

COUNCIL MEMBERS:

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

*Vice Mayor*

*Mayor*

**AGENDA**

Meeting of the Twin Falls City Council  
**Monday, August 19, 2013**  
City Council Chambers  
305 3<sup>rd</sup> 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: United Way of South Central Idaho Kick Off**

AGENDA ITEMS		Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b>		<u>Action</u>	<u>Staff Report</u>
1. Consideration of a request to approve the accounts payable for the week of August 6 - 19, 2013. Prepay, August 6, 2013, total: \$20,898.00 Payroll, August 16, 2013, total: \$116,242.04		Action	Sharon Bryan
2. Consideration of a request to approve an Alcohol License transfer of ownership for new owner, Royalty, Inc. dba La Casita, 111 S Park Avenue.		Action	Sharon Bryan
3. Consideration of a request to approve the July 22, 2013, and August 5, 2013, Council Minutes.		Action	Leila A. Sanchez
4. Consideration of a request to approve "The Cove's 6 <sup>th</sup> Camp-Out" in remembrance of Charlotte Meyers to be held on Saturday, September 14, 2013.		Action	Dennis Pullin
5. Consideration of a request to approve the Wings and Things Ultimate Fundraiser sponsored by the Twin Falls Optimist Club to be held in the Twin Falls City Park on Saturday, September 7, 2013, from 12:00 p.m. to 5:00 p.m.		Action	Dennis Pullin
6. Consideration of a request to approve the Findings of Fact, Conclusions of Law, and Decision for:		Action	Mitchel Humble
a. Vacation for First Federal Savings Bank.			
b. Zoning District Change & Zoning Map Amendment for TOMERYL, LLC.			
7. Consideration of a request to approve the Trust Agreement and Phase Control Development Notice for specific lots in Phase 1 and Phase 2 of the Grandview Estates Subdivision.		Action	Troy Vitek
8. Consideration of a request to approve the Improvement Agreement for the Canyon Trails Subdivision No. 6, Phase 6A.		Action	Troy Vitek
9. Consideration of a request to accept two waterline easements for First Federal Bank on Shoshone Street.		Action	Troy Vitek
10. Consideration of a request to approve the Parks In Lieu Contribution for the Dunthorn Subdivision in the amount of \$256.05.		Action	Dennis Bowyer
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b>			
1. A presentation of funds from the YMCA and the Magic Valley K9 Social Club for the development of Baxter's Park by Gary Ettenger, Steve Vawser & Leah Scrimpsheer.		Presentation	Dennis Bowyer
2. Consideration of a request to adopt Ordinance 3054, for vacation of property located between Lot 1 and Lot 14, Block 14, of the Canyon Trails Subdivision No. 5.		Action	Mitchel Humble
3. Consideration of a request to adopt the Utility Rate Resolution 1907 for Fiscal Year 2013-2014.		Action	Lorie Race
4. Continue discussion on the budget for the upcoming fiscal year.		Discussion	Travis Rothweiler
5. Public input and/or items from the City Manager and City Council.			
<b>II. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS</u></b>			
<b>III. <u>PUBLIC HEARINGS: 6:00 p.m.</u></b>			
1. A public hearing and adoption of the annual appropriations ordinance for the City of Twin Falls for the FY 2014 Budget.		PH	Travis Rothweiler
<b>V. <u>ADJOURNMENT:</u></b>			

*Any person(s) needing special accommodations to participate in the above noticed meeting could contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez al (208)735-7287.*

## 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



***“UNITED WAY OF SOUTH CENTRAL IDAHO KICK OFF DAY”***

**WHEREAS**, the City of Twin Falls and its elected officials recognize the efforts of the United Way of South Central Idaho and its hundreds of volunteers; and

**WHEREAS**, the people of Twin Falls are the benefactors of the thirty two (32) human service agency programs, and Meals on Wheels for Seniors, funded by the United Way of South Central Idaho in 2013; and

**WHEREAS**, the 2013 official United Way of South Central Idaho Campaign Drive will kick off on Friday August 23; and

**WHEREAS**, the United Way of South Central Idaho recognizes and appreciates the many contributions of volunteer hours and dollars in making our area a better place to live and work; and

**WHEREAS**, the United Way of South Central Idaho's mission is "Uniting People and Resources for a Stronger Community."

**NOW, THEREFORE, BE IT RESOLVED**, that I, Greg Lanting, Mayor of Twin Falls, Idaho, do hereby proclaim Friday, August 23, 2013, as

***“UNITED WAY OF SOUTH CENTRAL IDAHO KICK OFF DAY”***

in Twin Falls, and urge all citizens to support activities and efforts of the United Way of South Central Idaho.

