and pay respect to the survivors of our fallen heroes.

In witness whereof I have hereunto set my
hand and caused this seal to be affixed.

Mayor Gregory L. Lanting

Attest: Deputy City Clerk Leila A. Sanchez

Date: April 19, 2013

COUNCIL MEMBERS:

SHAWN	DON	SUZANNE	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	HALL	HAWKINS	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON
	<i>Vice Mayor</i>		<i>Mayor</i>			



MINUTES
Meeting of the Twin Falls City Council
Monday, April 8, 2013
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
PROCLAMATIONS: The Month of May “Better Hearing Month” –
Child Abuse Prevention Month
National Service Recognition Day

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for April 2 – April 8, 2013. 2. Consideration of a request to approve an application for an Alcohol License Transfer of Ownership for Albertsons LLC dba Albertsons #139 at 1221 Addison Avenue East. 3. Consideration of a request to approve the Improvement Agreement for Developments for Canyon Park Amended Subdivision.	Action Action Action	Staff Report Sharon Bryan Sharon Bryan Troy Vitek
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation by Lindsey Rinehart from Compassionate Idaho. 2. Presentation by the Twin Falls Police Department’s Juvenile Crime Unit regarding school safety in Twin Falls. 3. Consideration of a request to adopt resolutions that approve participation in three State Local Agreements to design and construct projects in the Local Highway Safety Improvement Program and to authorize the Mayor to sign the agreements. 4. Consideration of a request to amend the Public Right of Way Easement Agreement for Canyon Park Development. 5. Provide an update on the Blue Lakes Generator Project and share with City Council the new infrastructure Zone Maintenance Program that will be implemented this year. 6. Public input and/or items from the City Manager and City Council.	Presentation Presentation Action Action Update	Lindsey Rinehart Matt Hicks Jacqueline Fields. Jacqueline Fields Jon Caton
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None		
V. <u>ADJOURNMENT:</u> Executive Session 67-2345(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.		

****Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.***

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Greg Lanting, Jim Munn, Rebecca Mills Sojka, Chris Talkington

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, City Engineer Jacqueline Fields, Assistant City Engineer Troy Vitek, Captain Matt Hicks, Public Works Coordinator Jon Caton, Assistant to the City Manager Mike Williams, Information Services Tami Lauda, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Lanting called the meeting to order at 5:00 P.M. He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag with him. Mayor Lanting introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested the addition of the following to the Consent Calendar:

Consideration of a request to approve an Alcohol License for Twin Falls No. 612 Loyal Order of Moose, 835 Falls Avenue.

MOTION:

Vice Mayor Hall made a motion to approve the amendment as presented. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion.

PROCLAMATIONS: **The Month of May “Better Hearing Month”**
 Child Abuse Prevention Month
 National Service Recognition Day
 AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for April 2 – April 8, 2013, total: \$938,348.78
April 3, 2013, Payroll Prepay, total: \$254.06
2. Consideration of a request to approve an application for an Alcohol License Transfer of Ownership for Albertsons LLC dba Albertsons #139 at 1221 Addison Avenue East.
3. Consideration of a request to approve the Improvement Agreement for Developments for Canyon Park Amended Subdivision.
4. Consideration of a request to approve an Alcohol License for Twin Falls No. 612 Loyal Order of Moose, 835 Falls Avenue.

Councilperson Mills Sojka requested the following be heard separately:

3. Consideration of a request to approve the Improvement Agreement for Developments for Canyon Park Amended Subdivision.

MOTION:

Councilperson Barigar made a motion to approve the Consent Calendar, excluding Item for Consideration I.3. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. *Consideration of a request to approve the Improvement Agreement for Developments for Canyon Park Amended Subdivision.*

Councilperson Mills Sojka asked for clarification of the following: PUBLIC WAYS (a) Required Improvements (7) “...landscaping will be maintained by the city and funded through a fee added to the water bill of each account within the development.”

City Manager Rothweiler explained that this refers to landscaping in the public rights of ways only.

MOTION:

Councilperson Mills Sojka made a motion to approve the Improvement Agreement for Developments for Canyon Park Amended Subdivision. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

PROCLAMATIONS:

The Month of May “Better Hearing Month”

Vice Mayor Hall read the proclamation.

Child Abuse Prevention Month

Councilperson Barigar read the proclamation.

National Service Recognition Day

Councilperson Talkington read the proclamation.

II. ITEMS FOR CONSIDERATION:

1. Presentation by Lindsey Rinehart from Compassionate Idaho.

Lindsey Rinehart, Campaign Manager for Compassionate Idaho, gave a presentation on medicinal marijuana using a PowerPoint presentation. She spoke in favor of medical marijuana.

Council discussion followed.

Lindsey Rinehart stated for clarification that Compassionate Idaho does not advise patients how to ingest or how to use cannabis.

Mayor Lanting stated for clarification that the City Council had been considering a Resolution asking that the federal government to continue to enforce the federal law. The word "ban" was not in the resolution.

Gayle Deboard, Wirshing Avenue, spoke in favor of medical marijuana.

Elisha Figueroa, administrator of the Idaho Office of Drug Policy, spoke against the legalization of medical marijuana.

Dr. Craig Manning, Twin Falls, asked what cannabis legend is and what is the state's position regarding cannabis.

Grant Loeb stated that it is a misdemeanor to possess less than three ounces of marijuana and is prosecuted as a felony. If the prosecutor finds that the intent is to distribute and manufacture marijuana, this is felony conduct.

City Attorney Wonderlich stated that the Council cannot take any action that can legalize marijuana. It is a federal violation to possess marijuana. The Council has authority to enact city laws that the state has not already regulated.

Police Chief Brian Pike stated that the city police do enforce state laws and local laws. Someone who possesses marijuana will receive a citation and/or arrested with a misdemeanor charge.

Vice Mayor Hall stated for clarification that it is not the Council's intent to discuss or make a decision to ban marijuana or legalizing.

Councilperson Mills Sojka stated that the original issue that came to the Council was a resolution that supported the continued federal ban on marijuana, specifically against legalizing medical marijuana. Tonight's meeting is to allow a citizen group who requested to speak on the issue of medical marijuana.

Councilperson Talkington commented that the 13 years he spent in juvenile adjudication with both the Idaho Youth Ranch and as a Twin Falls County administrator for adjudication, it was found that from a voluntary survey that a majority of the juveniles that went before the juvenile courts were more prone to smoke marijuana instead of tobacco. It was found that the harms of tobacco through advertising influenced the usage of tobacco, and virtually nothing was known or advertised of the potential harm or potential good of THC. In reviewing the hundreds of cases from 1994 – 2007, very few cases of kids getting into trouble did not begin with original experimentation with marijuana. He was unsure with the same certainty with alcohol. He stated that he would hesitate to call it a gateway drug but lacking any other substitute to put on it. THC today, for either lack of advertising of pros or cons or social peers, kids that are in trouble today and graduate in the adult system, by and large, have their start smoking marijuana.

Councilperson Hall stated he believes that THC is a gateway drug. He is compassionate for people who need medication for their ailments. He does not believe in the need to inject intoxicants.

Councilperson Hawkins stated that she would be more comfortable if marijuana was in a pharmacy and handled like other prescriptions, and not in a dispensary.

Councilperson Barigar stated that decisions about the legalization of medical marijuana will come to Idaho at some point. Idahoans have to make the best decision that works for Idaho.

Mayor Lanting thanked all those who testified and brought the information to the Council.

MINUTES

April 8, 2013

Page 4 of 5

Recess at 6:24 PM

Reconvened at 6:40 PM

2. Presentation by the Twin Falls Police Department's Juvenile Crime Unit regarding school safety in Twin Falls.

Captain Matt Hicks stated that staff will give an overview of the School Resource Program.

Staff Sergeant Pullin gave a brief history of the School Resource Program, Preventative Program, and the Juvenile Crime Unit. He stated the school district has agreed to pay a portion of the cost of \$95,000 a year for the School Resource Officers. He introduced the School Resource Officers.

Captain Matt Hicks gave an overview of research done by the NYPD. He explained the importance of early detection, constant preparation of training, and emergency response.

Council discussion followed.

- Feasibility of metal detectors at the entrance of schools
- Counselors availability to students
- Upcoming budget
- Placement of School Resource Officers in schools

3. Consideration of a request to adopt resolutions that approve participation in three State Local Agreements to design and construct projects in the Local Highway Safety Improvement Program and to authorize the Mayor to sign the agreements.

City Engineer Fields explained the request. ITD has funding for local safety projects and the following three proposals were approved: Key 13544, placement of new Stop signs on the side streets to Falls Avenue West between Washington Street North and Blue Lakes, Key 13545, illumination around the corner of Poleline and Eastland, and Key 13546, placement of signal at Carriage and Addison.

Council discussion followed:

- LED illumination (Falls Avenue West)
- Warrant for the light at Carriage and Addison
- Accidents between the section between Falls between Washington and Blue Lakes
- Illumination on Pole Line and Eastland – Occurrences of accidents

MOTION:

Councilperson Munn made a motion to adopt Resolution 1902, for improvements to Falls Avenue West, as presented. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

MOTION:

Councilperson Talkington made a motion to adopt Resolution 1903, for illumination around the corner of Poleline and Eastland, as presented. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

MOTION:

Councilperson Barigar made a motion to adopt Resolution 1904, for placement of signal at Carriage and Addison, as presented. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to amend the Public Right of Way Easement Agreement for Canyon Park Development.

City Engineer Fields reviewed the request.

The request is to approve the amendment allowing the storm water easement to be vacated as part of this agreement.

Council discussion followed.

- Utilities in easement

City Engineer Fields stated that the abandonment of the roadway does not include an abandonment of the utilities.

The cost will be upon the cost of the city.

MOTION:

Councilperson Talkington made the motion to authorize the First Amendment to the public right of way easement and authorize the Mayor to sign. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion.

5. Provide an update on the Blue Lakes Generator Project and share with City Council the new infrastructure Zone Maintenance Program that will be implemented this year.

Public Works Coordinator Caton gave an update.

The Blue Lakes Generator Project will begin in approximately two weeks and should be a 10 to 15 day project.

The Zone Maintenance Program was based and developed from a street perspective in which Streets Superintendent Dean Littler was the driver of the program. The City has 625 paved lane miles, over 230 miles of sewer line, and over 200 miles of water line. The City is divided in eight similar sized zones. Each zone has 75 paved lane miles. The program will consist of a plan, budget, engineer and implementation.

Council discussion followed.

Public Works Coordinate Caton stated that the City will continue to work and coordinate with the utility companies on work done on streets. The zones will be evaluated on a yearly basis.

6. Public input and/or items from the City Manager and City Council.

City Manager Rothweiler reported that a public open house will be held on the Strategic Plan on April 11, 2013, in the Council Chambers and the State of the City Address will be held at the Magic Valley Arts Council on April 9, 2013, at 12:00 P.M.

City Manager Rothweiler gave an update on the upcoming budget process.

Council directed staff to come back to Council on June 10, 2013, with a pre-budget, in which public input will be allowed.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Vice Mayor Hall reported on the Urban Renewal Agency. The Urban Renewal Board is hosting an Open House to invite citizen input into possibly expanding Revenue Allocation Area 4-1 into downtown on April 24, 2103.

For clarification, City Attorney Wonderlich stated that tax increment funds cannot be spent outside the Revenue Allocation Area 4-1.

Councilperson Barigar stated that on April 9, 2013, the Parks & Recreation Commission will listen to a report on the dog off leash site meetings.

Councilperson Hawkins reported on the Youth Council Kite Day that will be held on April 20 and 21, at the Sunway Soccer Field; and, the Youth Council will be involved in placing recycling bins at city parks.

V. ADJOURNMENT:

Executive Session 67-2345(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

MOTION:

Councilperson Barigar made the motion to adjourn to Executive Session 67-2345(c), as presented. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

The meeting adjourned at 7:53 P.M.

Leila A. Sanchez, Deputy City Clerk, Recording Secretary

COUNCIL MEMBERS:

SHAWN	DON	SUZANNE	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	HALL	HAWKINS	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON

Vice Mayor

Mayor



MINUTES

Meeting of the Twin Falls City Council
Monday, April 15, 2013
 City Council Chambers
 305 3rd Avenue East
 Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: **National Library Week 2013**

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for April 9 – 15, 2013, total: \$516,746.18, and April 12, 2013, Payroll total: \$114,361.92. 2. Consideration of a request to approve the March 11, 2013, and March 18, 2013, Council Minutes. 3. Consideration of the request to donate a bench with a plaque located along the Snake River Canyon Rim Trail System.	<u>Action</u> Action	<u>Staff Report</u> Sharon Bryan Leila Sanchez Dennis Bowyer
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of the Road Scholar Level 1 Awards to Chris Westburg and Cody Brown of the Streets Department. 2. A general discussion about the Municipal Powers Outsource Grant process. 3. Auger Falls update and consideration of a request to award the 2013 Auger Falls Pipeline Project to Knife River of Boise, Idaho, in the amount of \$1,316,545.00 4. Public input and/or items from the City Manager and City Council.	Action Discussion Update/Action	Jacqueline Fields Travis Rothweiler Lee Glaesemann
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 PM - None		
V. <u>ADJOURNMENT:</u>		

****Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.***

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Greg Lanting, Jim Munn, Rebecca Mills Sojka, Chris Talkington

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, City Engineer Jacqueline Fields, Parks & Recreation Director Dennis Bowyer, Project Engineer Lee Glaesemann, Assistant to the City Manager Mike Williams, Streets Superintendent Dean Littler, PIO Josh Palmer, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Lanting called the meeting to order at 5:00 P.M. He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag with him and Boy Scouts from Troop 3. Mayor Lanting introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested the following be added to the Consent Calendar.

Consideration of a request to approve a Beer and Wine License for Setup and Punch, Inc. dba Ol'Town GR at 117 Main Avenue East., subject to the condition of receipt of their State License.

MOTION:

Councilperson Talkington made a motion to approve the amendment to the agenda as presented. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

PROCLAMATIONS: National Library Week 2013

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for April 9 – 15, 2013, total: \$516,746.18, and April 12, 2013, Payroll total: \$114,361.92.
2. Consideration of a request to approve the March 11, 2013, and March 18, 2013, Council Minutes.
3. Consideration of the request to donate a bench with a plaque located along the Snake River Canyon Rim Trail System.
4. Consideration of a request to approve a Beer and Wine License for Setup and Punch, Inc. dba Ol'Town GR at 117 Main Avenue East., subject to the condition of receipt of their State License.

MOTION:

Councilperson Hawkins made the motion to approve the Consent Calendar as amended. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

II. ITEMS FOR CONSIDERATION:

1. A general discussion about the Municipal Powers Outsource Grant process.

City Manager Rothweiler requested a general discussion on the MPOG process and is seeking direction on the process for the 2014 fiscal year budget.

Councilperson Mills Sojka, liaison for MPOG, stated that in a meeting with Councilperson Munn, City Manager Rothweiler, Chief Finance Director Race, and Budget Coordinator Patricia Lehmann, discussion was made on the MPOG process. Discussion was made on the highest and best use of the \$100,000 and if the City Council would like to continue to support the MPOG process of awarding grants to the City's community partners, prior to refining the application process.

Councilperson Munn stated that discussion was made on the best use of the \$100,000. Discussion is to seek direction from the council as to the continuation of awarding the grants or to place the money back into the budget to go towards what the strategic plan drives.

Council discussion followed.

- Grants are intended to provide a service that the City could provide but does not.
- Importance of prioritizing funding

Councilperson Barigar stated that he would like applicants to work closely with City Attorney Wonderlich to assure the applicants are meeting the City's Mission and are meeting the MPOG criteria. He stated his concern that some groups are financially relying solely on the MPOG.

Councilperson Mills Sojka stated that the committee will use the scoring method similar to Health Initiative Trust scoring matrix.

Council discussion followed.

- Not to exclude new applicants
- The City Attorney will review eligibility of applicants
- Presentations to be made to the City Council by MPOG recipients

2. Auger Falls update and consideration of a request to award the 2013 Auger Falls Pipeline Project to Knife River of Boise, Idaho, in the amount of \$1,316,545.00.

Project Engineer Glaesemann reviewed the request.

The available budget for the Pipeline and Wetland projects are at \$1,546,000. Funding comes from a combination of grants and City-budgeted funds. Construction of wetlands at the Auger Falls site was not included in the pipeline project due to budgetary concerns. Initial wetland construction has been estimated to cost about \$270,000.

Staff recommends awarding the 2013 Auger Falls Pipeline to Knife River based the amount of \$1,316,545 and reserve the remaining budgeted amount for contingency and wetland construction.

Council discussion followed.

- Possible sequester of federal funding

City Manager Rothweiler stated that there may be a possible delay in payments.

Council discussion followed.

- Cost savings of diverting waste water
- Expansion of wetland basins
- Security/Performance bond
- Outlets
- Stagnant water
- Fencing
- Cost of operating wetlands

Project Engineer Glaesemann stated that the waste water has been fully treated and will applied to create the 80 to 100 acres of wetlands. The benefits would reduce the impacts of treated waste water in the river.

As funding becomes available to extend the pipeline, wetlands can be created further to the west.

The project requires a bid bond, performance bond, payment bond and insurance.

The EPA and DEQ will not allow outlets. As for stagnant water, the filling and draining of the ponds (opening valves fill the ponds and closing the valves allows the water to soak in and, drain the pond), will help with the mosquito issue.

Fencing is required because the quality of water is a Class D.

Contact will be made to verify the processing of grant money.

The pump station is a single pump and there will be a cost of turning on and off the valves at least two days a week.

Michelle Mathews, Chair and former Chair Shawna Robertson, of the Twin Falls County Historic Preservation Commission requested to speak on the history of Auger Falls.

Shawn Robinson gave a PowerPoint presentation. The Commission's interest is in promoting the heritage of the site. She recommended to the Council to form a citizen advisory committee. A tour of Auger Falls will take place on April 16, 2013, at 1:15 P.M., and invited the public to attend.

MOTION:

Councilperson Barigar made a motion to award the 2013 Auger Falls Pipeline Project to Knife River of Boise, Idaho, in the amount of \$1,316,545.00, as presented. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Presentation of the Road Scholar Level 1 Awards to Chris Westburg and Cody Brown of the Streets Department.

City Engineer Fields introduced Bruce Drewes/Idaho Technology Transfer Center.

Bruce Drewes explained the Road Scholar Program.

Mayor Lanting and Councilperson Hawkins presented awards to Chris Westburg and Cody Brown.

4. Public input and/or items from the City Manager and City Council.

Mayor Lanting requested a moment of silence for the Boston victims.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Hawkins reported that the Youth Council Kite Day will be held on April 20 and 21, 2013, Sunway Soccer Complex from 9:00 A.M. to 5:00 P.M.

Vice Mayor Hall reported that a Strategic Planning Open House will be held on April 25, 2013, at 6:00 P.M., to invite citizen input to possibly expanding Revenue Allocation Area 4-1 into downtown; and the Historic Preservation Commission has invited Dr. Russ Tremayne, Associate Professor of History, to speak at their May 18, 2013, meeting at 10:00 A.M.

City Manager Rothweiler asked Council for direction on a proposed Resolution on "medical " marijuana. Council stated that there will be no action taken on the resolution.

IV. PUBLIC HEARINGS: 6:00 PM - None

V. ADJOURNMENT: The meeting adjourned at 6:46 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary



Date: Monday, May 6, 2013, Council Meeting
To: Honorable Mayor and City Council
From: Sergeant Ryan Howe, Twin Falls, Police Department

Request:

Consideration of a request to approve the Western Days Special Events Application and Western Days Parade Application. Western Days is scheduled to be held on Friday, May 31; Saturday, June 1; and Sunday, June 2, 2013. The Western Days Parade is scheduled to be held on Saturday, June 1, 2013.

Time Estimate:

Staff requests that this item be placed on the Items of Consideration. Estimated time is ten minutes, plus additional time to answer any questions Council Members may have.