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

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*Mayor Gregory Lanting*

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*Attest: Deputy City Clerk Leila A. Sanchez*

*Date: August 19, 2013*



**Date:** August 19, 2013, City Council Meeting

**To:** Honorable Mayor and City Council

**From:** Sharon Bryan, Deputy City Clerk

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**Request:**

Approve Alcohol License transfer of ownership for new owner, Royalty, Inc. dba La Casita, 111 S Park Avenue.

**Time:** Consent Calendar

**Background:** Approval of Alcohol License

**Budget Impact:** N/A

**Regulatory Impact:** City and State Code Compliance

**Conclusion:** Staff recommends approval of Alcohol Ownership Transfer on the condition the applicant obtains their State License.

**Attachments:** Alcohol License Application



Transfer - Ownership

# ALCOHOL LICENSE APPLICATION

BUSINESS NAME Royalty Inc STATE LICENSE # \_\_\_\_\_  
 (Please attach a copy of your state license)  
 DOING BUSINESS AS LA CASITA  
 BUSINESS ADDRESS 111 S Park Ave W Twin Falls ID 83301  
 LEGAL DESCRIPTION OF PLACE OF BUSINESS \_\_\_\_\_  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 MAILING ADDRESS \_\_\_\_\_  
 CONTACT PERSON Rick Royalty PHONE # 208-410-0367

			(Check)
<b>BEER:</b>	Bottled for consumption off the premises only	(\$ 50.00)	_____
	Bottled for consumption on premise	(\$ 150.00)	<input checked="" type="checkbox"/>
	Bottled & Draught for consumption on premises	(\$200.00)	_____
<b>WINE:</b>	Retail Sales for consumption off premises only	(\$200.00)	_____
	Wine by the Drink for consumption on premises only	(\$200.00)	<input checked="" type="checkbox"/>
<b>LIQUOR:</b>	Liquor license & fees cover wine license & fees	(\$562.50)	_____

As provided by the laws of the City of Twin Falls, Idaho for the term ending **June 30, 2010** tendered herewith is the license fee of \$ 350.00 <sup>10.00</sup> (Ordinance #2708) *transfer fee*

APPLICANT IS AN INDIVIDUAL (  ) PARTNERSHIP (  ) CORPORATION (  )

IF A PARTNERSHIP, NAME ALL PARTNERS: (PLEASE PRINT)

NAME: \_\_\_\_\_ RESIDENCE: \_\_\_\_\_

NAME: \_\_\_\_\_ RESIDENCE: \_\_\_\_\_

NAME: \_\_\_\_\_ RESIDENCE: \_\_\_\_\_

IF A CORPORATION OR ASSOCIATION, NAME ALL OFFICERS:

NAME: Rick Royalty ADDRESS: 3258 E 3210 N Twin Falls ID 83301  
 TITLE: President

NAME: Debbie Annamisa Royalty ADDRESS: 3258 E 3210 N Twin Falls ID 83301  
 TITLE: Vice President

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

TITLE: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE OF INCORPORATION OR ORGANIZATION \_\_\_\_\_

PLACE OF INCORPORATION OR ORGANIZATION \_\_\_\_\_

PRINCIPAL PLACE OF BUSINESS IN IDAHO \_\_\_\_\_

OWNER OF PREMISES (Please Print) \_\_\_\_\_

NAME OF PERSON WHO WILL MANAGE BUSINESS OF SELLING BEER AT RETAIL:  
(Please Print) \_\_\_\_\_

\*\*\*\*\*  
(IF A PARTNERSHIP, ALL PARTNERS NEED TO SIGN)

SIGNATURE OF APPLICANT Debbie Royalty

NAME (Please Print) Debbie Royalty BIRTHDATE: 3-30-62

RESIDENCE OF APPLICANT Idaho

LENGTH OF RESIDENCE IN IDAHO 51

SIGNATURE OF APPLICANT [Signature]

NAME (Please Print) Rick Royalty BIRTHDATE: 5-23-1962

RESIDENCE OF APPLICANT 17 years IDAHO

LENGTH OF RESIDENCE IN IDAHO 17 years

SIGNATURE OF APPLICANT \_\_\_\_\_

NAME (Please Print) \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

RESIDENCE OF APPLICANT \_\_\_\_\_

LENGTH OF RESIDENCE IN IDAHO \_\_\_\_\_

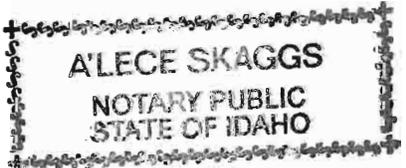
SIGNATURE OF APPLICANT \_\_\_\_\_

NAME (Please Print) \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

RESIDENCE OF APPLICANT \_\_\_\_\_

LENGTH OF RESIDENCE IN IDAHO \_\_\_\_\_

Subscribed and sworn to before me this 12th day of August, 2013.



[Signature]  
Notary Public for Idaho  
Residing at: Twin Falls, ID 83301  
Notary Expiration Date: July 25, 2017

\*\*\*\*\*

# CITY STAFF USE ONLY:

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**APPROVALS:**

**PLANNING AND ZONING:** Yes per JS No \_\_\_\_\_ DATE: 8/13/13

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**POLICE DEPT:** Yes gwn No \_\_\_\_\_ DATE: 08/13/13

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CITY CLERK:** Yes gwn No \_\_\_\_\_ DATE: Aug 8, 2013

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

RECORDING REQUESTED BY:  
Steven D. Peterson – Attorney

AND WHEN RECORDED MAIL TO:  
Steven D. Peterson  
P.O. Box 5827  
Twin Falls, ID 83303

## **WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS,

That, Kenneth L. Schmidt and Lora J. Schmidt, husband and wife, hereinafter "Grantor" does hereby warrant, bargain, sell and convey unto Richard Royalty and Debbie Royalty, husband and wife, hereinafter "Grantee" whose address is 3258 E 3210 N, Twin Falls, ID 83301, the following described real property located in Twin Falls County, Idaho, to-wit:

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho Section 16: A part of the SW1/4 SW1/4, more particularly described as follows:  
BEGINNING at a point 25.1 feet North 1°39' West and 251 feet South 86°00' East of the common corner of Section 16, 17, 20 and 21, Township 10 South, Range 17 E.B.M  
THENCE on a course parallel to the west side of Section 16 North 1°39' West, 125 feet;  
THENCE South 86°00' East, 100 feet;  
THENCE South 1°39' East, 125 feet;  
THENCE North 86°00' West, 100 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD said premises with all appurtenances unto the said Grantee and its successors and assigns forever. Said Grantor does hereby covenant to and with said Grantee, that the Grantor is the owner in fee simple of said premises. And also that said premises are free and clear from all other encumbrances except current year's taxes, levies, and assessments and except U.S. Patent reservations restrictions, easements of record, and easements viable upon the premises, and that Grantors will warrant and defend the same from all claims whatsoever.

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, July 29, 2013**  
City Council Chambers  
305 3<sup>rd</sup> 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: None

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of a request to approve the accounts payable for the week of July 23 – 29, 2013, total: \$547,667.76.	<u>Action</u>	Staff Report Sharon Bryan
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration of a request to award the renovation of the Public Works building to Stanley Associates, Inc., in the amount of \$ 152,605.00; and in addition, to approve the installation of a locker-room for approximately \$25,000. 2. Presentation of a summary of the Police Department’s request to purchase six Ford Interceptor police vehicles in the Fiscal Year 2014 budget year, including a comparison of the efficiencies the different models provide. 3. Consideration of funding the improvements to three parking lots at City owned facilities, the Oregon Trail Youth Complex, Harmon Park, and the Twin Falls Golf Club. 4. Presentation of the 9 month financial update of the Tax-Supported Funds, and Water, Wastewater and Sanitation for Fiscal Year 2012-2013. 5. Continue discussion on the City Manager’s Recommended Budget for the upcoming 2013-2014 fiscal year. 6. Public input and/or items from the City Manager and City Council.	Action  Presentation  Discussion/ Possible Action Presentation  Discussion	Rob Bohling  Capt. Matt Hicks  Dennis Bowyer  Lorie Race  Travis Rothweiler
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS</u></b>		
<b>IV. <u>PUBLIC HEARINGS: 6:00 p.m. - None</u></b>		
<b>V. <u>ADJOURNMENT:</u></b>		

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

**Si desea esta información en español, llame Leila Sanchez al (208)735-7287.**

**Present:** Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Jr. Rebecca Mills Sojka, Chris Talkington  
**Absent:** Shawn Barigar,  
**Staff Present:** City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Chief Finance Officer Lorie Race, Budget Coordinator Pat Lehmann, City Engineer Jacqueline Fields, Assistant to the City Manager Mike Williams, Planning & Zoning Manager Renee Carraway, I/S Project Coordinator Tami Lauda, Community Development Director Mitch Humble, PIO Josh Palmer, Public Works Coordinator Jon Caton, Finance Accountant Bill Baxter, Water Superintendent Rob Bohling, Police Captain Matt Hicks, Parks & Recreation Director Dennis Bowyer, 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:** None

**PROCLAMATIONS:** None

### AGENDA ITEMS

#### I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for the week of July 23 – 29, 2013, total: \$547,667.76.

Councilperson Talkington referred to the accounts payable, page 4. and asked if the widening of US 30 was a competitive bid. He stated his concern that one engineering firm is receiving a majority of the work and asked if Riedesel Engineering and JUB Engineering could be considered for the contract, and who selected EHM Engineers for the contract.