Background:

The opening ceremonies for the 31st Annual Twin Falls Western Days event are scheduled for Friday, May 31, 2013, at 5:00 p.m. at the City Park. The Western Days Committee is requesting the following:

- Friday, May 31, 2013 5:00 p.m. to 9:00 p.m. - Opening ceremonies at the City Park with live music from 6:00 p.m. to 9:00 p.m., beer garden, food and craft vendors. There will also be amusement rides provided in the park for this year's event.
- Saturday, June 1, 2013 9:00 a.m. to 9:00 p.m. - Parade to start at 10:00 a.m. Events in the park will include live music from 1:00 p.m. to 9:00 p.m., beer garden, food and craft vendors. There will also be amusement rides provided in the park for this year's event.
- Sunday, June 2, 2013 10:00 a.m. to 8:00 p.m. - Live music beginning at 1:30 p.m. to 8:00 p.m., beer garden, food and craft vendors. There will also be amusement rides provided in the park for this year's event.

The Western Days Committee is requesting to host the Funtime Carnival Company from Payette, Idaho, for the 2013 Western Days Event. There will be seven (7) rides which will include a Ferris wheel, merry-go-round and kiddy rides. The amusement rides will be contained within the boundaries of the Twin Fall City Park, located on the north side of the park.

Marvin Pierce, owner of the Pioneer Club, will obtain the alcohol catering license for the event. The proposed beer garden schedule is as follows:

Friday, May 31, 2013	5:00 p.m. to 8:00 p.m.
Saturday, June 1, 2013	11:00 a.m. to 7:00 p.m.
Sunday, June 2, 2013	12:00 a.m. to 6:00 p.m.

Identification bracelets will be issued and required to be worn in order to be served at the designated beer garden. Those purchasing and consuming beer will have to remain in the designated beer garden boundaries and will not be allowed to possess or consume alcohol outside of the designated boundary. The boundary will be constructed of fencing, which will be signed as the designated beer garden. This area will be approximately 70 feet by 70 feet. All event activities in the park will cease by 9:00 p.m. on Friday and Saturday, and 8:00 p.m. on Sunday. During the after-hours time frame of the Western Days Event, the Western Days Committee must have someone stay on site at the beer garden while beer is left at the park. The beer at the beer garden cannot be left unattended at any time.

Event organizers are required to arrange for all trash to be picked up after each day's activities. The Western Days Committee will not be providing private security.

After a review of last year's event, the Twin Falls Police Department's Administrative Staff has decided that Twin Falls Police Officers will provide security in the park for these events. The Officers will be scheduled to begin work one (1) hour after the beer garden is opened and will continue until one (1) hour after the beer garden is closed each day. The schedule for officers will be as follows:

Friday, May 31, 2013	6:00 p.m. through 9:00 p.m.	Six (6) Police Officers
Saturday, June 1, 2013	12:00 p.m. through 8:00 p.m.	Eight (8) Police Officers
Sunday, June 2, 2013	1:00 p.m. through 7:00 p.m.	Four (4) Police Officers

It should be noted that during the past five years, the Twin Falls Police Department has recommended law enforcement security for this event. The number of sworn Officers required is based primarily on the last five years' documented history and expected crowd size. The number of Officers working this event over the past few years had been reduced. However, due to the size of the event increasing each year and based on calls for service two years ago which required all on-duty Patrol Officers to respond to the park on two separate occasions, the number of security Officers was increased by two last year. This year the number of Officers is being kept the same as last year for each day of the event. The Western Days Committee has requested a street closure for Friday and Saturday to accommodate a three-on-three basketball tournament. This has the potential of increasing the crowd size at the park.

Our evaluation of this event considered the following factors:

1. History: 2012 Western Days Event

- The Twin Falls Police Department responded to 36 total calls for service over the three-day event. The 2012 Western Days event included 52 calls for service. Each call required a minimum two-officer response due to the crowd size.
- Friday, June 1, 2012, 1800 – 2100 hours (6 Officers)
 - 10 calls for service
 - 2 lost children
 - 1 call for intoxicated juveniles (unfounded)
 - 3 lost dogs
 - 1 open beer in the park
- Saturday, June 2, 2012, 1200 to 2100 hours (8 Officers)
 - 21 calls for service
 - 14 open beer incidents in the park
 - 1 welfare check
 - 3 found property
 - 1 medical call
 - 1 individual passed out in park
 - 1 assist with keys locked in car
- Sunday, June 3, 2012, 1300 to 1900 hours (6 Officers)
 - 5 calls for service
 - 1 fight
 - 1 lost child
 - 1 theft
 - 2 found property

2. Expected Crowd Size:

- Based on previous years' estimates, 30,000 to 40,000 people will be attending the three-day event.

3. Traffic Concerns:

- The parade requires the closure of numerous intersections and coordination between various City Departments and the Idaho Transportation Department.
- There will be a two-day street closure on Friday May, 31, 2013, and Saturday June 1, 2013, for the three-on-three tournament.
- I have reviewed the application, traffic control plan, and the manpower issues that this event will create. In my opinion, there is an effective plan in place which addresses these issues. I will be available to discuss the various coordination efforts at this Council meeting.

4. Alcohol Sales/Live Amplified Music:

- Alcohol will be sold in conjunction with live bands playing amplified music for several hours during each day of the event. Those purchasing and consuming alcohol will be required to stay within the designated boundaries of the beer garden.

5. Electrical Concerns:

- The Twin Falls Building Department requires that an electrical permit be purchased by the Western Days Committee in the event any electrical-powered rides or entertainment are provided for the public, excluding the use of the Band Shell. The power source and equipment must pass an electrical inspection per the Twin Falls City Electrical Inspector.

6. Insurance Security Bond:

- The Western Days Committee will provide the required comprehensive general liability insurance policy in the amount of Five Hundred Thousand Dollars (\$500,000), with the City of Twin Falls named as a certificate holder, written by a company authorized to write insurance policies within the State of Idaho and filed with the Chief of Police or his/her designee. Applicants must also execute indemnification and hold harmless provisions contained within the application.

7. Interest to City of Twin Falls:

- The Twin Falls Police Department and the City of Twin Falls feel the necessity to make this a safe event for the citizens of our community. The required security by the Twin Falls Police is an effort to ensure the safety of all participants.

Approval Process:

Approval by the City Council.

Budget Impact:

The Council's approval of this request will impact the City budget as follows:

In order to make the Western Days Parade successful each year, we have approximately 50 people from various volunteer groups (Reserves and Citizens on Patrol) and different law enforcement agencies assisting with the parade event. Without their assistance, we could not host a special event of this size. In addition to the volunteers, the Twin Falls Police Department requires that 24 of our employees staff this event to cover the parade route and road closures. Special events of this kind require a briefing of personnel, sufficient time to block intersections and allow traffic to become accustomed to the change, the event itself, and the breakdown of traffic control devices. I anticipate this event to take approximately six (6) hours; therefore, the approximate overtime cost to the City will be \$6,336.00. Costs associated with this special event were included in the Police Department's overtime budget.

The Twin Falls City Street Department will also have two (2) employees available for four hours each to assist with cones and barricades at a total overtime cost of \$320.00.

The total overtime hours for sworn Officers to provide security for all three days in the park are 106 hours; therefore, the total cost of overtime is \$4,664.00. Representatives from the Western Days Committee were advised in the fall of 2007 and again in January of 2008, 2009, 2010 and 2011 that they will be responsible for the overtime costs associated with security. These were included in the 2012 recommendations to Council. The Western Days Committee will be responsible for additional security costs if more Officers are required to respond to the City Park during this event.

Overtime security costs for which the Western Days Committee is responsible for the 2013 event are \$4,664.00. Any additional costs incurred by the Western Days Committee or their vendors, such as electrical company call outs for the City Park or other incidents which incur a billing, will be paid by the Western Days Committee. The Western Days Committee will be required to make payment in full to the City of Twin Falls within sixty (60) days of the conclusion of the event for the total cost of security and any additional costs incurred.

Regulatory Impact:

N/A

Conclusion:

Several relevant City Staff members met and approved the Special Events Application and Parade Application submitted for the annual Twin Falls Western Days Parade and festivities to be held May 31 through June 2, 2013, based on the information provided above.

Twin Falls Police Staff recommend that the City Council approve the Special Events Application submitted for the annual Twin Falls Western Days Parade and festivities to be held May 31, 2013 through June 2, 2013, based on the information provided above.

Attachments:

None

RH:aed



Date: Monday, May 6, 2013, Council Meeting
To: Honorable Mayor and City Council
From: Sergeant Ryan Howe, Twin Falls Police Department

Request:

Consideration of a request to approve a Half Marathon sponsored by the Magic Valley Community Fun Run Organization. This event will be held on Saturday, June 1, 2013, and will coincide with the Western Days Event and Parade.

Time Estimate:

Staff requests that this item be placed on the Consent Calendar.

Background:

The Magic Valley Community Fun Run Organization's Half Marathon is a two-part event. This event is planned to run in conjunction with the Western Days Event. The race starts in the lot east of the Depot Grill. The Half Marathon walkers will begin at 6:30 a.m. and the Half Marathon runners will begin at 7:30 a.m. There will be an additional 5K race starting at 8:30 a.m.

The Half Marathon participants will leave the area of the Depot Grill and go North onto Shoshone Street towards Blue Lakes Boulevard. At Blue Lakes Boulevard, the runners and walkers will go north until they reach Falls Avenue. At Falls Avenue, the roads will be closed for parade preparation. Runners and walkers will travel west until they reach Frontier Road. At Frontier Road, runners and walkers will travel north until they reach North College Road. They will travel east until Fillmore Street. At Fillmore Street, participants will travel north until they reach Pole Line Road. At Pole Line Road, participants will take the sidewalk and eventually the Canyon Rim Trail that travels under Pole Line Road. Participants will continue on the trail, traveling north and west until they reach Washington Street North and Federation Road. Participants will continue west on Federation Road until they reach Canyon Rim Drive. They will take Canyon Rim Drive until they reach Grandview Drive. At Grandview Drive, participants will travel south until they reach Filer Avenue West. At Filer Avenue West, participants will travel west until the road ends at the Rock Creek Trail System. Participants will take the Rock Creek Trail System until it crosses Addison Avenue West near County West. They will be assisted by the Twin Falls Police Department in crossing Addison Avenue West where they will re-enter the Twin Falls City Rock Creek Trail System. Participants will take the trail system south and east where the event ends near the Twin Falls City Parks and Recreation Building.

The event organizers will supply traffic cones to block off the far right southbound lane of Blue Lakes Boulevard North from Falls Avenue to Shoshone Street. The far right southbound lane of Shoshone Street North and West will also be blocked off. The lanes of traffic will be blocked off at 7:30 a.m. This buffer zone will allow for runners/walkers to

travel the route safely. These cones will be picked up after all of the runners complete this area of the course.

Traffic at the major light-controlled intersections will be controlled by sworn law enforcement officers for only the runners. The walkers will obey all applicable traffic laws unless otherwise directed by volunteers or sworn law enforcement officers. Officers will provide assistance to the runners at 2nd Avenue South and Shoshone Street South and 2nd Avenue North and Shoshone Street North, 4th Avenue North and Shoshone Street North, 6th Avenue North and Shoshone Street North, Addison Avenue and Blue Lakes Boulevard North, Heyburn Avenue and Blue Lakes Boulevard North, Filer Avenue and Blue Lakes Boulevard North, Caswell Avenue and Blue Lakes Boulevard North, Grandview Drive and Pole Line Road West, and Addison Avenue West and Morrison Street. The event sponsor will have volunteers available to provide additional assistance along the route for safety.

The 5K participants will leave the lot east of the Depot Grill and go south onto Shoshone Street South to the walking trail at the Old Towne Bridge and will enter Rock Creek Park where they will remain for 1.2 miles. The 5K participants will run back to the Depot Grill using 6th Avenue West. The 5K participants will receive no Twin Falls Police Department assistance.

The event organizers will provide water stations and port-a-potties. The event organizers will provide cleanup in needed areas at the conclusion of the event.

The Magic Valley Community Fun Run Organization will provide volunteer flaggers at streets with a traffic control light, Addison Avenue at Fillmore Street and in the area of Grandview Drive North and Pole Line Road. The Magic Valley Community Fun Run Organization will also have assistance from sworn law enforcement officers.

Approval Process:

Consent of the City Council.

Budget Impact:

Although this event has taken place for the last few years, the travel route requested along Blue Lakes Boulevard North and Shoshone Street North was added last year. The route was reversed from last year due to the time the parade begins. This event will require the assistance from four (4) Police Officers to assist with major intersections to allow for safe crossings for runners of the Half Marathon. Officers will control most intersections from 7:30 a.m. until approximately 8:00 a.m., at which time the street will be closed in its entirety for the Western Days Parade. This event will require six (6) hours of overtime for the Officers, one-half hour each for two (2) officers, two (2) hours each for two (2) Officers, and one (1) hour for one (1) officer. The total overtime cost will be \$264.00. This event has not been approved in the Twin Falls Police Department's overtime budget.

Agenda Item for May 6, 2013
From Sergeant Ryan Howe
Page Three

Regulatory Impact:

N/A

Conclusion:

Several relevant City Staff members have met and approved this Parade Application based on the fact that the Magic Valley Community Fun Run Organization will provide volunteers for assistance while participants travel and cross roadways, following the listed criteria mentioned above.

Twin Falls Police Staff have met and approved this Parade Application based upon the following:

The Magic Valley Community Fun Run Organization has been advised that no Twin Falls Police Officers will be assisting along the route, except for the major intersections listed above. The Magic Valley Community Fun Run Organization will be responsible for all participants; the Twin Falls Police Department will not be able to ensure that this is a safe event for the participants, except at the major intersections listed above.

Attachments:

None

RH:aed



Date: Monday, May 6, 2013

To: Honorable Mayor and City Council

From: Lorie Race, CFO

Request:

A presentation on the finances of the City of Twin Falls for the first 6 months of fiscal year 2012-2013. This presentation will be an overview of the tax-supported funds and the three major enterprise funds, Water, Wastewater and Sanitation.

Time Estimate:

I will give a presentation, followed by any questions Council may have. I would estimate this item taking approximately 20-30 minutes.

Background:

Last year, I began formally presenting financial updates to the City Council. The information I will be presenting includes a look at budget to actual information for revenues and expenditures in the tax supported funds, and in the three major enterprise funds. I will be sharing what I am seeing and projecting for these funds.

Budget Impact:

There is no budget impact.

Regulatory Impact:

There is no regulatory impact.

Conclusion:

There is no action required by the City Council.

Attachments:

- Summary of revenues and expenditures for all tax supported funds for the first six months of fiscal year 12-13.
- Summary of Water Fund revenues and expenditures for the first six months of fiscal year 12-13.
- Summary of Wastewater Fund revenues and expenditures for the first six months of fiscal year 12-13.
- Summary of Sanitation Fund revenues and expenditures for the first six months of fiscal year 12-13.

City of Twin Falls
Summary of Tax-Supported Funds
March 31, 2013

		6 of 12 months	50.00%			
			% Received			
	Budgeted Rev	Actual Rev	to Date	2012	2011	2010
Property Taxes	\$ 16,600,941	\$ 9,752,788	58.7%	58.0%	58.5%	58.1%
Franchise Taxes	\$ 1,548,300	\$ 640,780	41.4%	57.6%	55.7%	39.3%
Permits	\$ 610,250	\$ 327,433	53.7%	55.0%	34.0%	42.1%
Revenue Sharing-County, State, Liquor	\$ 2,935,000	\$ 1,598,204	54.5%	53.7%	52.2%	51.1%
State Liquor Apportionment	\$ 485,000	\$ 201,972	41.6%	44.2%	47.6%	43.3%
Street Fund-Highway Monies	\$ 2,191,000	\$ 1,223,375	55.8%	54.2%	56.0%	53.7%
Court Revenues	\$ 260,000	\$ 84,338	32.4%	62.3%	42.0%	53.1%
Street Sweeping	\$ 247,000	\$ 124,428	50.4%	49.4%	72.0%	52.8%
Contributions	\$ -	\$ 1,425	100.0%			
Grants	\$ 43,200	\$ 29,790	69.0%	28.2%	75.3%	77.0%
Misc	\$ 296,494	\$ 324,546	109.5%	127.8%	88.3%	108.1%
E-911	\$ 454,000	\$ 242,937	53.5%	40.4%	41.4%	39.9%
Recreation Fees	\$ 175,500	\$ 78,337	44.6%	44.7%	38.4%	39.5%
Airport Revenues	\$ 824,895	\$ 547,444	66.4%	43.4%	57.8%	47.7%
Investment Interest	\$ 342,200	\$ 125,618	36.7%	41.2%	33.5%	41.6%
Fire District	\$ 395,552	\$ 157,149	39.7%	58.8%	57.7%	57.1%
Transfers	\$ 1,985,168	\$ 3,892,584	196.1%	50.0%	54.9%	50.0%
Surplus Reserves	\$ 747,000	\$ -				
Revenue Totals	\$ 30,141,500	\$ 19,353,148	64.2%	44.5%	56.3%	51.5%
	Budgeted Exp	Actual Exp				
Personnel	\$ 17,357,040	\$ 8,034,388	46.3%	47.1%	46.6%	47.3%
Supplies	\$ 589,928	\$ 150,505	25.5%	25.0%	22.8%	27.3%
M & O	\$ 5,600,878	\$ 2,353,021	42.0%	45.0%	41.3%	43.7%
Capital	\$ 5,687,823	\$ 2,297,815	40.4%	16.6%	35.5%	67.4%
Transfers	\$ 905,831	\$ 452,916	50.0%	6.1%	60.7%	50.0%
Expenditure Totals	\$ 30,141,500	\$ 13,288,645	44.1%	32.6%	43.6%	51.4%
Excess/<Deficit>	\$ -	\$ 6,064,503				

City of Twin Falls					
Water Fund					
Fiscal Year 2012-2013					
	6 of 12 months	50.00%			
		2012-2013	2012-2013		
		Budget	Actuals		Difference
Revenues					
	Water revenue	\$ 6,020,075	\$ 2,339,705	38.9%	\$ 3,680,370
	Flat rate-Arsenic compliance	\$ 2,052,000	\$ 1,043,376	50.8%	\$ 1,008,624
	Tap fees	\$ 26,262	\$ 21,964	83.6%	\$ 4,298
	Irrigation revenue	\$ 491,495	\$ 241,989	49.2%	\$ 249,506
	Investment income	\$ 94,172	\$ 67,695	71.9%	\$ 26,477
	Other	\$ 150,011	\$ 203,819	135.9%	\$ (53,808)
	Transfers	\$ 267,208	\$ 133,604	50.0%	\$ 133,604
	Reserves	\$ -	\$ -		\$ -
		<u>\$ 9,101,223</u>	<u>\$ 4,052,153</u>	44.5%	
Expenditures					
	Personnel	\$ 1,739,161	\$ 739,456	42.5%	\$ 999,705
	M&O	\$ 2,183,426	\$ 773,657	35.4%	\$ 1,409,769
	Capital	\$ 1,253,000	\$ 293,902	23.5%	\$ 959,098
	Debt	\$ 2,997,854	\$ 4,335,010	144.6%	\$ (1,337,156)
	Transfers	\$ 927,782	\$ 463,891	50.0%	\$ 463,891
		<u>\$ 9,101,223</u>	<u>\$ 6,605,917</u>	72.6%	
		\$ -	\$ (2,553,763)		

City of Twin Falls
Wastewater Fund
Fiscal Year 2012-2013

	6 of 12 months	50.00%			
		2012-2013	2012-2013		
		Budget	Actuals		Difference
Revenues					
	Residential & commercial	\$ 4,440,023	\$ 2,143,450	48.3%	\$ 2,296,573
	Industrial	\$ 2,417,373	\$ 1,144,535	47.3%	\$ 1,272,838
	Municipal	\$ 141,393	\$ 70,421	49.8%	\$ 70,972
	Capacity fees	\$ 115,000	\$ 69,454	60.4%	\$ 45,546
	Investment income	\$ 21,637	\$ 72,700	336.0%	\$ (51,063)
	Other	\$ 39,166	\$ 482,004	1230.7%	\$ (442,838)
	DAF Portion of payment	\$ 155,900	\$ -	0.0%	\$ 155,900
	Grants	\$ -	\$ 109,214		\$ (109,214)
	Transfer-General Fund	\$ -	\$ -		\$ -
		<u>\$ 7,330,492</u>	<u>\$ 4,091,778</u>	55.8%	<u>\$ 3,238,714</u>
	Industrial Sewer Safeguards		\$ 23,536		
Expenditures					
	Personnel	\$ 518,466	\$ 271,790	52.4%	\$ 246,676
	M&O	\$ 3,678,260	\$ 1,800,941	49.0%	\$ 1,877,319
	Capital	\$ 1,338,000	\$ 881,039	65.8%	\$ 456,961
	Debt	\$ 1,219,874	\$ 5,634,254	461.9%	\$ (4,414,380)
	Transfers	\$ 575,892	\$ 3,187,946	553.6%	\$ (2,612,054)
		<u>\$ 7,330,492</u>	<u>\$ 11,775,971</u>	160.6%	<u>\$ (4,445,479)</u>
		\$ -	\$ (7,684,193)		\$ 7,684,193

City of Twin Falls					
Sanitation Fund					
Fiscal Year 2012-2013					
	6 of 12 months	50.00%			
		2012-2013	2012-2013		
		Budget	Actuals		Difference
Revenues					
	Garbage & Refuse Collection	\$ 1,758,092	\$ 901,360	51.3%	\$ 856,732
	Admin Fee	\$ -	\$ 45,703	#DIV/0!	\$ (45,703)
	Refuse & Weed Removal	\$ 8,000	\$ 5,396	67.5%	\$ 2,604
	Landfill Fees	\$ 630,360	\$ 308,008	48.9%	\$ 322,352
	Recycle Revenue	\$ 20,000	\$ 1,012	5.1%	\$ 18,988
	Code Violations	\$ -	\$ 592		\$ (592)
	Penalties & Interest	\$ -	\$ 842		\$ (842)
	Interest Income	\$ 8,000	\$ 4,349	54.4%	\$ 3,651
	Miscellaneous Revenues	\$ 405,900	\$ -		\$ 405,900
	Surplus Reserves	\$ -	\$ -		\$ -
		<u>\$ 2,830,352</u>	<u>\$ 1,267,262</u>	44.8%	<u>\$ 1,563,090</u>
Expenditures					
		Budget	Actual		
	Personnel	\$ 208,210	\$ 107,668	51.7%	\$ 100,542
	M&O	\$ 2,456,793	\$ 903,812	36.8%	\$ 1,552,981
	Capital	\$ -	\$ -		\$ -
	Debt	\$ -	\$ -		\$ -
	Transfers	\$ 165,349	\$ 82,674	50.0%	\$ 82,675
	Totals	<u>\$ 2,830,352</u>	<u>\$ 1,094,154</u>	38.7%	<u>\$ 1,736,198</u>
		\$ -	\$ 173,107		



Public Meeting: **MONDAY, MAY 06, 2013**

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

ITEM IV-1

Request: Request for the Vacation of "Tract E", 25' x 109' (2725 sq. ft.), a Utility and Non-Vehicular Access, located between 555 & 583 Falling Leaf Lane (Lots 24 & 25), within Canyon Trails Subdivision No. 9- / Canyon Properties PUD #229. c/o Tim Vawser on behalf of Gary N Nelson / Canyon Properties, LLC (app. 2559)

Time Estimate:

The applicant's presentation may take up to fifteen (15) minutes. Staff's presentation may be up to ten (10) minutes.