City Manager Rothweiler stated that the widening of US 30 projects is related to the Chobani project which is overseen by the City. The URA will reimburse the City from bond proceeds. He explained the costs are for professional services. Idaho Code requires the City to go through a RFQ process. The City cannot negotiate costs until a firm is selected.

City Engineer Fields explained how a professional engineering firm is selected. She stated that Riedesel Engineering, JUB Engineering, Civil Science and 15 others are competent to do roadwork. She stated she selected EHM Engineering for professional services.

City Attorney Wonderlich stated that the City follows State Code when selecting engineering services.

#### **MOTION:**

Vice Mayor Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

#### II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to award the renovation of the Public Works building to Stanley Associates, Inc., in the amount of \$ 152,605.00; and in addition, to approve the installation of a locker-room for approximately \$25,000.

Water Superintendent Rob Bohling gave the presentation.

Council discussion followed.

- Unisex showers
- Estimate of \$25,000

Water Superintendent Bohling stated that he will discuss with the contractors installing plumbing for a unisex shower. He stated that he received a rough estimate of \$25,000 from Public Works Superintendent Caton.

#### **MOTION:**

Councilperson Talkington made a motion to award to the low bidder Stanley Associates, Inc., in the amount of \$ 152,605.00; for the renovation of the Public Works building. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Presentation of a summary of the Police Department's request to purchase six Ford Interceptor police vehicles in the Fiscal Year 2014 budget year, including a comparison of the efficiencies the different models provide.

Captain Matt Hicks explained the request for the purchase of six vehicles. Three vehicles have been purchased, and a budget request is for 6 additional vehicles. A summary was emailed to Council on the cost comparison breakdowns with fuel economy and the justification for the purchase of the vehicles. He reviewed the Fleet Management Plan 2013-2018.

Council discussion followed.

Vice Mayor Hall explained the new vehicles will provide safety to officers and passengers. He asked what the rotation plan entails.

Captain Hicks stated that typically the Police Department requests 2 to 3 vehicles per year. Maintenance Shop Supervisor Norm Hatke has stated that the Ford product will be more reliable than the vehicles currently being used. The Police Department recently purchased three Ford Crossover Interceptor police vehicles and is requesting to purchase six additional vehicles. Eventually, the request will be reduced to 3 to 4 per year.

Councilperson Mills Sojka stated that every year at the budget hearing the Council is requested to spend less and not more. She stated it may be possible to achieve the same objective for transportation while saving money and using less taxpayer dollars.

Councilperson Hawkins asked how the old vehicles are rotated.

Captain Hicks stated that the vehicles are rotated out to the school resource officer or are sold at auction.

Councilperson Munn explained that as a former Police Department employee, he has been in situations and has seen the importance of having a larger vehicle for safety reasons. The community will understand the importance of using larger and efficient vehicles. He believes that no officer should compromise his safety just to have fuel efficient cars.

Vice Mayor Lanting stated that two new vehicles are available for inspection by the Council.

Recess at 5:36 p.m.

Reconvened at 5:47 p.m.

3. Consideration of funding the improvements to three parking lots at City owned facilities, the Oregon Trail Youth Complex, Harmon Park, and the Twin Falls Golf Club.

Parks & Recreation Director Bowyer explained the request.

City staff has been discussing City owned parking lots that are not paved and has prioritized the top three lots that should be paved first: the Oregon Trail Youth Complex parking lot, the Harmon Park parking lot (old swimming pool location), and the overflow parking at the Twin Falls Golf Club.

There are two options for the improvements for the parking lots:

- 1) A 2" compact hot mix process
- 2) A double chip seal (same process as our chip sealing for the streets are receiving this year).

Staff is seeking direction from the City Council if the City wants to expend funds for the option # 2 improvement at the three City owned parking lots at the following facilities: Oregon Trail Youth Complex, Harmon Park, and the Twin Falls Golf Club.

Council discussion followed.