Background:

Applicant:	Status: Owner	Size: 25' x 109' - 2716 sf Tract E
Canyon Properties, LLC c/o Gary Nelson P.O. Box 6004 Twin Falls, ID 83303 208-736-8400 nelsonandco@cableone.net	Current Zoning: Mixed-Use C-1 PUD; Residential & Commercial C-1 Planned Unit Dev.	Requested Zoning: vacation of an undeveloped Tract designated as a Utility and Non-Vehicular access
	Comprehensive Plan: Medium Density Residential adjacent to commercial/retail	Lot Count: 1 Tract
	Existing Land Use: Undeveloped property within the Canyon Trails Subdivision #9	Proposed Land Use: development in compliance with the PUD.
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc. c/o Tim Vawser 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 tvawser@ehminc.com	North: Canyon Properties C-1 PUD, Falling Leaf Ln extended, undeveloped residential subdivision	East: Canyon Properties C-1 PUD; residential, undeveloped
	South: Canyon Properties C-1 PUD; commercial/retail, undeveloped	West: Canyon Properties C-1 PUD; residential, undeveloped
	Applicable Regulations: 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2	

Approval Process:

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The Council will conduct a public hearing and approve, modify or deny the vacation. Whenever public rights of way or lands are vacated, the Council shall provide adjacent property owners with a Deed for the vacated rights or way.

Budget Impact:

Approval of this request will have negligible impact the City budget.

Regulatory Impact:

Approval of this request will allow Canyon Properties, LLC to vacate the 2716 sf "Tract E" between 555 & 583 Falling Leaf Lane (Lots 24 & 25), within Canyon Trails Subdivision No. 9- / Canyon Properties PUD #229.

History:

On May 17, 1999, this property was in the City's Area of Impact and rezoned C-1 PUD. On March 17, 2003 Canyon Properties PUD was approved and on February 22, 2005, the property was annexed into the City Limits.

The 160 acre PUD was platted in phases starting in January 2000 with Canyon Trails Subdivision No 1 and ending with City Council approval of Canyon Trails Subdivision No. 10 on November 13, 2007.

Analysis:

This is a request to vacate a tract located in Canyon Trails #9 Subdivision. The tract was originally intended to line up with an easement to the south in Canyon Trails #5. This combination of tract and easement was created to allow non-vehicular access from the residentially platted areas in the north to the commercial areas in the south. This access area designation was required as part of the approved Canyon Properties PUD (#229).

The applicant has stated that a lot line will be adjusted, and a new easement and tract will be recorded to the west of the originals. These actions will accomplish this non-motorized access requirement in much the same manner as the original design.

The Canyon Properties development has proceeded without incident on the part of the developer or their agents. The phasing of development has been in-line with the submitted documents, and the city has no outstanding issues with this development.

We have received all the required letters from the applicable utility companies stating their approval of the vacation of the tract.

The vacation process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published.

On April 09, 2013 the Commission held a public hearing on this request. There was no public comment. The Commission unanimously voted to recommend approval of the vacation of "Tract E" subject to the following conditions:

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to a new tract being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229.
- 3) Subject to a new easement being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229.

STAFF CONCURS WITH THE COMMISSION'S RECOMMENDATION**Attachments:**

- | | |
|--------------------------|---|
| 1. Vacation request | 6. Excerpts from Canyon Properties PUD #229 (2) |
| 2. Owner Acknowledgement | 7. Utility Letters (5) |
| 3. Vacation Exhibit | 8. Site Photo (1) |
| 4. Zoning Vicinity Map | 9. Portion of the April 9, 2013 P&Z minutes |
| 5. Aerial Map | |

Canyon Properties, PUD
Easement Vacation Statement

B.1. Tract E, Block 14, Canyon Trails Subdivision No. 9.

B.4. Property to be vacated was placed to accommodate utilities and access for the commercial property to the south. The buyer of the property to the south is requesting to buy an additional 100 feet of Lot 14 to incorporate into Lot 1 of Canyon Trails Subdivision No. 5 and the easement will be replaced accordingly on the shifted property line. The owner would request that the vacated land be included in its entirety to Lot 24, Block 14 of Canyon Trails Subdivision No. 9 upon approval.

C.4a. The reason for the vacation request is to relocate the corridor appropriately through grant of easement to a location that will match the easement in the adjacent subdivision to the south. The shifting of the property line to the south makes this vacation and change of location necessary.

4b. This request will not have any effects on adjoining properties. The easement will be replaced in a new location and utilities and other amenities planned for the development will be placed accordingly as needed in the new location.

5a. The applicant is the owner of all lots/parcels involved. Authorization from owner is attached.

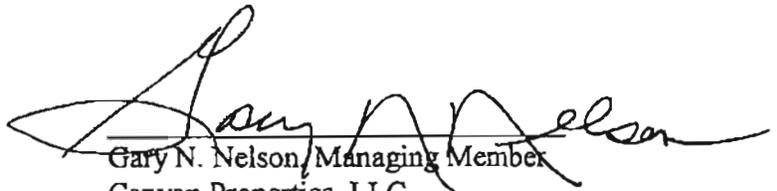
February 7, 2013

Rene'e V. Carraway
Zoning & Development Director
City of Twin Falls
324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303

Dear Rene'e,

As owner of Tract E, Block 14, Canyon Trails Subdivision No. 9, I hereby request and agree to the vacation of the Tract with the land being transferred to Lot 24.

Sincerely,


Gary N. Nelson, Managing Member
Canyon Properties, LLC

February 25, 2013

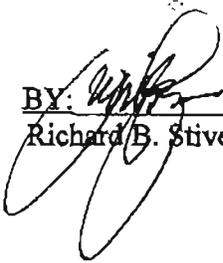
Rene'e V. Carraway
Zoning & Development Director
City of Twin Falls
324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303

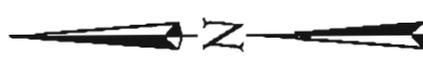
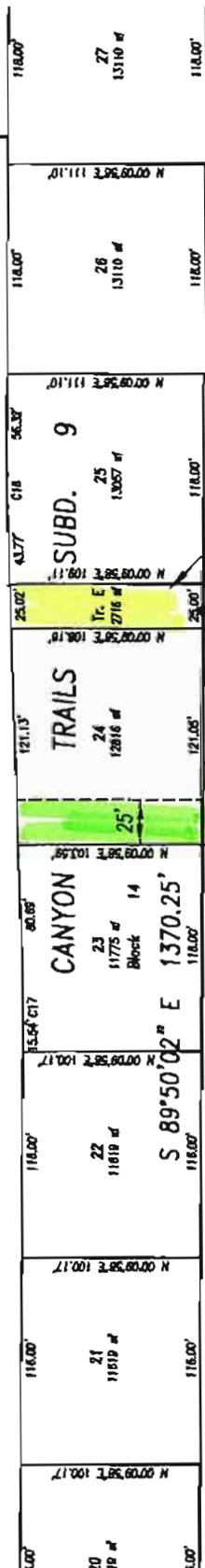
Dear Rene'e,

As Trustee of Tract E, Block 14, Canyon Trails Subdivision No. 9, I hereby request and agree to the vacation of the Tract with the land being transferred to Lot 24.

Sincerely,

TRUSTEE:
TITLEFACT, INC.

BY: 
Richard B. Stivers, President



**RELOCATED EASEMENT
TO BE GRANTED**

**PLATTED EASEMENT
TO BE VACATED**

**PLATTED TRACT
TO BE VACATED**

Lot 14
8.23 Ac.
358,526 s.f. (Original)
310,694 s.f. (Adjusted)

Lot 1
4.87 Ac.
212,338 s.f. (Original)
260,170 s.f. (Adjusted)

Lot 9
1.90 Ac.

Lot 8
0.85 Ac.

Lot 2
1.65 Ac.

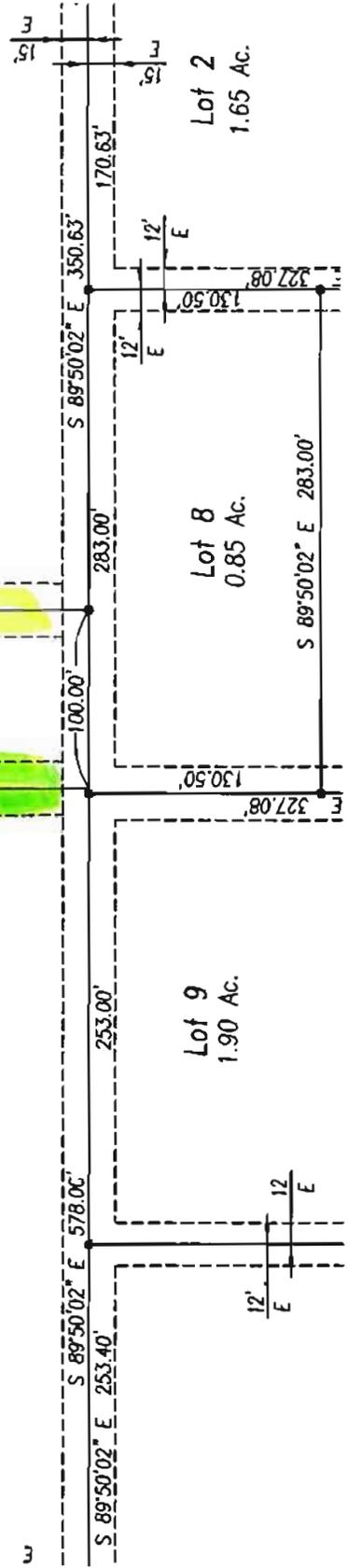
BLOCK 14

CANYON TRAILS SUBD. 5

TRAILS

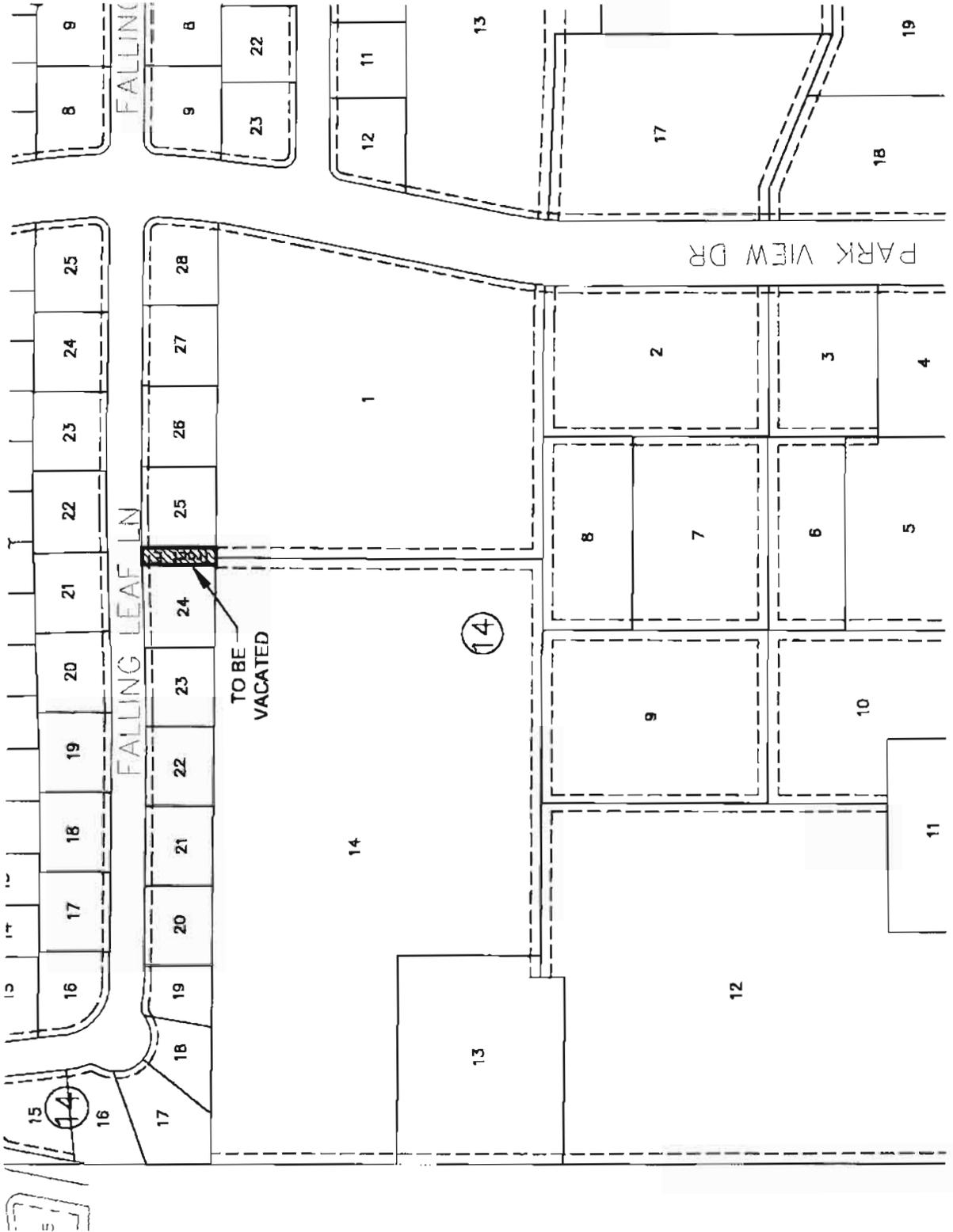
CANYON

SUBD. 9



Vacation Description
For
Canyon Properties, PUD

Tract E, Block 14, Canyon Trails Subdivision No. 9, according to the official plat thereof recorded in the office of the Twin Falls County Recorder in book 23 of plats on page 29, Instrument No. 2009-018948.



Canyon Trails Subdivision No. 7

Canyon Trails Subdivision No. 8

Canyon Trails Subdivision No. 9

Canyon Trails Subdivision No. 10

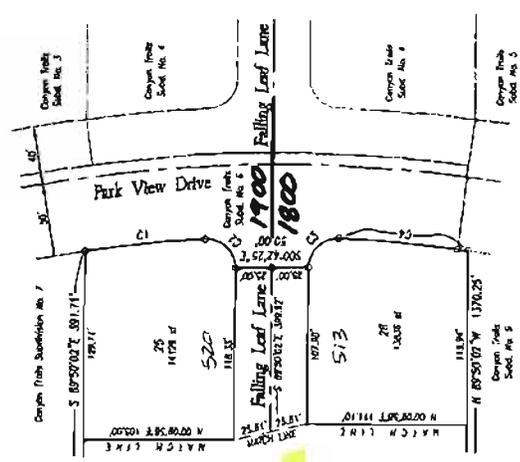
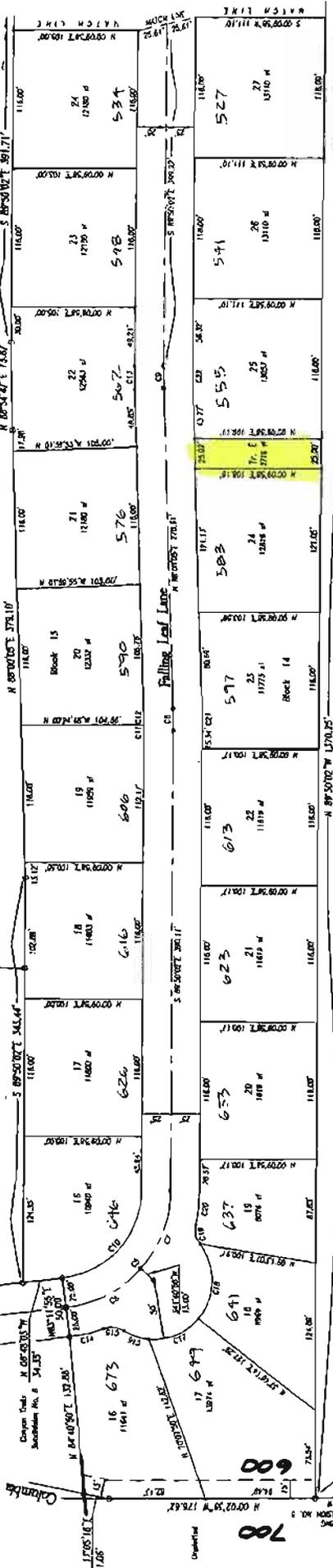
Canyon Trails Subdivision No. 11

Canyon Trails Subdivision No. 12

Canyon Trails Subdivision No. 13

Canyon Trails Subdivision No. 14

Canyon Trails Subdivision No. 15



CANYON TRAILS SUBDIVISION NUMBER 9
 A Planned Unit Development
 Located In
 A Portion Of
 E1 SW4 & W2 SW4, Section 32
 Township 9 South, Range 17 East
 Boise Meridian
 Twin Falls County, Idaho
 2009

1" = 60'

500
600

REAL POINT OF BEGINNING
 FOR CANYON TRAILS
 SUBDIVISION NO. 9 - RANGE 17 EAST
 BOISE MERIDIAN

LEGEND:
 SUBDIVISION BOUNDARY
 LOT LINE
 STREET CENTERLINE
 TO BE SET 3/4" x 24" REBAR & CAP (S1000)
 TO BE SET 1/2" x 24" REBAR & CAP (S1000)
 FOUND 5/8" REBAR & CAP (S 1000)
 FOUND 1/2" REBAR & CAP (S 1000)

MANAGEMENT CERTIFICATION
 THE INTERIOR MONUMENTS ON THIS PLAT SHOWN AS TO BE SET
 WILL BE SET IN ACCORDANCE WITH SECTION 50-1111, I.D.A.C. CODE
 ON OR BEFORE ONE YEAR FROM THE RECORDING DATE OF THIS
 PLAT OR AS DETERMINED BY THE CITY OF TWIN FALLS.