- Double chip seal
- Unpaved alleyways
- Difference of longevity of the hot mix and double chip seal
- Impact on Auger Falls

City Engineer Fields explained that the goal is to regrind and then place a double chip seal. At some point in time the City will have an obligation to address the unpaved alleyways. The life span of a single chip is 7 years. She does not have a life span of a double chip but it is anticipated to last seven years depending on traffic and what the underlying surface is like. The Auger Falls will be closed for the installation of the pipeline. Delineated paths and signs will be placed later.

Councilperson Hawkins stated that the City had an agreement with the County of Twin Falls on their property where they are housing their Search and Rescue boats, to help them with their double chip seal since the pavement was expensive. She stated that she was under the impression that the city had a large supply of chips, to bring costs down.

City Manager Rothweiler stated that at the time of the agreement, the City was using a zipper making a road improvement, therefore had the material for the County. There will be no significant cost savings to place the double chip on hold until a stockpile is completed.

-Acceptance of the double chip seal and changes to the requirements, objectives or standards

City Engineer Fields stated approval for a double chip seal for unpaved parking areas should be under the discretion of City staff.

**MOTION:**

Councilperson Talkington made a motion to reallocate prior designated funds for the use of double chip sealing, the three mentioned City owned facilities including Oregon Trail, Harmon Park, and the Golf Club in the amount not to exceed including additional costs of \$10,000 for a total cost of \$81,856. The motion was seconded by Councilperson Hawkins.

-Paving of other parking areas

Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

- 4. Presentation of the 9 month financial update of the Tax-Supported Funds, and Water, Wastewater and Sanitation for Fiscal Year 2012-2013.

Chief Finance Officer Race gave a PowerPoint presentation.

The following was presented:

Investment income: Actual income

Market adjustments

Expenditures in the tax supported funds'

Personnel

M & O

Transfers

Capital

Enterprise Funds

Water/Wastewater / Sanitation

Water fund revenues

Water fund expenditures

Wastewater fund revenues and expenditures

Sanitation fund revenues and expenditures

Council discussion followed.

-Risks of purchasing bonds

-Sanitation Fund – Recycling

Recess at 6:34 p.m.

Reconvened at 6:43 p.m.

- 5. Continue discussion on the City Manager's Recommended Budget for the upcoming 2013-2014 fiscal year. City Manager Rothweiler continued discussion on the budget. The upcoming budget is \$52,927,254, an increase of \$3.6 million or roughly an increase of 7.5%.

Council discussion followed.

-Property taxes

-Water savings technique \$10,000 in Parks budget

Parks & Recreation Director Bowyer using overhead projections explained the plans are for landscaping at the City pool.

Council discussion followed on the proposed plan to remove an existing tree at the pool.

The Council does not oppose the project but does oppose removing the existing tree at the City pool.

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

**III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS**

**IV. PUBLIC HEARINGS: 6:00 p.m. - None**

**VI. ADJOURNMENT: The meeting adjourned at 7:00 pm.**

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, August 5, 2013  
 City Council Chambers  
 305 3<sup>rd</sup> 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: Farmers Market Week**

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of a request to approve the accounts payable for the week of July 30–August 5, 2013, total: \$873,240.63 Payroll, August 2, 2013, total: \$115,106.06 Fire Payroll, July 31, 2013, total: \$490,370.22  2. Consideration of a request to approve the July 15, 2013 and July 22, 2013, City Council Minutes.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan     Leila A. Sanchez
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Presentation of Certificates of Appreciation to Terry Ihler in recognition of his service on the Twin Falls Planning & Zoning Commission and Sonia Alexander, Jenni Geilman and Norm Tilley in recognition for their service on the Twin Falls Historic Preservation Commission.  2. Consideration of a request to appoint John Pauley, Wendy Rice, and Nancy Taylor to the Twin Falls City Historic Preservation Commission.  3. Consideration of a request to award the Falls Ave E Widening (Walnut St. N.to Locust St. N.) Project to PMF, Inc. of Twin Falls, Idaho, in the amount of \$89,045.00.  4. Consideration of a request to approve the City's 504 ADA Transition Plan Update for August 2013.  5. Consideration of a request to adopt the Tentative Budget for the City of Twin Falls and set August 19, 2013 at 6:00 p.m. as the date and time for the public budget hearing.  6. Public input and/or items from the City Manager and City Council.	Presentation  Action  Action  Action  Action	Mitchel Humble  Mitchel Humble  Josh Baird  Mitchel Humble  Travis Rothweiler
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS</u></b>		
<b>IV. <u>PUBLIC HEARINGS: 6:00 p.m.</u></b> 1. To consider an increase to sewer rates as discussed during the 2013-2014 budget process.	Public Hearing	Lorie Race
<b>V. <u>ADJOURNMENT:</u></b> Executive Session 67-2345(1)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, unless a vacancy in an elective office is being filled.  Executive Session 67-2345(1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, individual agent or public school student.		