Health Certificate

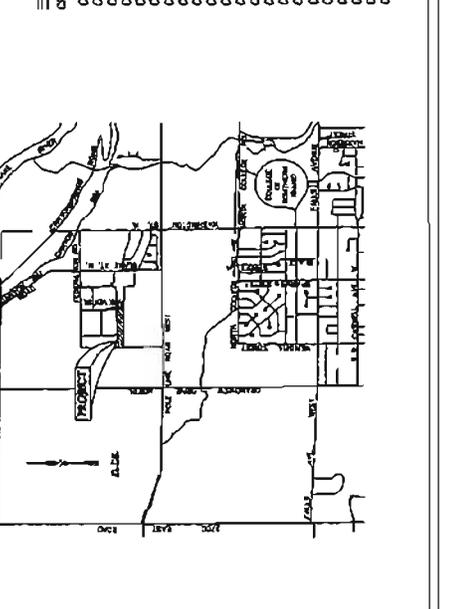
Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been indicated based on the DED approval of the design plans and specifications and the conditions imposed on the developer for continued construction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water or sewer/wastewater facilities were constructed. Building construction from the date of this approval to the date of the health certificate is the responsibility of the applicant. The applicant is responsible for the construction of the sanitary facilities to be constructed in accordance with the other conditions of DED. The sanitary restrictions may be removed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of completion, and the construction of any building or shelter requiring drinking water or sewer/wastewater facilities shall be allowed.

APPROVED: *[Signature]*
 BOISE SOUTH CENTRAL PUBLIC HEALTH DEPARTMENT

TWIN FALLS COUNTY
 CLERK OF DISTRICT CLERK
 2009-018948
 2009-018948
 2009-018948

APPROVED: *[Signature]*
 ENGINEERS, INC.
 ENGINEERS/SURVEYORS/PLANNERS 591-0579 / Sheet 1 of 3

STATION	CHORD BEG.	CHORD END.	RADIUS	LENGTH	ARC	CHORD
C1	5 05'40.51" E	5 05'40.51" E	942.00'	84.29'	42.13'	84.29'
C2	5 43'31.29" W	5 43'31.29" W	20.00'	32.55'	21.18'	32.55'
C3	5 43'40.30" E	5 43'40.30" E	20.00'	32.27'	20.82'	32.27'
C4	5 05'14.57" E	5 05'14.57" E	942.00'	89.69'	43.38'	89.69'
C5	5 21'51.11" E	5 21'51.11" E	100.00'	14.92'	8.57'	14.92'
C6	5 21'51.11" E	5 21'51.11" E	100.00'	14.92'	8.57'	14.92'
C7	5 05'04.31" E	5 05'04.31" E	942.00'	72.46'	37.20'	72.46'
C8	5 05'04.31" E	5 05'04.31" E	942.00'	18.80'	9.45'	18.80'
C9	5 05'04.31" E	5 05'04.31" E	942.00'	18.80'	9.45'	18.80'
C10	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C11	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C12	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C13	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C14	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C15	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C16	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C17	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C18	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C19	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C20	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C21	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'
C22	5 45'19.24" E	5 45'19.24" E	500.00'	108.00'	62.33'	108.00'



Zoning Vicinity Map



Site Map



- C. Landscaping Plan. For each buffer area, at the time set forth in paragraph 5(B), each parcel shall be landscaped to include the following: Fifty percent (50%) of the lineal footage of landscaping shall have berms with a ridge elevation of at least eighteen inches (18") in height with at least fifty percent (50%) of the berming having a minimum ridge elevation of thirty inches (30") in height (except in front of car dealerships the thirty inch (30") requirement may be lowered to twenty four inches (24")). The landscape perimeter shall contain a minimum of one (1) tree per five hundred (500) square feet of landscaped area and a minimum of one (1) shrub per one hundred (100) square feet of landscaped area. At least fifty percent (50%) of the shrubs and trees shall be evergreen. At least fifty percent (50%) of all trees and shrubs shall be from the groups last approved by the Tree Commission. Trees and shrubs may be grouped, but there shall be no space greater than seventy five (75) feet between tree and shrub groupings. All trees shall have a height of at least four (4) feet when planted.

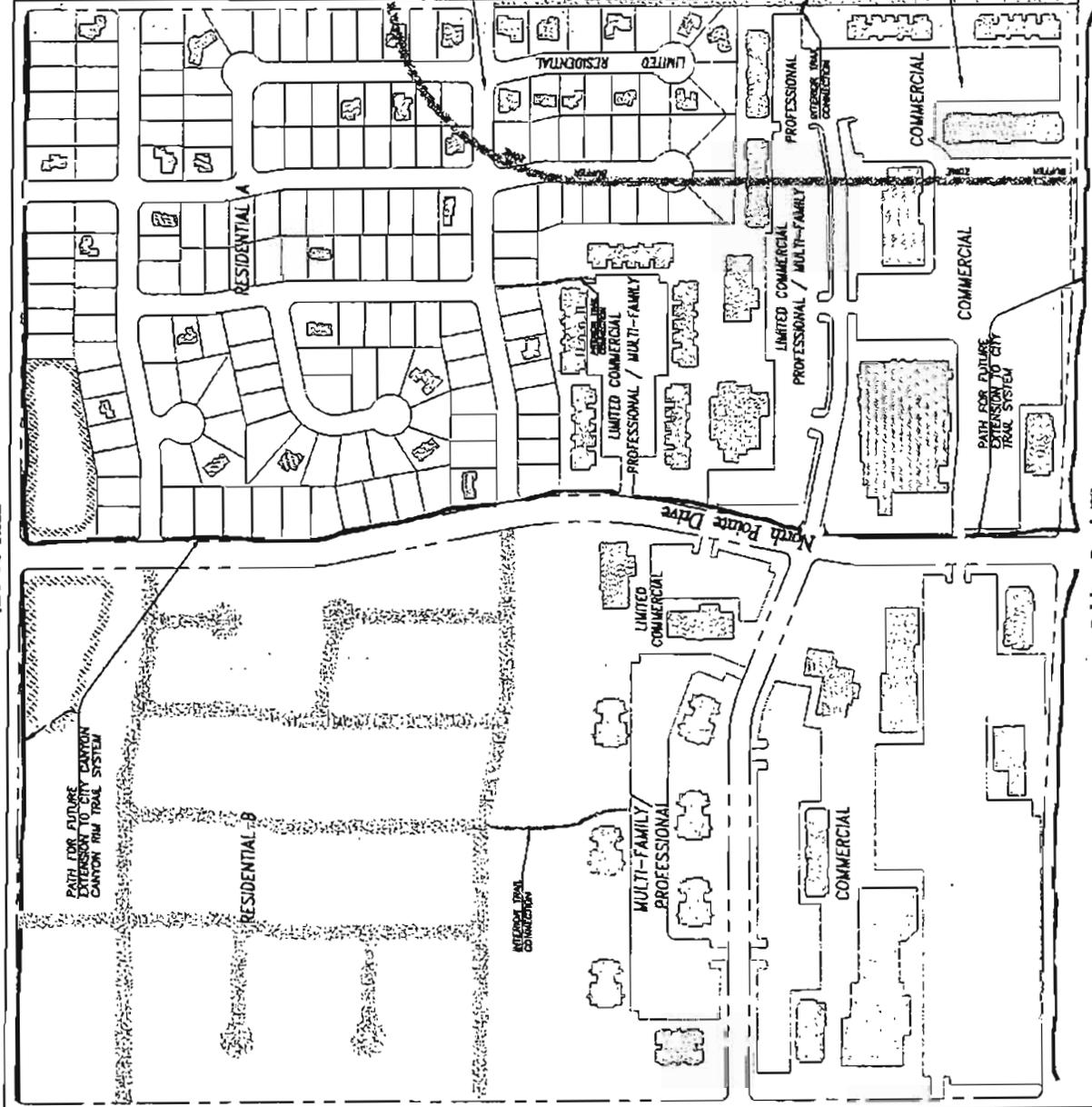
To help mitigate the negative impact of parking areas in addition to the perimeter landscaping seven percent (7%) of the parking area shall be required to be landscaped within the commercial and professional areas of the development. The use of planters and landscaped islands within parking lots is required to reduce visual impact of large paved areas and these shall be planted with shade trees and shrubbery. Landscaping shall be required where commercial and professional uses are adjacent to residential uses. A ten (10) foot buffer is required to provide sound and visual buffering. The buffer area is to be landscaped with coniferous and deciduous trees and/or solid fencing with shrubs, berms, wall and/or planter boxes to create a dense buffer in a relatively short period of time. In all cases landscaping will meet or exceed the minimum landscaping requirements of the City of Twin Falls Zoning and Subdivision Regulations.

Landscaping adjacent to Pole Line Road shall comply with Gateway Arterial Landscaping standards.

- D. Trails/Walkways. In addition to the connection to existing City of Twin Falls Trail System, Developer agrees to construct two (2) interior trails connecting the commercial and residential portions of Developer's Property. The proposed trails are illustrated on Exhibit "B". The interior trails shall be constructed and maintained by the developer or his successors or assigns. Signage and steel barrier posts shall restrict usage to pedestrians and non-motorized vehicles only. The connection from Blake Street to an interior trail shall be for pedestrians only.

Unobstructed and defined walkways, consisting of pavers, bricks, colored and/or scored concrete, colored stamped asphalt, or other similar materials shall be used for all crossings of North Pointe Drive and connecting all commercial buildings larger than 50,000 square feet to adjacent street sidewalks.

4150 N. Road



0 100 200 400
SCALE IN FEET

CANYON PROPERTIES SUBD. A Planned Unit Development

1. ALL CONDOMINIUMS OR PROFESSIONAL BUILDINGS WITHIN 500 FEET SHALL BE LIMITED TO A HEIGHT OF 35 FEET MEASURED ABOVE THE ADJACENT BALDWIN TRAIL SYSTEM. ALL OTHER BUILDINGS WITHIN THE 500 FOOT BUFFER ZONE SHALL BE LIMITED TO THE EXISTING HEIGHT OF 40 FEET TO 45 FEET.

2. ALL BUILDINGS SHALL BE OCCUPANCY AND SHALL BE SUBMITTED FOR CITY APPROVAL WITH APPLICATIONS FOR BUILDING PERMITS.

3. ALL CONDOMINIUMS OR PROFESSIONAL BUILDINGS WITHIN 500 FEET SHALL BE LIMITED TO A HEIGHT OF 35 FEET MEASURED ABOVE THE ADJACENT BALDWIN TRAIL SYSTEM. ALL OTHER BUILDINGS WITHIN THE 500 FOOT BUFFER ZONE SHALL BE LIMITED TO THE EXISTING HEIGHT OF 40 FEET TO 45 FEET.

- NOTES
1. ALL CONDOMINIUMS OR PROFESSIONAL BUILDINGS WITHIN 500 FEET SHALL BE LIMITED TO A HEIGHT OF 35 FEET MEASURED ABOVE THE ADJACENT BALDWIN TRAIL SYSTEM. ALL OTHER BUILDINGS WITHIN THE 500 FOOT BUFFER ZONE SHALL BE LIMITED TO THE EXISTING HEIGHT OF 40 FEET TO 45 FEET.
 2. ALL BUILDINGS SHALL BE OCCUPANCY AND SHALL BE SUBMITTED FOR CITY APPROVAL WITH APPLICATIONS FOR BUILDING PERMITS.
 3. ALL CONDOMINIUMS OR PROFESSIONAL BUILDINGS WITHIN 500 FEET SHALL BE LIMITED TO A HEIGHT OF 35 FEET MEASURED ABOVE THE ADJACENT BALDWIN TRAIL SYSTEM. ALL OTHER BUILDINGS WITHIN THE 500 FOOT BUFFER ZONE SHALL BE LIMITED TO THE EXISTING HEIGHT OF 40 FEET TO 45 FEET.

PREPARED BY:



Exhibit 'B'

Poldine Road West

Wendell Street



February 11, 2013

EHM Engineers, Inc
621 North College Road, Suite 100
Twin Falls, Idaho 83301

Re: The petition to vacate utility easements located in Lot 1, Lot 14, and Tract E, Block 14 of Canyon Trails Subdivision Number 5 & 9, Section 32, Township 9 South, Range 17 East, B.M., Meridian, Twin Falls County, Idaho.

To whom it may concern:

Idaho Power has reviewed the Release of Easement Request for the above-referenced item as provided by Canyon Properties, LLC and submits this letter of comment in response.

Our records indicate that Idaho Power Company does not maintain facilities within the subject right-of-way area and does not require that the existing rights be maintained for the specific area outlined in the vacation request.

Please consider this comment letter a written request for a copy of the recorded resolution of the Board of Commissioners' determination on this matter, and any other instrument that would pertain to a conveyance of the subject property, should the City of Twin Falls approve the requested vacation.

Idaho Power Company thanks you for providing the opportunity to comment on the vacation petition/application.

Thank you,

A handwritten signature in black ink, appearing to read "Rachael Butterworth".

Rachael Butterworth
Associate Real Estate Specialist
Lands and Right-of-Way Department
Phone: (208) 388-2699
Email: rbutterworth@idahopower.com



Watch us make you smile.

261 EASTLAND DRIVE
P.O. Box 1946
TWIN FALLS, IDAHO 83301
PH: 208-733-6230
FX: 208-733-6296

February 12, 2013

RE: Vacation of Public Right of Way and Easements in the Canyon trails Subdivisions Number 5 and 9.

TO:

EHM Engineers, Inc.
Mr. Tim Vawser
621 N. College Road, Ste. 100
Twin Falls, Idaho 83301

Dear Sir,

We agree to abandon the Public Right of Way and Easement Located between lots 1 and 14, Block 14 in the Canyon Trails Subdivision Number 5, Also Tract E in Canyon trails Subdivision Number 9 as indicated on attachments.

We currently have no facilities in those locations.

Thank you,


Ron Burns
Cable One Construction
261 Eastland Dr.
P.O. Box 1946
Twin Falls, Idaho 83301
208-733-6877 Ext. 7150
208-539-9886



February 15, 2013

EHM Engineers
621 North College Rd Suite 100
Twin Falls, Id 83301

RE: Vacation of Utility Easement & Tract
Canyon Trails Subd. No. 5 and 9
T9S, R17E, Sec.32

To Whom It May Concern:

Qwest Communications agrees that it will vacate its right to use the utility easement centered on Lots 1 and 14, Block 14, Canyon Trails Subdivision No. 5 and Tract E in Canyon Trails Subdivision No. 9.

If you have any questions or concerns, please call Brad McNew at (208)736-8760

Sincerely,

Brad McNew
Design Engineer
CenturyLink



687 Blue Lakes Blvd North • PO Box 68 • Twin Falls, ID 83303-0068
Office: (208) 737-6300 • Fax: (208) 737-6342 • In-State: 1-800-548-8771 • www.intgas.com

February 5th, 2013

EHM Engineers, Inc.
621 N College Rd Suite 100
Twin Falls, ID 83301

Attn: Tim Vawser and the City of Twin Falls

Dear Mr. Vawser,

Intermountain Gas Company releases the rights of the vacation of an easement centered on Lots 1 and 14, Block 14, Canyon Trails Subdivision No. 5 and Tract E in Canyon Trails Subdivision No. 9.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Watkins", is written over a light blue horizontal line.

Greg Watkins
District Operations Manager
687 Blue Lakes Blvd N
PO Box 68
Twin Falls, ID 83303-0068
208 737-6313



TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



February 20, 2013

Tim Vawser
EHM Engineers, Inc.
621 North College Rd., Suite 100
Twin Falls, ID 83301

RE: Canyon Trails Subdivision easement vacation

Tim,

I have reviewed the plans for the Canyon Trails Subdivision. The Twin Falls Canal Company has been asked to comment on a request for the vacation of an easement centered on lots 1 and 14, Block 14, Canyon Trails Subdivision No. 5 and Tract E in Canyon Trails Subdivision No. 9. This Letter is to inform you that the Twin Falls Canal Company has no facilities in the area and therefore has no issues with the proposed vacation of the easement.

If you have any questions, please contact me at 733-6731.

Sincerely,

Jay Barlogi
Twin Falls Canal Company



Canyon Properties Undeveloped area

04/02/2013 03:13 PM

Chairman Frank asked the applicant if the next two items could be combined into one presentation. Once the presentation is complete the Commission will make two separate motions to address both requests. The applicant representative agreed and proceeded with his presentation.

3. Requests for the Vacation of Tract E, 25' x 109' (2725 sq. ft.), located between 555 Falling Leaf Lane and 583 Falling Leaf Lane within Canyon Trails Subdivision No. 9. c/o Gary N Nelson on behalf of Canyon Properties, LLC (app. 2559)
4. Requests for the Vacation of platted utility and vehicular access easement, 30' x 478' (14,340 sq. ft), located between Lot 1 and Lot 14, Block 14, of the Canyon Trails Subdivision No. 5. c/o Gary N Nelson on behalf of Canyon Properties, LLC (app. 2560)

APPLICANT PRESENTATION:

Tim Vawser, EHM Engineers, Inc, representing the applicant stated the subject property is located in Canyon Properties PUD. The first request is to vacate a tract that separated Canyon Trails Subdivision No. 9 from Canyon Trails Subdivision No. 5 as part of the PUD agreement process the connectivity of the commercial to the residential was a requirement as part of a walking path. Currently three quarters of the residential portion is in Escrow and undeveloped. The applicant has a potential user interested in a 6(+/-) acres site which would overlap the existing lot line as part of the other vacation request which also contains public utility access easement. Basically this request would allow the parcel to be moved over 100' to be able to meet the client's needs for the site. At this point is the tract may not need to be vacated the development plans have not been completed yet but they would like to move forward with the request in case someone changes their mind. They plan to rededicate this easement or a tract when necessary. He asked for a recommendation for approval.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and stated Item 3 is vacating the tract and Item 4 is vacating the easement. The staff recommendations are the same for both requests. The property in 1999 was in the area of impact in and was rezoned C-1 PUD, the PUD was approved in 2003 and in 2005 the property was annexed into the City Limits. The 160 acres began the platting process in 2000 with the final phase of the subdivision being approved in 2007.

Planner I Spendlove stated upon conclusion, should the Commission recommend approval of both requests, as presented staff recommends the following conditions:

RECOMMENDED FOR APPROVAL, AS PRESENTED, TO THE CITY COUNCIL

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a new tract being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229
3. Subject to a new easement being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229

Zoning & Development Manager Carraway stated she would like to clarify for the new Commission members that this is a request to vacate a platted easement and tract. State law requires a public hearing for this type of request the Commission makes a recommendation and this will go forward to the City Council for final approval. If the applicant determines a vacation is not necessary for development it will not be processed as part of the ordinance.

PUBLIC HEARING: OPENED & CLOSED

DELIBERATIONS FOLLOWED: WITHOUT CONCERNS

MOTION ITEM IV-3:

Commissioner Derricott made a motion to approve the request, as presented, with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

RECOMMENDED FOR APPROVAL, AS PRESENTED, TO THE CITY COUNCIL

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a new tract being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229
3. Subject to a new easement being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229

MOTION ITEM IV-4:

Commissioner Derricott made a motion to approve the request, as presented with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

RECOMMENDED FOR APPROVAL, AS PRESENTED, TO THE CITY COUNCIL

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a new tract being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229
3. Subject to a new easement being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229

**PUBLIC HEARING SCHEDULED FOR Both Item IV-3 & IV-4
CITY COUNCIL MAY 6, 2013**

5. Requests for a Special Use Permit to operate an indoor recreation facility -- which may include charity/fundraiser events, comedy club, theater, music events, art show and private events, and to allow alcohol consumption on site in conjunction with a restaurant—all with extended hours of operation until 1:30 a.m. seven (7) days a week, on property located at 516 Hansen Street South. c/o Edward Sabia (app. 2561)

APPLICANT PRESENTATION:

Edward Sabia, the applicant, is requesting that a restaurant and indoor recreation facility be approved through this special use permit process. The staff will be around 25 people, there will be a focus on Jazz, and will be using the upstairs area for events. He is familiar with the conditions recommended and has no problem with these terms.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and reviewed the history on the property, there are four special use permit associated with this property relating to the brewery, pub, restaurant sales, and two ordinances on related to a vacation request and the other related to zoning of the property. The property is zone OT; old town zoning, WHO warehouse district with a P3; parking overlay zone. This building had been used for a similar type of use throughout the past it is compatible with the surrounding businesses in the area. The reason for tonight's hear is that a special use permit is required for the retail sale of alcohol when consumed on premises, for retail uses operating outside of the hour of 7:00am and 10:00pm and for and indoor recreation facility (i.e. an event center) all of which are items included in this request. The build consist of four floor (3 upstairs and a basement) approximately 12,000 sq. ft. All of the items listed are under this request have been considered. The biggest concern currently for an event center is that each event is required to be approved by the police department where alcohol is being served. The applicant has done a good job at meeting this requirement at his existing event center. The special event review process is to review security requirements, trash pick-up and noise. The property is in a P3 parking overlay zone which allows for special considerations on a case by case basis.



Public Meeting: **MONDAY, MAY 06, 2013**

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Department

ITEM IV-2

Request: Request for the Vacation of a platted Utility & Vehicular Access Easement, 30' x 478' (14,340 sf), located between Lot 1 & Lot 14, Block 14, within Canyon Trails Subdivision No. 5- / Canyon Properties PUD #229. c/o Tim Vawser/EHM Engineers on behalf of Gary N Nelson / Canyon Properties, LLC (app. 2560)

Time Estimate:

The applicant's presentation may take up to fifteen (15) minutes. Staff's presentation may be up to ten (10) minutes.

Background:

Applicant:	Status: Owner	Size: 25' x 109' - 2716 sf Tract E
Canyon Properties, LLC c/o Gary Nelson P.O. Box 6004 Twin Falls, ID 83303 208-736-8400 nelsonandco@cableone.net	Current Zoning: Mixed-Use C-1 PUD; Residential & Commercial C-1 Planned Unit Development	Requested Zoning: vacation of undeveloped Utility and Vehicular Access Easement
	Comprehensive Plan: Medium Density Residential adjacent to Commercial/Retail	Lot Count: 1 undeveloped easement
	Existing Land Use: Undeveloped property within the Canyon Trails Subdivision #5 - A PUD	Proposed Land Use: development in compliance with the PUD.
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc. c/o Tim Vawser 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 tvawser@ehminc.com	North: Canyon Properties C-1 PUD, Falling Leaf Ln extended, undeveloped residential subdivision	East: Canyon Properties C-1 PUD; residential, undeveloped
	South: Canyon Properties C-1 PUD; commercial/retail, undeveloped	West: Canyon Properties C-1 PUD; residential, undeveloped
	Applicable Regulations: 10-1-4, 10-1-5, 10-12-1 through 4, 10-16-1 & 2	

Approval Process:

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

The Council will conduct a public hearing and approve, modify or deny the vacation. Whenever public rights of way or lands are vacated, the Council shall provide adjacent property owners with a Deed for the vacated rights or way.

Budget Impact:

Approval of this request will have negligible impact the City budget.

Regulatory Impact:

Approval of this request will allow Canyon Properties, LLC to vacate the 14,340 sf utility and vehicular access easement and dedicate in a different location suitable to allow proposed development.

History:

On May 17, 1999, this property was in the City's Area of Impact and rezoned C-1 PUD. On March 17, 2003 Canyon Properties PUD was approved and on February 22, 2005, the property was annexed into the City Limits.

The 160 acre PUD was platted in phases starting in January 2000 with Canyon Trails Subdivision No 1 and ending with City Council approval of Canyon Trails Subdivision No. 10 on November 13, 2007.

Analysis:

This is a request to vacate a utility and vehicular access easement located in Canyon Trails #5 subdivision. The easement was originally intended to line up with a tract to the north in Canyon Trails #9. This combination of tract and easement was created to allow non-vehicular access (Tract E) from the residentially platted areas in the north to the commercial areas in the south. This access area designation was part of the approved Canyon Properties PUD (#229).

The applicant has stated that a lot line will be adjusted, and a new easement and tract will be recorded to the west of the originals. These actions will accomplish this requirement in much the same manner as the original design.

The Canyon Properties PUD development has proceeded without incident on the part of the developer or their agents. The phasing of development has been in-line with the submitted documents, and the city has no outstanding issues with this development.

We have received all the required letters from the applicable utility companies stating their approval of the vacation of the easement.

The vacation process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published.

On April 09, 2013 the Commission held a public hearing on this request. There was no public comment. The Commission unanimously voted to recommend approval of the vacation of the easement, as presented, subject to the following conditions:

- 1) Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- 2) Subject to a new tract being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229.
- 3) Subject to a new easement being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229.

STAFF CONCURS WITH THE COMMISSION'S RECOMMENDATION**Attachments:**

- | | |
|--------------------------|---|
| 1. Vacation request | 6. Excerpts from Canyon Properties PUD #229 (2) |
| 2. Owner Acknowledgement | 7. Utility Letters (5) |
| 3. Vacation Exhibit | 8. Site Photo (1) |
| 4. Zoning Vicinity Map | 9. Portion of the April 9, 2013 P&Z minutes |
| 5. Aerial Map | |

Canyon Properties, PUD
Easement Vacation Statement

B.1. The West 15 feet of the North 463.32 feet of Lot 1, Block 14, Canyon Trails Subdivision No. 5 and the East 15 feet of the North 463.32 feet of Lot 14, Block 14, Canyon Trails Subdivision No. 5.

B.3. 13,900 square feet of utility and vehicular access easement.

B.4. Property to be vacated will have a building placed over the existing easement. The buyer of the property is requesting to buy an additional 100 feet of Lot 14 to incorporate into Lot 1 and the easement will be replaced accordingly on the shifted property line.

C.4a. The reason for the vacation request is to allow for a development to be placed on Lot 1 and additional land area is required to fit the plan. The easement location does not allow a building to be placed appropriately without being placed over the easement, which is not allowed by code.

4b. This request will not have any effects on adjoining properties. The easement will be replaced in a new location and utilities and other amenities planned for the development will be placed accordingly as needed in the new location.

5a. The applicant is the owner of both lots. Authorization from owner is attached.

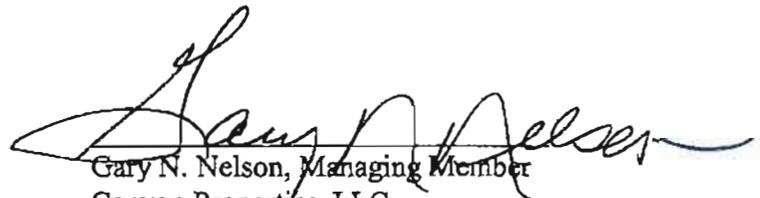
February 7, 2013

Rene'e V. Carraway
Zoning & Development Director
City of Twin Falls
324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303

Dear Rene'e,

As owner of Lots 1 and 14, Block 14, Canyon Trails Subdivision No. 5, I hereby request and agree to the vacation of the utility and vehicular access easement which currently exists on the common lot line between Lots 1 and 14.

Sincerely,



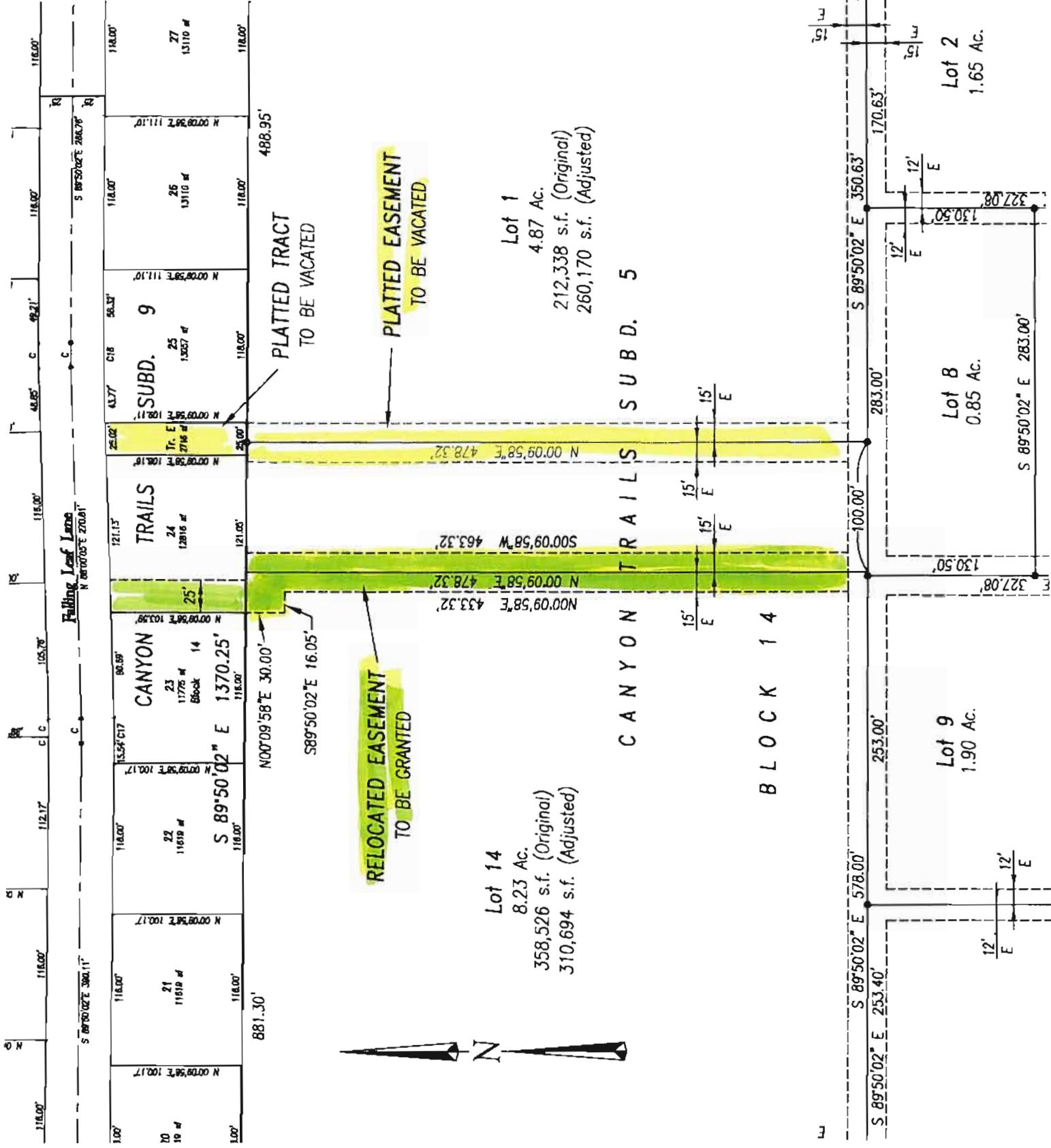
Gary N. Nelson, Managing Member
Canyon Properties, LLC

Easement Vacation Description
For
Canyon Properties, PUD

An easement located in Lot 1 and Lot 14, Block 14, Canyon Trails Subdivision No. 5, according to the official plat thereof recorded in the office of the Twin Falls County Recorder in book 21 of plats on page 3, Instrument No. 2006-023744.

Said easement being more particularly described as follows:

The West 15 feet of the North 463.32 feet of Lot 1, Block 14, Canyon Trails Subdivision No. 5 and the East 15 feet of the North 463.32 feet of Lot 14, Block 14, Canyon Trails Subdivision No. 5.



Lot 14
8.23 Ac.
358,526 s.f. (Original)
310,694 s.f. (Adjusted)

Lot 1
4.87 Ac.
212,338 s.f. (Original)
260,170 s.f. (Adjusted)

Lot 9
1.90 Ac.

Lot 8
0.85 Ac.

Lot 2
1.65 Ac.

RELOCATED EASEMENT
TO BE GRANTED

PLATTED EASEMENT
TO BE VACATED

PLATTED TRACT
TO BE VACATED



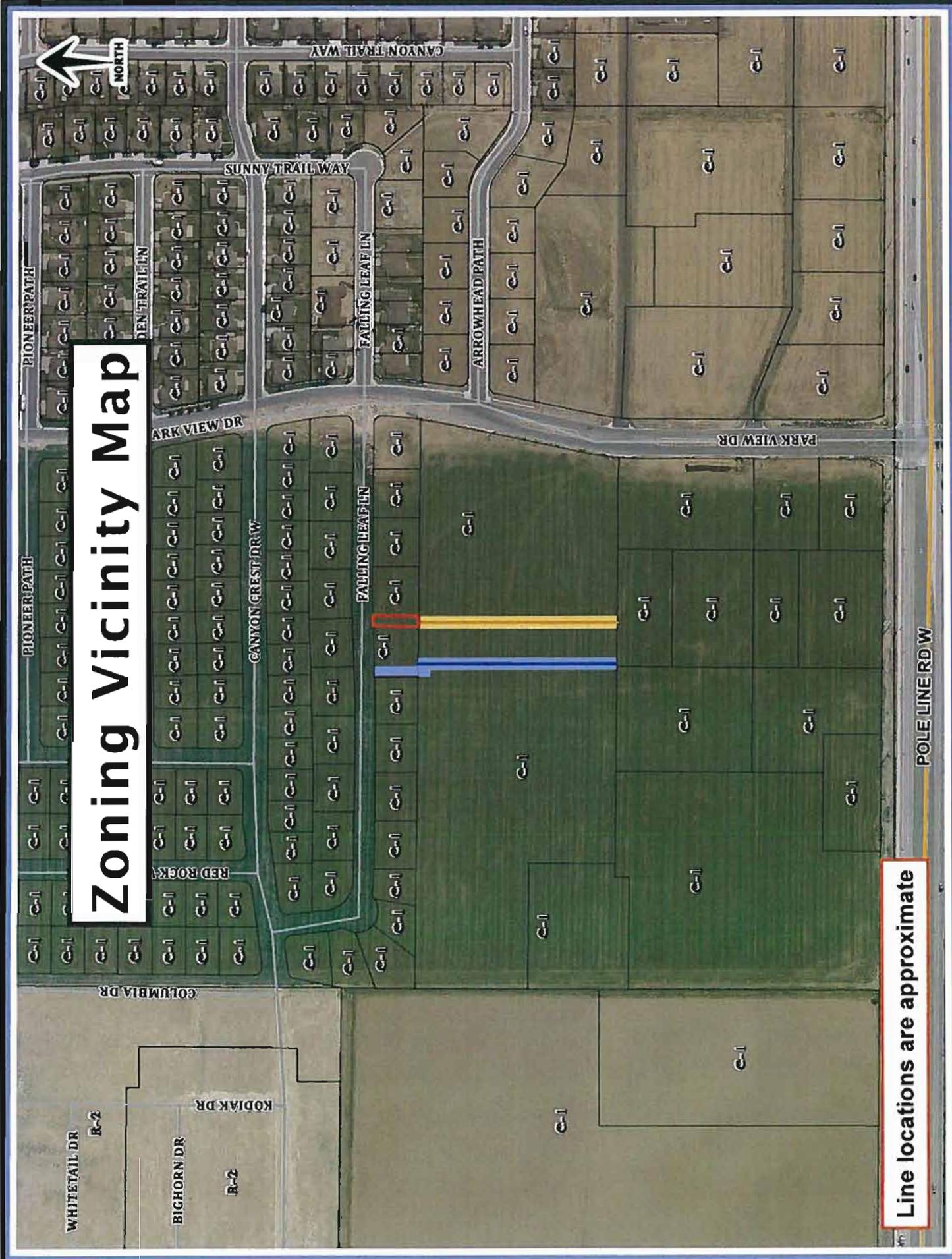
Falling Leaf Lane
N 89°50'02" E 300.11'

CANYON TRAILS SUBD. 5

BLOCK 14

Lot #	Area (Ac.)	Area (s.f.)	Original Area (s.f.)	Adjusted Area (s.f.)
20		11,619		
19		11,619		
21		11,619		
22		11,619		
23		11,776		
24		12,816		
25		13,337		
26		13,110		
27		13,110		

Zoning Vicinity Map



Line locations are approximate

Site Map



Tract to be Vacated

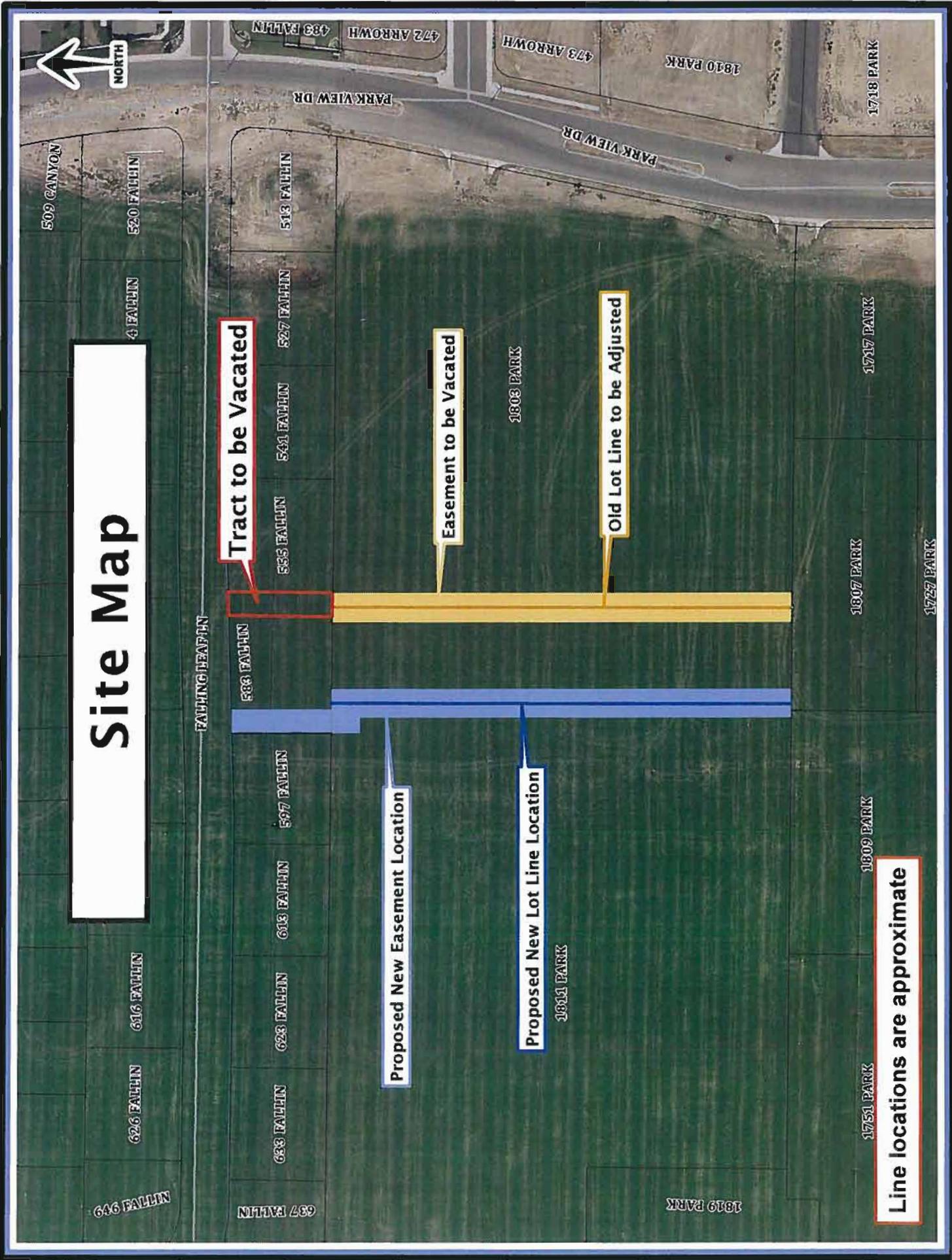
Easement to be Vacated

Old Lot Line to be Adjusted

Proposed New Easement Location

Proposed New Lot Line Location

Line locations are approximate



- C. Landscaping Plan. For each buffer area, at the time set forth in paragraph 5(B), each parcel shall be landscaped to include the following: Fifty percent (50%) of the lineal footage of landscaping shall have berms with a ridge elevation of at least eighteen inches (18") in height with at least fifty percent (50%) of the berming having a minimum ridge elevation of thirty inches (30") in height (except in front of car dealerships the thirty inch (30") requirement may be lowered to twenty four inches (24")). The landscape perimeter shall contain a minimum of one (1) tree per five hundred (500) square feet of landscaped area and a minimum of one (1) shrub per one hundred (100) square feet of landscaped area. At least fifty percent (50%) of the shrubs and trees shall be evergreen. At least fifty percent (50%) of all trees and shrubs shall be from the groups last approved by the Tree Commission. Trees and shrubs may be grouped, but there shall be no space greater than seventy five (75) feet between tree and shrub groupings. All trees shall have a height of at least four (4) feet when planted.