***Any person(s) needing special accommodations to participate in the above noticed meeting could contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.***  
**Si desea esta información en español, llame Leila Sanchez al (208)735-7287.**

**Present:** Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Jr. Rebecca Mills Sojka, Chris Talkington  
**Absent:** None  
**Staff Present:** City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Chief Finance Officer Lorie Race, Budget Coordinator Pat Lehmann, City Engineer Jacqueline Fields, Assistant to the City Manager Mike Williams, IS Project Coordinator Tami Lauda, IS Manager Mick Turner, Police Chief Brian Pike, Community Development Director Mitch Humble, PIO Josh Palmer, Finance Accountant Bill Baxter, Fire Chief Ron Clark, Staff Engineer Josh Baird, 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: None**

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of a request to approve the accounts payable for the week of July 30–August 5, 2013, total: \$873,240.63  
Payroll, August 2, 2013, total: \$115,106.06  
Fire Payroll, July 31, 2013, total: \$490,370.22
2. Consideration of a request to approve the July 15, 2013 and July 22, 2013, City Council Minutes.

**MOTION:**

Councilperson Hawkins made a motion to approve the Consent Calendar 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.

**II. ITEMS FOR CONSIDERATION:**

1. Presentation of Certificates of Appreciation to Terry Ihler in recognition of his service on the Twin Falls Planning & Zoning Commission and Sonia Alexander, Jenni Geilman and Norm Tilley in recognition for their service on the Twin Falls Historic Preservation Commission.

Community Development Director Humble explained that Terry Ihler served a partial term of two years on the Planning and Zoning Commission. Terry had to resign from the Commission due to conflicts with his work schedule. Sonia Alexander and Norm Tilley both served 2 full terms, six years, on the Historic Preservation Commission. Jenni Geilman was appointed to a partial term. She was then reappointed to a full term, but recently had to resign due to work conflicts. She has served a total of three years on the Historic Preservation Commission.

Staff recommends that the City Council honor Terry Ihler for his service on the Twin Falls Planning & Zoning Commission and Sonia Alexander, Jenni Geilman, and Norm Tilley for their service on the Twin Falls Historic Preservation Commission.

Mayor Lanting and HPC Liaison Vice Mayor Hall presented Certificates of Appreciation to Norm Tilley and Jenni Geilman.

2. Consideration of a request to appoint John Pauley, Wendy Rice, and Nancy Taylor to the Twin Falls City Historic Preservation Commission.

Community Development Director Humble stated a selection committee made up of Mayor Lanting, Vice Mayor Hall, HPC Chairman Randall Watson, and City Planner Kelly Weeks, interviewed the applicants. The selection committee recommends that the City Council appoint John Pauley to finish Jenni's term, which expires on July 1, 2014. John would be eligible for two full terms following completion of this partial term. The selection committee also recommends that the City Council appoint Wendy Rice and Nancy Taylor to the Historic Preservation Commission for three year terms, which would expire July 1, 2016.

Council discussion followed.

- Number of applications submitted
- Requirements for residency for advisory commission members
- Requirements for residency for the Planning & Zoning Commission members

Community Development Director Humble stated that ten applications were received. The residency requirement for advisory commission members can be found in City Code 2-2-1. Planning and Zoning Commission members are required to be a resident of Twin Falls for a minimum period of two years.

John Pauley, Wendy Rice, and Nancy Taylor introduced themselves to the Council.

**MOTION:**

Vice Mayor Hall made a motion to appoint John Pauley to the Historic Preservation Commission to serve a partial term expiring on July 1, 2014, and appoint Wendy Rice and Nancy Taylor to serve full terms expiring on July 1, 2016. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a request to award the Falls Ave E Widening (Walnut St. N. to Locust St. N.) Project to PMF, Inc. of Twin Falls, Idaho, in the amount of \$89,045.00.

Staff Engineer Baird explained the request.

Staff recommends that City Council award the Falls Ave E Widening (Walnut St. N. to Locust St. N.) project to PMF, Inc. in the amount of \$89,045.00.

Council discussion followed.

- Contract period
- Water on Locust across Falls
- Idaho Power poles

Staff Engineer Baird explained that the contract completion date is 42 calendar days. Raising the new valley gutter 5 to 6 inches should address the water on Locust across Falls. Idaho Power stated that their intent is to move the power poles before the project begins or in conjunction with the project. He believes the power poles that will be installed will be above ground.

**MOTION:**

Councilperson Mills Sojka made a motion to award the Falls Ave E Widening Project to PMF, Inc. of Twin Falls, Idaho, in the amount of \$89,045.00. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to approve the City's 504 ADA Transition Plan Update for August 2013.

Community Development Director Humble explained the request.

The Council's approval of the 504 ADA Transition Plan Update will help the City facilities become ADA compliant and more accessible to residents with limited accessibility. Approval will also help the City comply with requirements for acceptance of the Community Development Block Grants for the Chobani project.

Staff recommends that the Council approve the 504 ADA Transition Plan Update and authorize the Mayor to sign it.

Council discussion followed.

- Existing ramp and railing at the Hansen building.

Community Development Director Humble stated that the adjacent property owner is not interested in allowing the City to access their ADA compliant handicap ramp. The existing railing is not ADA compliant.

**MOTION:**

Councilperson Talkington made a motion to approve the City's 504 ADA Transition Plan Update for August 2013. 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.

5. Consideration of a request to adopt the Tentative Budget for the City of Twin Falls and set August 19, 2013 at 6:00 p.m. as the date and time for the public budget hearing.

City Manager Rothweiler explained the request.

Section 50-811 (8) of the Idaho Code states the City shall "prepare and submit to the council a tentative budget for the next fiscal year."

Section 50-1003 of the Idaho Code states "...the city council of each city shall, prior to the commencement of each fiscal year, pass an ordinance to be termed the annual appropriation ordinance, which in no event shall be greater than the amount of the proposed

MINUTES

August 5, 2013

Page 4 of 6

budget, in which the corporate authorities may appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such corporation, not exceeding in the aggregate the amount of tax authorized to be levied during that year in addition to all other anticipated revenues.”

2014 Fiscal Year Budget Summary & Overview

The total recommended net budget for FY 2014 is \$52,937,917, an increase of \$3,683,439, or 7.48% compared to the 2013 fiscal year adopted net budget.

Of the total recommended FY 2014 budget, \$31,416,419 is from the Government Funds and \$21,521,498 is in the non-tax supported funds. In 2013, the City appropriated \$29,536,459 in the Government Fund and \$19,718,019 in the non-tax supported funds.

The FY 2014 Budget is fiscally conservative, stable and sustainable. The City is able to maintain a competitive tax rate and user fees. This budget provides funding for an essential, slightly larger staff, and estimated operational cost and funds capital needs received the highest priority. When compared to FY 2013, the recommended budget for FY 2014 has some noteworthy changes. Those changes are the following:

- Total personnel cost will increase from \$20,153,852 in FY 13 to \$21,113,423, or by \$959,571 or 4.8%. The recommended FY 2014 budget implements the second of a three-phase plan designed to create a more competitive compensation model. Like last fiscal year, this budget proposes a movement of the salary table (2%), continuation of the compression-ratio adjustment process, and provides an average performance-based adjustment of 3.5% to competent or better employees.
- Overall operating costs are projected to increase from \$14,871,208 to \$15,588,479 or by \$717,271 or 4.8%. Most significant increases are anticipated electrical costs and professional service contracts to assist the City staff meet increased workload obligations without adding long-term obligations of full-time employees.
- Total funding for capital improvements and acquisitions are scheduled to increase from \$10,011,690 to \$10,189,838, or by \$178,148 or 1.8%. This does not include any work associated with the \$2.1 million Cheney Drive Project or \$38 million improvements to the City's waste water treatment plant and collection system that are scheduled to begin in this fiscal year.

Council discussion followed.

-Increases in Personnel

City Manager Rothweiler explained the following:

-Description of the 9 full time positions: Grant Writer, Plans Examiner, Meter Reader, 3 Patrol Officers, Administrative Assistant in the Engineering Department, Mechanic in the City Shop, Administrative Assistant in Economic Development Department.

-Second of third phase plan designed to create a more competitive compensation model

-Performance based adjustment of 3.5% competent or better employees

Police Chief Pike stated that a School Resource Officer will be placed at the Magic Valley Alternative High School.

Personnel Director Harris explained the adjustments to the Salary Table of 2% and Compression ratio adjustment process.

-Status of the signage on Falls Avenue project

City Engineer Fields stated that the project was eliminated in its current form and the City's contribution of a \$1,000 was returned to the City. It is the hope of the coordinator to bundle the project that will secure signs.

-City Manager budget substantial increase in personnel training

-City Manager budget increase of full time salaries and wages increase of 6.5%

City Manager Rothweiler stated personnel training of \$40,000 is for increased training opportunities for Senior Staff at the Senior Executive Institute through the University of Virginia and training for Public Information Officer Josh Palmer. There are significant training dollars across the organization for everyone in the organization.