To help mitigate the negative impact of parking areas in addition to the perimeter landscaping seven percent (7%) of the parking area shall be required to be landscaped within the commercial and professional areas of the development. The use of planters and landscaped islands within parking lots is required to reduce visual impact of large paved areas and these shall be planted with shade trees and shrubbery. Landscaping shall be required where commercial and professional uses are adjacent to residential uses. A ten (10) foot buffer is required to provide sound and visual buffering. The buffer area is to be landscaped with coniferous and deciduous trees and/or solid fencing with shrubs, berms, wall and/or planter boxes to create a dense buffer in a relatively short period of time. In all cases landscaping will meet or exceed the minimum landscaping requirements of the City of Twin Falls Zoning and Subdivision Regulations.

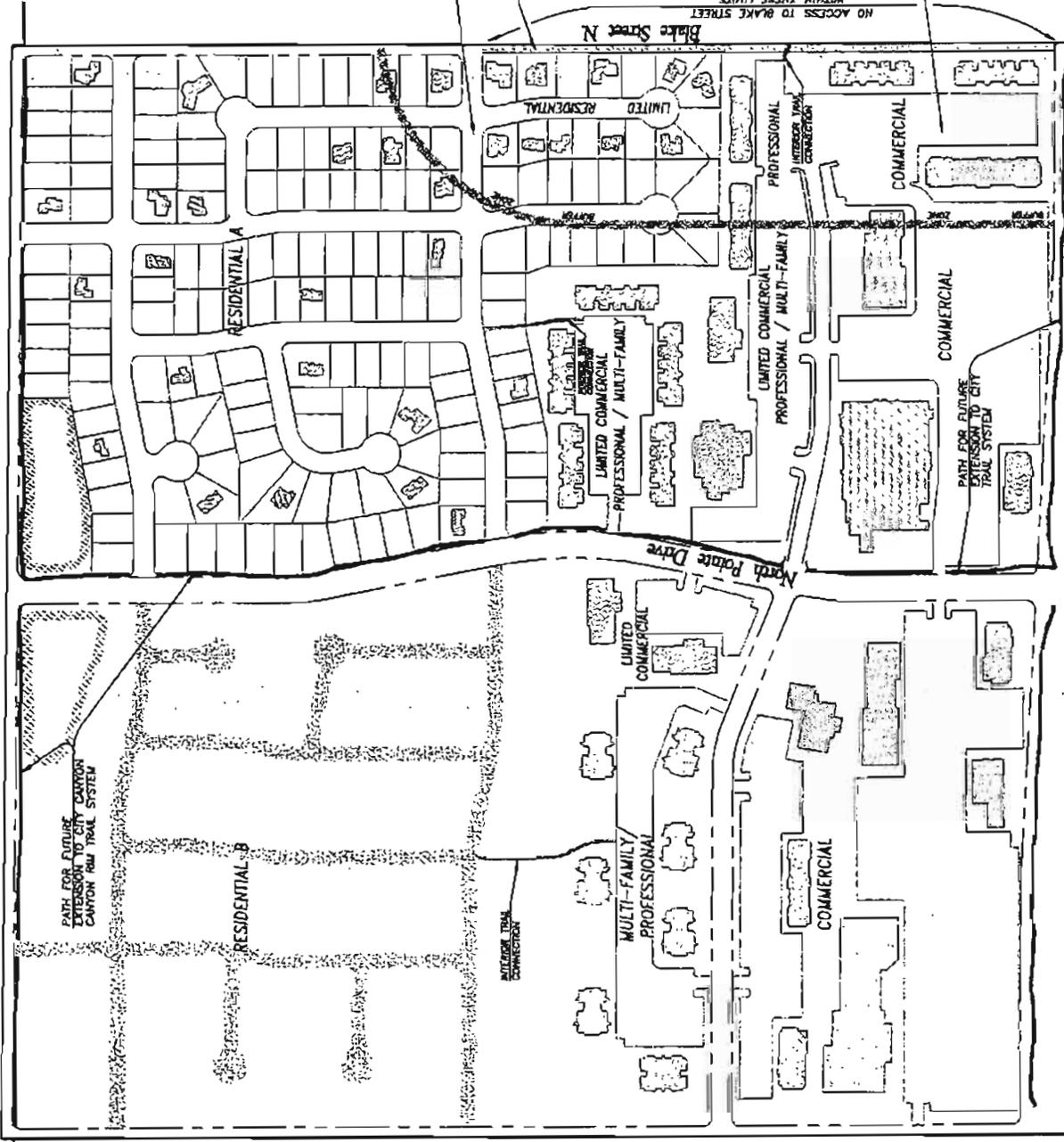
Landscaping adjacent to Pole Line Road shall comply with Gateway Arterial Landscaping standards.

- D. Trails/Walkways. In addition to the connection to existing City of Twin Falls Trail System, Developer agrees to construct two (2) interior trails connecting the commercial and residential portions of Developer's Property. The proposed trails are illustrated on Exhibit "B". The interior trails shall be constructed and maintained by the developer or his successors or assigns. Signage and steel barrier posts shall restrict usage to pedestrians and non-motorized vehicles only. The connection from Blake Street to an interior trail shall be for pedestrians only.

Unobstructed and defined walkways, consisting of pavers, bricks, colored and/or scored concrete, colored stamped asphalt, or other similar materials shall be used for all crossings of North Pointe Drive and connecting all commercial buildings larger than 50,000 square feet to adjacent street sidewalks.

CANYON PROPERTIES SUBD. A Planned Unit Development

0 100 200 400
SCALE IN FEET



LIMITED RESIDENTIAL LIMITED TO SINGLE STORY/SINGLE FAMILY HOUSING UNITS TO BE DEVELOPED IN ACCORDANCE WITH THE CITY OF TWIN FALLS ZONING AND SUBDIVISION REGULATIONS.

TO BE COVERED TO LEAVE EXPOSED LATERAL EARTH EXPOSURE TO BE COVERED BY LOS LAGOS PROP. OWNERS ASSOC.

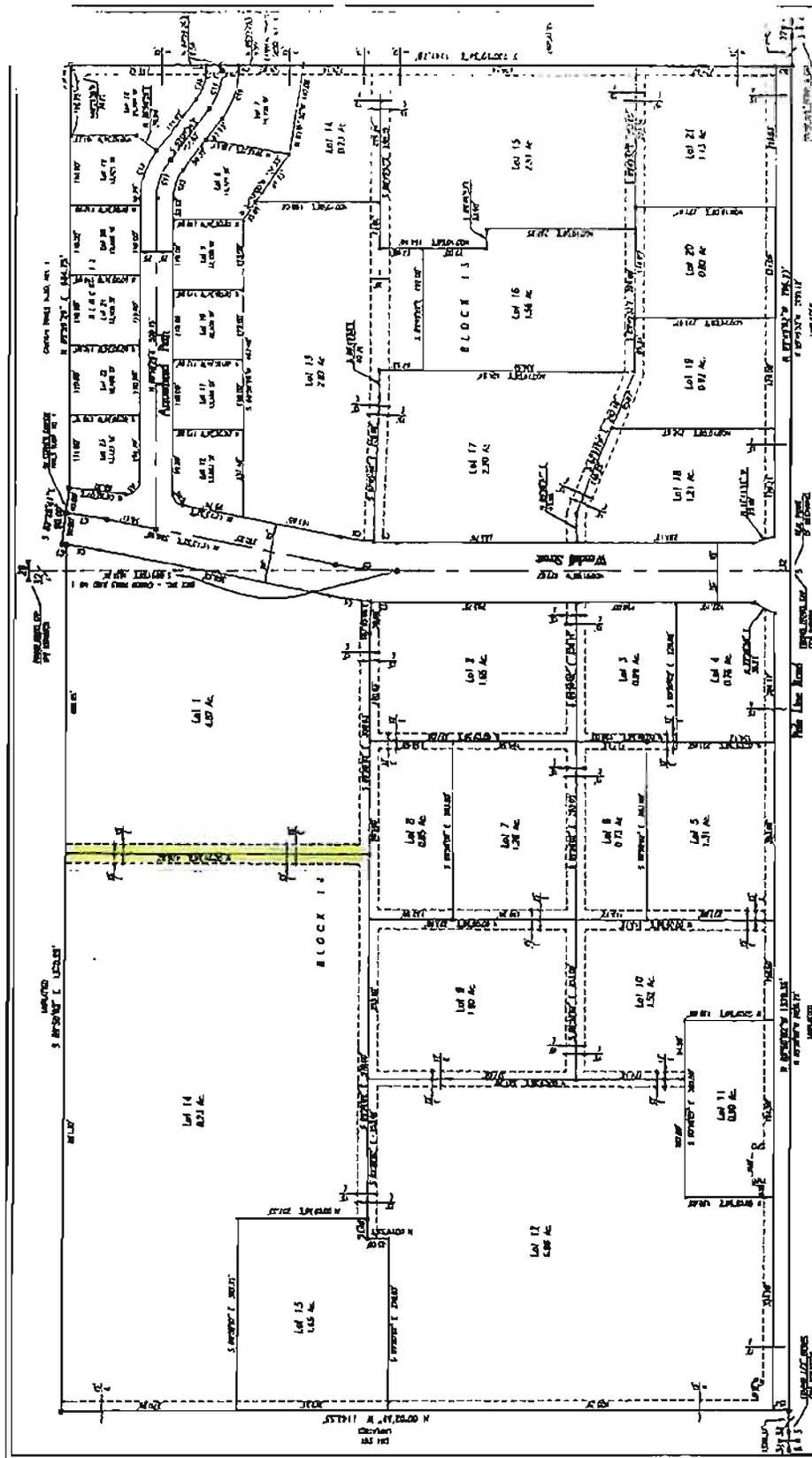
- NOTES:
1. NORTH OF THIS SUBD. THE CONCEPTUAL ONE-TWO FINAL LOCATION OF THE TRAIL SYSTEM SHALL BE DETERMINED BY THE CITY OF TWIN FALLS ZONING AND SUBDIVISION REGULATIONS.
 2. ALL BUILDING HEIGHTS ARE CONCEPTUAL AND WILL BE SUBMITTED FOR FINAL APPROVAL WITH APPLICATIONS FOR BUILDING PERMITS.
 3. HEIGHTS ARE SHOWN ON ADJACENT PROPERTY WILL BE REQUIRED TO BE WITHIN THE SUBJECT PROPERTY AS RESULT BY THE CITY OF T.F.

ALL COMMERCIAL OR PROFESSIONAL BUILDINGS SHALL BE LIMITED TO A HEIGHT OF 30 FEET MEASURED ABOVE THE ADJACENT RESIDENTIAL BUILDINGS WITHIN THE 300 FOOT BUFFER ZONE. SHALL BE LIMITED TO THE FOLLOWING HOURS: 9:00 A.M. TO 6:00 P.M.

PREPARED BY:

BEWM Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS
621 NORTH COLLEGE ROAD, SUITE 100, TWIN FALLS, IDAHO 83301
PHONE: (208) 734-4888, FAX: (208) 734-6049

Exhibit 'B'



CANYON TRAILS SUBDIVISION NO. 5
 A Planned Unit Development
 Located In
 A Portion Of
 SE4 SW4 And SW4 SE4 Section 32
 Township 9 South, Range 17 East
 Boise Meridian, Idaho
 Twin Falls County, Idaho
 2005

Engineers, Inc.
 210 S. 1st St.
 Boise, Idaho 83721
 Phone: 208-333-1111
 Fax: 208-333-1112

Center Table

Lot	Area	Notes
Lot 1	4.00 Ac.	
Lot 2	1.80 Ac.	
Lot 3	0.78 Ac.	
Lot 4	0.78 Ac.	
Lot 5	1.31 Ac.	
Lot 6	0.78 Ac.	
Lot 7	1.31 Ac.	
Lot 8	0.78 Ac.	
Lot 9	0.78 Ac.	
Lot 10	1.31 Ac.	
Lot 11	0.78 Ac.	
Lot 12	1.31 Ac.	
Lot 13	2.80 Ac.	
Lot 14	0.78 Ac.	
Lot 15	1.31 Ac.	
Lot 16	1.31 Ac.	
Lot 17	2.80 Ac.	
Lot 18	1.31 Ac.	
Lot 19	0.78 Ac.	
Lot 20	0.78 Ac.	
Lot 21	1.31 Ac.	

Health Conditions

Health conditions are shown by the shading of the lots. The shading indicates the following: 1. Lots shaded with a solid black color are in the "A" health condition. 2. Lots shaded with a diagonal line are in the "B" health condition. 3. Lots shaded with a cross-hatch pattern are in the "C" health condition. 4. Lots shaded with a horizontal line are in the "D" health condition. 5. Lots shaded with a vertical line are in the "E" health condition. 6. Lots shaded with a wavy line are in the "F" health condition. 7. Lots shaded with a dotted pattern are in the "G" health condition. 8. Lots shaded with a solid gray color are in the "H" health condition. 9. Lots shaded with a solid white color are in the "I" health condition. 10. Lots shaded with a solid black color are in the "J" health condition. 11. Lots shaded with a solid black color are in the "K" health condition. 12. Lots shaded with a solid black color are in the "L" health condition. 13. Lots shaded with a solid black color are in the "M" health condition. 14. Lots shaded with a solid black color are in the "N" health condition. 15. Lots shaded with a solid black color are in the "O" health condition. 16. Lots shaded with a solid black color are in the "P" health condition. 17. Lots shaded with a solid black color are in the "Q" health condition. 18. Lots shaded with a solid black color are in the "R" health condition. 19. Lots shaded with a solid black color are in the "S" health condition. 20. Lots shaded with a solid black color are in the "T" health condition. 21. Lots shaded with a solid black color are in the "U" health condition. 22. Lots shaded with a solid black color are in the "V" health condition. 23. Lots shaded with a solid black color are in the "W" health condition. 24. Lots shaded with a solid black color are in the "X" health condition. 25. Lots shaded with a solid black color are in the "Y" health condition. 26. Lots shaded with a solid black color are in the "Z" health condition.

Legend

Subdivision boundary
 Lot line
 Street centerline
 Ditch or canal
 30' x 12' x 30' utility easement
 30' x 12' x 30' utility easement
 30' x 12' x 30' utility easement
 30' x 12' x 30' utility easement



TWIN FALLS COUNTY
 DEEDS
 2006-013764
 12/15/04



February 11, 2013

EHM Engineers, Inc
621 North College Road, Suite 100
Twin Falls, Idaho 83301

Re: The petition to vacate utility easements located in Lot 1, Lot 14, and Tract E, Block 14 of Canyon Trails Subdivision Number 5 & 9, Section 32, Township 9 South, Range 17 East, B.M., Meridian, Twin Falls County, Idaho.

To whom it may concern:

Idaho Power has reviewed the Release of Easement Request for the above-referenced item as provided by Canyon Properties, LLC and submits this letter of comment in response.

Our records indicate that Idaho Power Company does not maintain facilities within the subject right-of-way area and does not require that the existing rights be maintained for the specific area outlined in the vacation request.

Please consider this comment letter a written request for a copy of the recorded resolution of the Board of Commissioners' determination on this matter, and any other instrument that would pertain to a conveyance of the subject property, should the City of Twin Falls approve the requested vacation.

Idaho Power Company thanks you for providing the opportunity to comment on the vacation petition/application.

Thank you,

A handwritten signature in black ink that reads "Rachael Butterworth".

Rachael Butterworth
Associate Real Estate Specialist
Lands and Right-of-Way Department
Phone: (208) 388-2699
Email: rbutterworth@idahopower.com



Watch us make you smile.

261 EASTLAND DRIVE
P.O. BOX 1946
TWIN FALLS, IDAHO 83301
PH: 208-733-6230
FX: 208-733-6296

February 12, 2013

RE: Vacation of Public Right of Way and Easements in the Canyon trails Subdivisions Number 5 and 9.

TO:

EHM Engineers, Inc.
Mr. Tim Vawser
621 N. College Road, Ste. 100
Twin Falls, Idaho 83301

Dear Sir,

We agree to abandon the Public Right of Way and Easement Located between lots 1 and 14, Block 14 in the Canyon Trails Subdivision Number 5, Also Tract E in Canyon trails Subdivision Number 9 as indicated on attachments.

We currently have no facilities in those locations.

Thank you,

A handwritten signature in blue ink, appearing to read "Ron Burns".

Ron Burns
Cable One Construction
261 Eastland Dr.
P.O. Box 1946
Twin Falls, Idaho 83301
208-733-6877 Ext. 7150
208-539-9886



February 15, 2013

EHM Engineers
621 North College Rd Suite 100
Twin Falls, Id 83301

RE: Vacation of Utility Easement & Tract
Canyon Trails Subd. No. 5 and 9
T9S, R17E, Sec.32

To Whom It May Concern:

Qwest Communications agrees that it will vacate its right to use the utility easement centered on Lots 1 and 14, Block 14, Canyon Trails Subdivision No. 5 and Tract E in Canyon Trails Subdivision No. 9.

If you have any questions or concerns, please call Brad McNew at (208)736-8760

Sincerely,

Brad McNew
Design Engineer
CenturyLink



687 Blue Lakes Blvd North • PO Box 68 • Twin Falls, ID 83303-0068
Office: (208) 737-6300 • Fax: (208) 737-6342 • In-State: 1-800-548-8771 • www.intgas.com

February 5th, 2013

EHM Engineers, Inc.
621 N College Rd Suite 100
Twin Falls, ID 83301

Attn: Tim Vawser and the City of Twin Falls

Dear Mr. Vawser,

Intermountain Gas Company releases the rights of the vacation of an easement centered on Lots 1 and 14, Block 14, Canyon Trails Subdivision No. 5 and Tract E in Canyon Trails Subdivision No. 9.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Watkins', is written over a light blue horizontal line.

Greg Watkins
District Operations Manager
687 Blue Lakes Blvd N
PO Box 68
Twin Falls, ID 83303-0068
208 737-6313



TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



February 20, 2013

Tim Vawser
EHM Engineers, Inc.
621 North College Rd., Suite 100
Twin Falls, ID 83301

RE: Canyon Trails Subdivision easement vacation

Tim,

I have reviewed the plans for the Canyon Trails Subdivision. The Twin Falls Canal Company has been asked to comment on a request for the vacation of an easement centered on lots 1 and 14, Block 14, Canyon Trails Subdivision No. 5 and Tract E in Canyon Trails Subdivision No. 9. This Letter is to inform you that the Twin Falls Canal Company has no facilities in the area and therefore has no issues with the proposed vacation of the easement.

If you have any questions, please contact me at 733-6731.

Sincerely,

Jay Barlogi
Twin Falls Canal Company



Canyon Properties Undeveloped area

04/02/2013 03:13 PM

Chairman Frank asked the applicant if the next two items could be combined into one presentation. Once the presentation is complete the Commission will make two separate motions to address both requests. The applicant representative agreed and proceeded with his presentation.

3. Requests for the Vacation of Tract E, 25' x 109' (2725 sq. ft.), located between 555 Falling Leaf Lane and 583 Falling Leaf Lane within Canyon Trails Subdivision No. 9. c/o Gary N Nelson on behalf of Canyon Properties, LLC (app. 2559)
4. Requests for the Vacation of platted utility and vehicular access easement, 30' x 478' (14,340 sq. ft), located between Lot 1 and Lot 14, Block 14, of the Canyon Trails Subdivision No. 5. c/o Gary N Nelson on behalf of Canyon Properties, LLC (app. 2560)

APPLICANT PRESENTATION:

Tim Vawser, EHM Engineers, Inc, representing the applicant stated the subject property is located in Canyon Properties PUD. The first request is to vacate a tract that separated Canyon Trails Subdivision No. 9 from Canyon Trails Subdivision No. 5 as part of the PUD agreement process the connectivity of the commercial to the residential was a requirement as part of a walking path. Currently three quarters of the residential portion is in Escrow and undeveloped. The applicant has a potential user interested in a 6(+/-) acres site which would overlap the existing lot line as part of the other vacation request which also contains public utility access easement. Basically this request would allow the parcel to be moved over 100' to be able to meet the client's needs for the site. At this point is the tract may not need to be vacated the development plans have not been completed yet but they would like to move forward with the request in case someone changes their mind. They plan to rededicate this easement or a tract when necessary. He asked for a recommendation for approval.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and stated Item 3 is vacating the tract and Item 4 is vacating the easement. The staff recommendations are the same for both requests. The property in 1999 was in the area of impact in and was rezoned C-1 PUD, the PUD was approved in 2003 and in 2005 the property was annexed into the City Limits. The 160 acres began the platting process in 2000 with the final phase of the subdivision being approved in 2007.

Planner I Spendlove stated upon conclusion, should the Commission recommend approval of both requests, as presented staff recommends the following conditions:

RECOMMENDED FOR APPROVAL, AS PRESENTED, TO THE CITY COUNCIL

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a new tract being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229
3. Subject to a new easement being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229

Zoning & Development Manager Carraway stated she would like to clarify for the new Commission members that this is a request to vacate a platted easement and tract. State law requires a public hearing for this type of request the Commission makes a recommendation and this will go forward to the City Council for final approval. If the applicant determines a vacation is not necessary for development it will not be processed as part of the ordinance.

PUBLIC HEARING: OPENED & CLOSED

DELIBERATIONS FOLLOWED: WITHOUT CONCERNS

MOTION ITEM IV-3:

Commissioner Derricott made a motion to approve the request, as presented, with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

RECOMMENDED FOR APPROVAL, AS PRESENTED, TO THE CITY COUNCIL

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a new tract being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229
3. Subject to a new easement being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229

MOTION ITEM IV-4:

Commissioner Derricott made a motion to approve the request, as presented with staff recommendations. Commissioner Sharp seconded the motion. All members present voted in favor of the motion.

RECOMMENDED FOR APPROVAL, AS PRESENTED, TO THE CITY COUNCIL

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a new tract being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229
3. Subject to a new easement being recorded as presented, to be utilized as outlined in the Canyon Properties PUD #229

**PUBLIC HEARING SCHEDULED FOR Both Item IV-3 & IV-4
CITY COUNCIL MAY 6, 2013**

5. Requests for a Special Use Permit to operate an indoor recreation facility -- which may include charity/fundraiser events, comedy club, theater, music events, art show and private events, and to allow alcohol consumption on site in conjunction with a restaurant—all with extended hours of operation until 1:30 a.m. seven (7) days a week, on property located at 516 Hansen Street South. c/o Edward Sabia (app. 2561)

APPLICANT PRESENTATION:

Edward Sabia, the applicant, is requesting that a restaurant and indoor recreation facility be approved through this special use permit process. The staff will be around 25 people, there will be a focus on Jazz, and will be using the upstairs area for events. He is familiar with the conditions recommended and has no problem with these terms.

STAFF PRESENTATION:

Planner I Spendlove displayed the exhibits on the overhead and reviewed the history on the property, there are four special use permit associated with this property relating to the brewery, pub, restaurant sales, and two ordinances on related to a vacation request and the other related to zoning of the property. The property is zone OT; old town zoning, WHO-warehouse district with a P3; parking overlay zone. This building had been used for a similar type of use throughout the past it is compatible with the surrounding businesses in the area. The reason for tonight's hear is that a special use permit is required for the retail sale of alcohol when consumed on premises, for retail uses operating outside of the hour of 7:00am and 10:00pm and for and indoor recreation facility (i.e. an event center) all of which are items included in this request. The build consist of four floor (3 upstairs and a basement) approximately 12,000 sq. ft. All of the items listed are under this request have been considered. The biggest concern currently for an event center is that each event is required to be approved by the police department where alcohol is being served. The applicant has done a good job at meeting this requirement at his existing event center. The special event review process is to review security requirements, trash pick-up and noise. The property is in a P3 parking overlay zone which allows for special considerations on a case by case basis.



MONDAY May 6, 2013
To: Honorable Mayor and City Council
From: Mitchel Humble, Community Development Director

Request:

A public hearing to consider a request to amend building permit fees.

Time Estimate:

The staff presentation will take approximately 30 minutes. Following the presentation, the Council will need to open a public hearing. Time will also be needed to answer questions.

Background:

Process:

On February 11, 2013, staff met with the Council's finance subcommittee. The purpose of this first meeting was to identify the need to update the City's building permit fees and request support from the finance subcommittee to begin a fee update process. The subcommittee supported the request to review the building permit fees and agreed with the proposed amendment process that involved working closely with the Building Department Advisory Committee and representatives from the building community.

On February 21, 2013, staff met with the Building Department Advisory Committee. We again discussed the need to examine building permit fees and requested assistance from members of the Committee in the review and amendment process. There are nine members of the Committee, eight of which are employed in various building trades. The Committee also supported the request and appointed four members to work with staff in the process.

Staff began researching and preparing various fee proposals. Beginning the week of March 4, 2013, staff met with various representatives from the Home Builders' Association, as well as commercial, mechanical, electrical, and plumbing contractors to review the research, go over the proposals, and collect feedback from the building community. The feedback we received was all very positive and supportive.

On March 21, 2013, staff met again with the Building Department Advisory Committee to present a final proposal for their recommendation to the Council. Staff sent invitations to the Committee meeting to our entire database of contractors. We had a great turnout for the meeting, probably the best turnout ever to a Building Department Advisory Committee meeting. The Chairman opened the discussion for public comment. There was a lot of good discussion and support for the proposal by both the attendees and the Committee members. In the end, the Committee unanimously recommended approval of the proposal with one small amendment.

On April 11, 2013, staff met again with the Council's finance subcommittee to share the proposal and the Committee's recommendation. After much discussion, the subcommittee encouraged staff to schedule the necessary public hearing before the full Council. That hearing is this agenda item.

Update Needed:

The City last updated our building permit fees for building, mechanical, electrical, and plumbing (MEP) construction in 2006. At that time, the City had just adopted an ordinance giving the City the ability to permit and inspect MEP construction. All three were previously duties that the State performed within our jurisdiction. As we were adopting new permit authorities, we also adopted new fees for those processes.

In an effort to provide as little disruption to the MEP contractors as possible, the City adopted fee schedules that matched exactly the State's fee schedules. As the focus of this ordinance was MEP permits, the City did not

change the building construction fees at all; we only reaffirmed the valuation table and fee schedule that was already being used.

Shortly after the City began issuing MEP permits, the State re-evaluated their permit fees and changed them to make them much simpler to calculate. They did this in part to be more customer friendly, but also to help them implement more automated web based interfaces.

Our MEP fees match what the State's used to be before the change. We have basically three permit types in each category; new residential, commercial, and miscellaneous. In our fee structure, each permit type has its own fee calculation, and each category (MEP) has its own fee structure, different from the other two. We have nine different fee calculations. They are also not easy to calculate, as many of them require fixture counts to arrive at a final fee. For example, a bathroom remodel permit fee would require the number of water connections and drains in order to calculate.

For building construction, we have adopted a building valuation table from February 2005 published by the International Code Council (ICC). The ICC is the regulatory organization that drafts the building codes that we use, certifies our inspectors, and provides training opportunities to builders and inspectors. They publish a valuation table that reports the national average of construction costs for various uses and various construction types. Construction type is identified by the architect and is represented as number (1A, 1B, 2A... 5B). One easy way to illustrate the difference would be that the lower numbers represent a more substantial and costly building style and materials, such as steel studs instead of 2x4 wood studs. The table's columns are identified by construction type. The table's rows are identified by the use, such as residential, office, or restaurant. A building permit fee is calculated first by determining the value of the construction project. The use and construction type are used to find a cell in the table that provides a value per square foot. That value is multiplied by the total number of square feet to arrive at a total project value.

This system has some flaws. First, it is complicated, particularly to program into a computer permitting system, because there are so many potential use and construction type combinations. Second, the table is prepared by a national organization using nation-wide averages. Idaho typically comes in very low when compared to a national average of construction costs. We have historically reduced the table values by a local modifier of 0.8 to attempt to bring construction values more in-line with Idaho reality. But even then, when using an adjusted average, we can almost guarantee that every project valuation will be wrong. Additionally, the table we use is from February 2005. Construction values have certainly changed in the last eight years.

We basically use a difficult system to guess what a construction value will be. Our construction values are wrong most every time. That is a problem for us because we use these construction values in much of our planning efforts. New construction values are reported in the monthly financial dashboard. We use them to estimate new construction tax revenues. We make financial decisions with figures that we know are not accurate.

Finally, building activity has been increasing for the last couple of years. Two years ago, the City laid off two positions in the Building Inspections Department, a Building Inspector and a Plans Examiner. The layoffs came as a result of declining work load in the department. FY2011 was a record low in almost every category of work load that we tracked. Last year, building activity began to increase. We added one of the two positions back.

This year, building activity continues to increase. Through March 2013, new residential building permits have increased by 49% from the same point two years ago. New commercial permits have increased by 157% from the same point two years ago. New residential permits are now taking nearly 10 days to review and issue. Historically, we have tried to get new residential permits out in half that time. Our level of service has declined due to the lack of a full time plans examiner. Staff believes it is time to bring back the plans examiner position. Unfortunately, when the layoffs occurred two years ago, the funding for the positions went away as well. Funding for the plans examiner position will be needed to support the addition of the position.

We have three purposes for proposing these changes to the building permit fees. The first purpose is similar to the State's purpose when it changed State MEP permit fees. We want our fee structure to be simpler. We want it to be simpler for a few reasons. Fees will be easier for our customers to estimate when they bid for construction jobs. Fees will be easier for our staff to estimate for people making initial inquiries. Fees will be simpler and cheaper to program into the new permit tracking system that the Building Department has ordered

and will be using soon. This new tracking software is a first step for the City to do as the State did and implement more automated web based interfaces for our customers to take advantage of. The second purpose of the fee proposal is to find a way for our construction values to more closely represent actual construction values, rather than estimated construction values based on outdated national average construction costs. Finally, the third purpose of the fee proposal is to generate a dedicated revenue stream to support the addition of a plans examiner to the Building Department team.

Current Fees:

Building

- February 2005 ICC Building Valuation Table (see attached)
- The building permit fee shall be based on the declared value of the work being performed

Building Value	Fee
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,955.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1,000 or fraction thereof

- Commercial Plan Review Fee = 65% of the building permit fee

Mechanical

- New Residential – flat fee based on area of home, 5 categories, \$80 - \$180
- Miscellaneous – flat \$30 with additions per unit, appliance, etc...
- New Multifamily & Non-Residential – base rate plus % of job value, 4 categories

Electric

- New Residential – flat fee \$120 up to 200 Amp, 201-400 Amp fee is \$210, greater than 400 is commercial, Duplex is flat \$210, MF is flat \$120 + \$60 per unit
- Miscellaneous – flat \$40 plus \$10 per circuit
- Non-Residential – base rate plus % of job value, 3 categories
- Other – some other specific charges with varying flat rates, \$40 - \$80

Plumbing

- New Residential – base fee of \$30 + \$8 per fixture, MF is same, but charged per unit
- Miscellaneous – base fee of \$30 + \$8 per fixture, MF is same, but charged per unit

- Non-Residential – base rate plus % of job value, 4 categories
- Other – some other specific charges with varying flat rates, \$30 - \$60

Small Job Fee

- \$10

Proposed Fees:

Building

- Declared project valuation
 - For 1 and 2 family residential buildings, the declared value shall not be less than 20% less, or more than 20% more, than the average per square foot value of all 1 and 2 family homes permitted in Twin Falls during the prior fiscal year. The average per square foot value for 1 and 2 family homes shall be \$70.00 per square foot until after September 30, 2013.
- Maintain same fee structure as is currently in place (see above)
- Commercial Plan Review Fee = 65% of the building permit fee
- Residential Plan Review Fee = 30% of the building permit fee

Mechanical, Electrical, & Plumbing

- One fee schedule for all MEP permits
- New Residential - flat fee based on the area of the home, area includes basements, but not garages or covered outdoor space
 - 0 – 2,500 sf = \$120
 - 2,501 – 4,000 sf = \$155
 - 4,001+ sf = \$200
- Miscellaneous
 - flat rate – \$50 per permit
- Non-Residential – match the State's commercial fees, base rate plus percent of project value
 - Up to \$10,000 = \$60 + 0.02 x value
 - \$10,001 - \$100,000 = \$260 + 0.01 x value
 - Over \$100,001 = \$1,160 + 0.005 x value

Small Job

- \$10, with clarification on what is and is not a small job
 - Added, "Small Work does not include any job with a specifically designated fee in this resolution."
 - Added to small job list, "Sprinkler system backflow prevention."

Discussion:

Building Valuation

The first significant proposed change is in the declared project value. If we are trying to have our permits reflect actual project values, then no one knows the value of a project better than the contractor building the project.

Contractors know and can usually document construction values for their projects. A contractor's declared value will be the most accurate accounting of a project's value that we come up with.

A concern was mentioned through the process that some applicants may not be the most honest or accurate on their declarations. We currently use declared project values for our commercial MEP permits. It has worked well for us and should not pose too much of a problem to extend into building permits. Twin Falls County and the City of Boise are two other examples of jurisdictions that use a declared valuation for commercial building permits. We have also drafted the fee resolution with language giving the Building Official the opportunity to request supporting documentation for values that appear to be significantly different from average values.

Another concern was mentioned regarding single family construction. This concern specifically dealt with the idea that there are many upgrades in a home that can add to the value of the home, but not cause a significant impact to the work our plans examiner and building inspectors have to do with the home. For example, wood floors cost more than vinyl, granite countertops cost more than laminate, and hardwood cabinets cost more than manufactured wood. All three will increase the value of the home, but none of the three are even inspected by the City.

This concern was the subject of most of the conversation at the Building Department Advisory Committee meeting. To address the concern, the Committee included one condition on its recommendation to the Council. That condition was to place an absolute maximum and minimum on the declared value for single family and two family construction projects. The builder will still declare a value, but that value shall not be more than 20% more or less than 20% less than the average value of single family projects in Twin Falls. The average value will be an actual calculated average value based on the single family permits issued in the prior fiscal year. Since we do not have that data for the current, or past, fiscal years, the Committee recommends using a starting value of \$70 per square foot, then calculating the actual average value in subsequent years after we've had time to collect the data.

Building Permit Fee

The recommendation is to continue to use the same fee structure as is currently in use. This fee structure first was adopted from the 1994 Uniform Building Code. That Code no longer exists, but we continued to use the fee structure long after we abandoned the use of the Code, as did most jurisdictions in Idaho. Although, most jurisdictions in Idaho have increased the base amounts over the years. We are not proposing any changes to the fee structure or amounts simply because changes are not needed. We feel that making the other changes discussed in this proposal will accomplish all of the stated goals of the proposal without further increasing the building permit fee structure.

The fee structure is a bit complicated. That is because it is a declining structure, as the project values increase, the fee also increases, but not at an equal rate to the value increase. A flat percentage of the value would be much simpler to calculate. The ICC actually recommends that jurisdictions implement just that, a flat percentage of the project value. However, the very large projects will end up with significant fee increases if we were to go with a flat percentage fee.

Plan Review Fee

We are recommending that we keep the 65% commercial plan review fee. We are also recommending that we adopt a 30% residential plan review fee. That would be 30% of the building permit fee. We are proposing the plan review fee as a dedicated revenue source to pay the cost of an additional employee in the Building Inspections Department, a plans examiner. In our discussions with the building community and the Committee, we indicated that we would like to add this fee for the stated purpose, but not until a plans examiner was hired.

This is a difficult fee to compare to other jurisdictions, as there is a wide variety of fees out there. Some jurisdictions, like us, do not charge a residential plan review fee at all. Others do charge it but at varying rates, 25%, 35%, and 65% were all used by jurisdictions in Idaho. A 30% fee is in the middle of the range and is enough to accomplish the purpose of generating the revenue needed to hire the position. Using permits issued in FY2012, we estimate that a 30% plan review fee would have generated about \$51,000 in revenue to the City, which is about the same amount as the total cost of employment for our last plans examiner.

This portion of the proposal was the only one that was entirely about raising revenue for the City. It is essentially a new fee for a service that we've been providing for free for years. It was the one portion of the

proposal that we were the most nervous about requesting for those reasons. Remarkably, it was the one portion of the proposal that was accepted almost without discussion. The Committee and the building community understood the need for the position and were willing to add the fee to reduce the time it takes to review plans and issue the permit. This was the first portion of the proposal voted on by the Committee and received unanimous support.

Equal Mechanical, Electrical, & Plumbing Fee Schedules

This portion of the proposal is a significant step in achieving the purposes described above. These three permit programs all being on the same fee structure makes our fees much simpler to administer. We feel like we have also simplified the calculation of the fee types within the programs. And, we have done so in as much a revenue neutral way as we could. Again, this change was being driven by a need to simplify, not a need to increase. We used the permits issued in FY2011 and applied the proposed fee structure to all of those permits (see attached worksheet). We estimate that the total revenue impact to be an additional \$5,502, or an additional 3% to the actual revenue collected on those permits under the current fee structure.

Approval Process:

There are two actions necessary to adopt the proposed fees as recommended. One is an ordinance amendment to City Code 4-1-1. This section of the Code currently includes the fee schedule and valuation table for building construction permits. These things are better dealt with in a fee resolution and should be removed from the City Code. The attached ordinance makes that change. If the Council desires to adopt the ordinance at this meeting, the rules must be waived and the ordinance be placed on third and final reading by title only. That motion requires 5 votes to approve. After that motion, a simple majority vote of the Council can adopt the ordinance.

Also attached is a fee resolution that makes the fee changes as described above. Adoption of the fee resolution requires a simple majority vote of the Council.

Budget Impact:

We expect that revenues will increase as a result of approval of this request. We have prepared several samples (see attached) of what the new fees would do to actual permits that we have issued. It is difficult to speculate the total impact of the changes to the City budget since the impact is completely determined by the permits that are applied for after the fee adoption.

Part of this request includes the hiring of a new position in the Building Inspections Department. That will add around \$51,000 in personnel costs to the Department's budget. However, the costs will be offset by the additional revenue from the proposed residential plan review fee.

Regulatory Impact:

As discussed above, approval of the request will simplify the building permit fee structure, help make projected construction values reflect actual values, and provide for a dedicated funding stream for a new plans examiner position in the Building Department.

Conclusion:

The Building Department Advisory Committee recommends that the Council approve the request as presented by adopting the attached ordinance and fee resolution. Staff concurs with the Committee's recommendation.

Attachments:

1. Current Building Valuation Table
2. MEP Projected Revenue Worksheet
3. Sample Fee Scenarios
4. City Code 4-1-1 Amending Ordinance No. _____
5. Fee Resolution No. _____

CITY OF TWIN FALLS
VALUATION TABLE - SQUARE FOOT CONSTRUCTION COSTS ^{a,b}
Effective October 1, 2005

Group	(2003 International Building Code)	Type of Construction										
		IA	IB	IIA	IIIB	IIIA	IIIB	IV	VA	VB		
A-1	Assembly, theaters with stage	140.26	135.74	132.58	127.13	118.22	117.59	123.11	109.53	105.58		
	Assembly, theaters without stage	129.37	124.86	121.70	116.24	107.33	106.70	112.22	98.64	94.70		
A-2	Assembly, nightclubs	106.21	102.92	100.32	96.41	89.51	89.28	93.06	82.29	79.52		
A-2	Assembly, restaurants, bars, banquet halls	105.41	102.12	98.72	95.61	87.91	88.48	92.26	80.69	78.72		
A-3	Assembly, churches	129.94	125.43	122.27	116.82	107.88	107.26	112.80	99.20	95.26		
A-3	Assembly, general, community halls libraries, museums	107.58	103.07	99.11	94.46	84.71	84.90	90.44	76.03	72.89		
A-4	Assembly, arenas	105.41	102.12	98.72	95.61	87.91	88.48	92.26	80.69	78.72		
B	Business	107.14	103.26	99.98	95.30	85.30	84.80	91.66	76.18	73.27		
E	Educational	112.36	108.57	105.46	100.79	92.97	90.78	97.46	83.06	79.96		
F-1	Factory and industrial, moderate hazard	65.02	62.03	58.36	56.56	48.90	49.70	54.25	41.70	39.58		
F-2	Factory and industrial, low hazard	64.22	61.23	58.36	55.76	48.90	48.90	53.45	41.70	38.78		
H-1	High hazard, explosives	61.02	58.04	55.17	52.57	45.84	45.84	50.26	38.64	N.P.		
H-2 -3 -4	High hazard	61.02	58.04	55.17	52.57	45.84	45.84	50.26	38.64	35.71		
H-5	HPM	107.14	103.26	99.98	95.30	85.30	84.80	91.66	76.18	73.27		
I-1	Institutional, supervised environment	105.66	102.03	99.29	95.26	87.39	87.34	92.37	80.31	77.14		
I-2	Institutional, incapacitated	178.33	174.45	171.16	166.49	156.15	N.P.	162.84	147.03	N.P.		
I-3	Institutional, restrained	121.71	117.83	114.54	109.87	100.86	99.55	106.22	91.74	87.22		
I-4	Institutional, day care facilities	105.66	102.03	99.29	95.26	87.39	87.34	92.37	80.31	77.14		
M	Mercantile	79.08	75.79	72.39	69.29	62.00	62.57	65.94	54.78	52.81		
R-1	Residential, hotels	106.77	103.14	100.39	96.36	88.54	88.49	93.52	81.46	78.28		
R-2	Residential, multi-family	88.92	85.29	82.54	78.51	70.82	70.78	75.80	63.74	60.56		
R-3	Residential, one- and two-family Upper story & finished bsmt Unfinished bsmt	85.84	83.50	81.44	79.19	75.55	75.38	77.85	71.98	67.77		
	Manufactured home foundation									40.66		
	Manufactured home, no foundation									27.11		
R-4	Residential, care/assisted living facilities	105.66	102.03	99.29	95.26	87.39	87.34	92.37	80.31	77.14		
S-1	Storage, moderate hazard	60.22	57.24	53.57	51.77	44.24	45.04	49.46	37.04	34.91		
S-2	Storage, low hazard	59.42	56.44	53.57	50.97	44.24	44.24	48.66	37.04	34.11		
U	Utility, miscellaneous, incl private garage Carport, Patio Cover (with slab) Carport, Patio Cover (no slab) Acc. bldg < 400 sf (no fin or slab) Pole bldg (with slab) Pole bldg (no slab)	45.92	43.42	40.84	38.80	33.66	33.66	36.62	27.67	26.34		
										17.89		
										10.54		
										10.54		
										22.12		
										16.09		

a. Private Garages use Utility, miscellaneous
b. N.P. = not permitted
c. Values are from Building Safety Journal, February 2005, with .8 modifier and as determined by the Twin Falls Building Department

**Proposed Fee Change Impact
M/E/P**

	Current Fees	Proposed Fees	State Fees
Mechanical			
Commercial	\$ 41,112.00	\$ 29,590.00	\$ 29,590.00
Res. Misc	\$ 22,425.00	\$ 25,030.00	\$ 40,000.00
Single Family	\$ 11,655.00	\$ 12,825.00	\$ 19,565.00
Total	\$ 75,192.00	\$ 67,445.00	\$ 89,135.00

Electrical			
Commercial	\$ 44,305.00	\$ 59,930.00	\$ 59,930.00
Res. Misc.	\$ 14,222.00	\$ 14,390.00	\$ 25,850.00
Single Family	\$ 11,490.00	\$ 12,120.00	\$ 18,135.00
Total	\$ 70,017.00	\$ 86,440.00	\$ 103,915.00

Plumbing			
Commercial	\$ 16,711.00	\$ 13,000.00	\$ 13,000.00
Res. Misc.	\$ 8,852.00	\$ 9,530.00	\$ 14,862.00
Single Family	\$ 12,806.00	\$ 12,665.00	\$ 19,685.00
Total	\$ 38,369.00	\$ 35,195.00	\$ 47,547.00

M/E/P Total	\$ 183,578.00	\$ 189,080.00	\$ 240,617.00
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SAMPLES

These samples are taken from actual permits issued. The proposal is to base building permits on a declared value. Since we do not have declared values for any of these projects, the values for the commercial projects are estimated using the ICC Building Valuation Table from February 2013 with a 0.8 local modifier. The residential projects are estimated at \$70 per square foot as the average recommendation from the Building Department Advisory Committee.

1,040 sf home, 440 sf garage, 80 sf porch

- Current
 - Building Valuation - \$83,501.60
 - Fee - \$850.69
 - Plan - \$0
 - Mech - \$110
 - Elec - \$120
 - Plmb - \$110
 - Total - \$1,190.69

- Proposed
 - Building Valuation - \$103,600
 - Fee - \$915
 - Plan - \$274.50
 - Mech - \$120
 - Elec - \$120
 - Plmb - \$120
 - Total - \$1,549.5
 - Difference: +\$358.81

- Jerome
 - Building Valuation - \$96,262.40
 - Fee - \$972.75
 - Plan - \$340.46
 - Mech - \$130
 - Elec - \$130
 - Plmb - \$130
 - Total - \$1703.21

- TF County
 - Building Valuation - \$85,346.40
 - Fee - \$895.75
 - Plan - \$0
 - Mech - \$130
 - Elec - \$130
 - Plmb - \$130
 - Total - \$1285.75

1,826 sf home, 509 sf garage, 77 sf porch

- Current
 - Building Valuation - \$123,729.95
 - Fee - \$1,013.65
 - Plan - \$0
 - Mech - \$110
 - Elec - \$120
 - Plmb - \$134
 - Total - \$1,377.65

- Proposed
 - Building Valuation - \$163,450
 - Fee - \$1,215
 - Plan - \$364.50
 - Mech - \$120
 - Elec - \$120
 - Plmb - \$120
 - Total - \$1,939.50
 - Difference: +\$561.85

- Jerome
 - Building Valuation - \$159,145.70
 - Fee - \$1,329.75
 - Plan - \$465.41
 - Mech - \$195
 - Elec - \$195
 - Plmb - \$195
 - Total - \$2,380.16

- TF County
 - Building Valuation - \$141,775.41
 - Fee - \$1,228.95
 - Plan - \$0
 - Mech - \$195
 - Elec - \$195
 - Plmb - \$195
 - Total - \$1,813.95

2,350 sf home, 1,039 sf garage, 218 sf porch

- Current
 - Building Valuation - \$190,526.78
 - Fee - \$1,347.63
 - Plan - \$0
 - Mech - \$110
 - Elec - \$120
 - Plmb - \$126
 - Total - \$1,703.63

- Proposed
 - Building Valuation - \$237,230
 - Fee - \$1,585
 - Plan - \$475.50
 - Mech - \$120
 - Elec - \$120
 - Plmb - \$120
 - Total - \$2,420.50
 - Difference: +\$716.87

- Jerome
 - Building Valuation - \$219,990.76
 - Fee - \$1,665.75
 - Plan - \$583.01
 - Mech - \$195
 - Elec - \$195
 - Plmb - \$195
 - Total - \$2,833.76

- TF County
 - Building Valuation - \$194,620.62
 - Fee - \$1,525.75
 - Plan - \$0
 - Mech - \$195
 - Elec - \$195
 - Plmb - \$195
 - Total - \$2,110.75

3,752 sf home, 1,057 sf garage, 87 sf porch

- Current
 - Building Valuation - \$232,812.49
 - Fee - \$1,559.06
 - Plan - \$0
 - Mech - \$110
 - Elec - \$120
 - Plmb - \$174
 - Total - \$1,963.06

- Proposed
 - Building Valuation - \$336,630
 - Fee - \$2,080
 - Plan - \$624
 - Mech - \$155
 - Elec - \$155
 - Plmb - \$155
 - Total - \$3,169
 - Difference: +\$1,205.94

- Jerome
 - Building Valuation - \$325,193.36
 - Fee - \$2,259.35
 - Plan - \$790.77
 - Mech - \$325
 - Elec - \$325
 - Plmb - \$325
 - Total - \$4,025.12

- TF County
 - Building Valuation - \$290,540.79
 - Fee - \$2,063.35
 - Plan - \$0
 - Mech - \$325
 - Elec - \$325
 - Plmb - \$325
 - Total - \$3,038.35

4,977 sf home, 1,003 sf garage, 379 sf porch (in area of impact)

- Current
 - Building Valuation - \$307,947.85
 - Fee - \$2,214.90 (City & County)
 - Plan - \$0
 - Mech - \$180
 - Elec - \$390 (State)
 - Plmb - \$190
 - Total - \$2,974.90

- Proposed
 - Building Valuation - \$418,600
 - Fee - \$2,490 (City)
 - Plan - \$747
 - Mech - \$200
 - Elec - \$390 (State)
 - Plmb - \$200
 - Total - \$4,027
 - Difference: +\$1,052.10

- Jerome
 - Building Valuation - \$427,276.95
 - Fee - \$2830.55
 - Plan - \$990.69
 - Mech - \$390
 - Elec - \$390
 - Plmb - \$390
 - Total - \$4,991.24

- TF County
 - Building Valuation - \$378,602.07
 - Fee - \$2,556.15
 - Plan - \$0
 - Mech - \$390
 - Elec - \$390
 - Plmb - \$390
 - Total - \$3,726.15

19,422 sf church

- Current
 - Building Valuation - \$2,095,245.36
 - Fee - \$7,966.92
 - Plan - \$5,178.50
 - Mech - not issued yet
 - Elec - not issued yet
 - Plmb - not issued yet
 - Total - \$13,145.42

- Proposed
 - Building Valuation - \$2,270,237.58
 - Fee - \$8,450.25
 - Plan - \$5,492.66
 - Mech -
 - Elec -
 - Plmb -
 - Total - \$13,942.91
 - Difference: +\$797.49

- Jerome
 - Building Valuation - \$2,064,947.04
 - Fee - \$9,496
 - Plan - \$6,172.40
 - Mech - \$
 - Elec - \$
 - Plmb - \$
 - Total - \$15,668.40

- TF County
 - Building Valuation - \$2,270,237.58
 - Fee - \$10,245.12
 - Plan - \$6,659.33
 - Mech - \$
 - Elec - \$
 - Plmb - \$
 - Total - \$16,904.45

4,565 sf restaurant (Chick-Fil-A)

- Current
 - Building Valuation - \$359,356.80
 - Fee - \$2,191.78
 - Plan - \$1,424.66
 - Mech - \$2,109.98
 - Elec - \$620
 - Plmb - \$1,189.98
 - Total - \$7,536.40

- Proposed
 - Building Valuation - \$463,164.90
 - Fee - \$2,715
 - Plan - \$1,764.75
 - Mech - \$1,100
 - Elec - \$1,140
 - Plmb - \$640
 - Total - \$7,359.75
 - Difference: -\$176.65

- Jerome
 - Building Valuation - \$411,397.80
 - Fee - \$2,740.95
 - Plan - \$1,781.62
 - Mech - \$1,100
 - Elec - \$1,140
 - Plmb - \$640
 - Total - \$7,402.57

- TF County
 - Building Valuation - \$463,164.90
 - Fee - \$3,032.15
 - Plan - \$1,970.90
 - Mech - \$1,100
 - Elec - \$1,140
 - Plmb - \$640
 - Total - \$7,883.05

21,874 sf retail (Norco)

- Current
 - Building Valuation - \$1,155,165.94
 - Fee - \$5,381.70
 - Plan - \$3,498.11
 - Mech - \$1,324.60
 - Elec - \$585.95
 - Plmb - \$1,051.98
 - Total - \$11,842.34

- Proposed
 - Building Valuation - \$1,489,619.40
 - Fee - \$6,302.50
 - Plan - \$4,096.63
 - Mech - \$676.04
 - Elec - \$982.22
 - Plmb - \$544
 - Total - \$12,601.39
 - Difference: +\$759.05

- Jerome
 - Building Valuation - \$1,319,220.94
 - Fee - \$6,776.75
 - Plan - \$4,404.89
 - Mech - \$676.04
 - Elec - \$982.22
 - Plmb - \$544
 - Total - \$13,383.90

- TF County
 - Building Valuation - \$1,489,619.40
 - Fee - \$7,395.86
 - Plan - \$4,807.31
 - Mech - \$676.04
 - Elec - \$982.22
 - Plmb - \$544
 - Total - \$14,405.43

3,102 sf medical office (Wright Physical Therapy)

- Current
 - Building Valuation - \$227,283.54
 - Fee - \$1,531.41
 - Plan - \$995.42
 - Mech - \$599.76
 - Elec - \$240
 - Plmb - \$264
 - Total - \$3,630.59

- Proposed
 - Building Valuation - \$293,325.12
 - Fee - \$1,865
 - Plan - \$1,212.25
 - Mech - \$349.92
 - Elec - \$380
 - Plmb - \$216
 - Total - \$4,023.17
 - Difference: +\$392.58

- Jerome
 - Building Valuation - \$258,582.72
 - Fee - \$1,884.15
 - Plan - \$1,224.70
 - Mech - \$349.92
 - Elec - \$380
 - Plmb - \$216
 - Total - \$4,054.77

- TF County
 - Building Valuation - \$293,325.12
 - Fee - \$2,080.15
 - Plan - \$1,352.10
 - Mech - \$349.92
 - Elec - \$380
 - Plmb - \$216
 - Total - \$4,378.17

11,390 sf office/institutional (Vision Home Health)

- Current
 - Building Valuation - \$786,216.80
 - Fee - \$4,071.42
 - Plan - \$2,646.42
 - Mech - \$1,429.98
 - Elec - \$345
 - Plmb - \$312.84
 - Total - \$8,805.66

- Proposed
 - Building Valuation - \$1,077,038.40
 - Fee - \$5,169.50
 - Plan - \$3,360.18
 - Mech - \$760
 - Elec - \$590
 - Plmb - \$248.56
 - Total - \$10,128.24
 - Difference: +\$1,322.58

- Jerome
 - Building Valuation - \$949,470.4
 - Fee - \$5,371.25
 - Plan - \$3,491.31
 - Mech - \$760
 - Elec - \$590
 - Plmb - \$248.56
 - Total - \$10,461.12

- TF County
 - Building Valuation - \$1,077,038.40
 - Fee - \$5,889.94
 - Plan - \$3,828.46
 - Mech - \$760
 - Elec - \$590
 - Plmb - \$248.56
 - Total - \$11,316.96

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §4-1-1 BY DELETING OUTDATED BUILDING CODE REFERENCES.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

That Twin Falls City Code §4-1-1 is amended as follows:

“4-1-1: ADOPTION OF CODES:

The latest editions of the following documents are adopted as the official building codes of the city:

International building code, including all rules promulgated by the Idaho building code board to provide equivalency with the provisions of the Americans with disabilities act accessibility guidelines and the federal fair housing act accessibility guidelines, but excluding all appendices except as referred to by rules promulgated by the Idaho building code board to provide equivalency with accessibility codes, and excluding all references to the international electrical code, international plumbing code, international existing building code and international property maintenance code.

International residential code, parts I-VI and part IX, and including appendices A and B. International energy conservation code.

~~Table 1A, 1994 uniform building code (1st printing May 1, 1994), building permit fees. When submittal documents are required by section 106.1 of the international building code, a plan review fee shall be paid at the time of permit application. Said plan review fee shall be 65 percent of the building permit fee.~~

~~Building valuation data, as published by "Building Safety Journal" in February 2005, as modified by the building department.~~

Uniform code for the abatement of dangerous buildings.”

PASSED BY THE CITY COUNCIL,
SIGNED BY THE MAYOR

May __, 2013.
May __, 2013.

MAYOR

ATTEST:

DEPUTY CITY CLERK

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ADOPTING A SCHEDULE OF PERMIT FEES FOR THE BUILDING DEPARTMENT OF THE CITY OF TWIN FALLS.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

That the following schedule of permit fees is hereby adopted for application in the City of Twin Falls. All previous permit fees in conflict with this schedule are hereby repealed.

“Building Permit Fee Schedule

New Construction:

1. Project Value

Applicants for a building permit shall declare the project value of the work being performed on their building permit application. The project value is the total value of all construction work for which the permit is issued (including overhead and profit), as well as finish work, painting, roofing, mechanical, electrical, plumbing, owner supplied equipment, elevators, fire extinguishing systems, and other permanent equipment. The Building Official may require documentation to support the declared value if that value significantly varies from average construction values.

For 1 and 2 family residential buildings, the declared value shall not be less than 20% less, or more than 20% more, than the average per square foot value of all 1 and 2 family homes permitted in Twin Falls during the prior fiscal year. The average per square foot value for 1 and 2 family homes shall be \$70.00 per square foot until after September 30, 2013.

2. Building Permit Fee – The building permit fee shall be based on the declared value of the work being performed.

<u>Building Value</u>	<u>Fee</u>
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,955.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1,000 or fraction thereof

Plan Review Fee:

1. Commercial Plan Review Fee = 65% of the building permit fee amount
2. Residential Plan Review Fee = 30% of the building permit fee amount

Other Building Permit Fees:

- | | |
|---|---|
| 1. Residential Demolition Permit | = \$22 |
| 2. Commercial Demolition Permit | = \$42 |
| 3. Moving Permit | = \$42 |
| 4. Swimming Pool Permit | = \$50 |
| 5. Roofing/Re-roofing Permit | = \$50 |
| 6. Re-inspection Fee | = \$50 |
| 7. Inspections for which no fee is specified | = \$42.00 hour, minimum ½ hour* |
| 8. Inspection outside of business hours | = \$42.00 hour, minimum 2 hours* |
| 9. Stamping duplicate plan set | = \$22 |
| 10. Additional Plan Review required by changes, additions, or revisions | = \$50 |
| 11. Temporary Certificate of Occupancy | = \$1,000 (will be refunded upon approved inspection of outstanding work items) |
| 12. Use of outside consultant for plan review or Inspection | = Actual Cost** |

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.

Mechanical, Electrical, and Plumbing Permit Fee Schedule

Residential (1 and 2 family dwellings):

1. New Construction – Flat fee based on the floor area of the home including finished and unfinished basements, but excluding garages and covered patios.
 - 0 – 2,500 square feet = \$120
 - 2,501 – 4,000 square feet = \$155
 - 4,001+ square feet = \$200
2. Other Installations – Including, but not limited to, temporary construction electrical service, change of electrical service, and electrical wiring for installation of residential spas, hot tubs, hydro massage tubs, swimming pools, electrical space heating, air conditioning, signs, and outline lighting.
 - Flat fee of \$50 per permit.

Commercial (including 3 or more family dwellings):

Fees for all work based on the contract price of the work, including value of owner supplied equipment.

- \$10,000 or less = \$60 + \$0.02 x job value
- \$10,001 – \$100,000 = \$260 + \$0.01 x job value
- \$100,001 or more = \$1,160 + \$0.005 x job value

Other Fees:

- Requested Inspections of existing installations = \$42.00 per hour (1/2 hour minimum, includes travel time)
- Re-inspection = \$50.00
- Plan check fee/technical service fee = \$42.00 per hour (1/2 hour minimum)

Small Work Permit:

The City of Twin Falls hereby establishes a Small Work permit for Mechanical, Electrical, and Plumbing jobs. Small Work is defined as a job with a total cost that does not exceed five hundred dollars (\$500). Small Work does not include any job with a specifically designated fee in this resolution. Small Work also includes, regardless of total cost, the installation of:

- Residential water heaters up to 100 gallons,

- Water softeners and other single unit appliances,
- Sprinkler system backflow prevention
- Bath fans,
- Dryer ducts, and/or
- Extension of forced supply and return ducts up to 25 feet.

The permit fee for Small Work permits shall be \$10.00

Work without a Permit Penalty

Permit fees are due upon commencement of the work and must be paid prior to inspections being performed. The Building Official may assess an escalating penalty as established herein, for failure to obtain a permit and pay the required fee. Penalties are assessed in addition to the permit fee.

1. First violation: \$100 or double the required permit fee, whichever is greater.
2. Second violation: \$250 or double the required permit fee, whichever is greater.
3. Third violation: \$500 or double the required permit fee, whichever is greater.
4. Fourth and subsequent violations: \$1,000 or double the required permit fee, whichever is greater.”

PASSED BY THE CITY COUNCIL _____, 2013.

SIGNED BY THE MAYOR _____, 2013.

MAYOR

ATTEST:

DEPUTY CITY CLERK