-Police Department – Admin/Support Services

Police Chief Pike stated that the majority of the increase is for the department's remodeling plan of \$100,000.

-Parks & Recreation Department Shelter at Ascension Park

MINUTES

August 5, 2013

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Parks & Recreation Director Bowyer stated that the \$45,000 costs include the shelter, installation of the shelter, and power.

-City Manager budget increase of full time salaries and wages increase of 6.5%

Chief Finance Officer stated that the Public Information Officer position is now included in the City Manager's budget causing an increase in personnel. Previously the position was paid by the Urban Renewal Agency.

Council wishes to continue to withhold the foregone of \$1.5 million.

**MOTION:**

Councilperson Talkington made a motion to set the amount of \$52,937,917 as the Tentative Budget for the City of Twin Falls and set August 19, 2013, at 6:00 p.m. as the date and time for the public budget hearing. 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.

Councilperson Mills Sojka asked staff if it was possible to prepare every dollar amount of every tax increment increase of 1%, 2%, and up to 3%, for the upcoming public hearing.

Council discussion followed.

City Manager Rothweiler stated he will have to provide the Council with three different revenue numbers. For example, a 3% rate adjustment of revenue generates a total of \$685,000, and each rate adjustment generates roughly \$227,000 for every 1% that may not be included on the revenue side. A similar reduction will need to be made on the expenditure side.

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

Vice Mayor Hall stated that he would like to discuss with Council the possibility of placing the Municipal City Band as a line item in the budget. Currently the process requires the City band apply for the Municipal Powers Outsource Grant.

Councilperson Mills Sojka stated that at the time MPOG was awarded to the City Band, her spouse was not in the City band. Her spouse is now in the City band and because of a conflict of interest recused herself from the discussion.

Council discussion followed.

-Importance and differences of the City Band from other MPOG participants  
-MPOG process

Councilperson Barigar recommended a review of all MPOG participants to determine which functions are important to City services, and include those as line items, foregoing the MPOG process.

**III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS**

**IV. PUBLIC HEARINGS: 6:00 p.m.**

1. To consider an increase to sewer rates as discussed during the 2013-2014 budget process.

Chief Finance Officer Race explained the increase to sewer rates using a PowerPoint presentation.

The citizens of Twin Falls voted to support a bond for \$38 million dollars for improvements to the wastewater treatment plant. In working with Zion's Band to estimate the new annual debt payment, it has been determined that an increase of 27% will cover the new debt.

Idaho Code Section 63-13411A states if an entity is proposing to increase an existing fee by an amount that exceeds a 10% of the last fee collected, then that entity must hold a public hearing to allow public comment.

Staff recommends moving forward with the proposed rate increase to monthly sewer fees as presented in the 2014 budget in order to be able to cover the increased debt associated with improvements at the wastewater treatment plant.

Council discussion followed.

-Ramifications of the denial of the proposed rate increase

City Manager Rothweiler explained that in discussion with City Attorney Wonderlich the City could not enter into a state of indebtedness.

Councilperson Mills Sojka asked for an explanation of the increase of \$ .29 for code enforcement. She stated that she has received citizen complaints requesting less enforcement of the City's code.

Chief Finance Officer Race stated that the increase is for more personnel in sanitation and code enforcement.

Mayor Lanting stated that he has received citizen complaints from those who are requesting more code enforcement.

City Manager Rothweiler explained that increase is due to reorganization of City staff and enforcement now includes parking enforcement. Revenue decreased \$59,000 to \$60,000 for the previous parking enforcement, and this year, the City is collecting \$30,000.

Mayor Lanting opened up the public input portion of the hearing.

Max Newlin, 328 7<sup>th</sup> Avenue East, spoke in favor of spending money and time on bike paths.

Mayor Lanting closed the public comment portion of the hearing.

City Manager Rothweiler stated that consideration of the adoption of the budget will be August 19, 2013. Conversation has been made on how revenues have to equal expenditures coming into the system. If the revenues are not going to be materialized, staff needs to be prepared to have a conversation about what those expenditures are and the ramifications of what that looks like if the rate adjustments on the enterprise funds are not included in the budget. He is seeking Council direction.

Mayor Lanting stated that the majority of the Council is in favor of the proposed sewer fees.

Mayor Lanting stated that the August 12, 2013, City Council meeting is cancelled.

**V. ADJOURNMENT:**

Executive Session 67-2345(1)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, unless a vacancy in an elective office is being filled.

Executive Session 67-2345(1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, individual agent or public school student.

**MOTION:**

Vice Mayor Hall made a motion to adjourn to Executive Session 67-2345(1) (a) and 67-2345(1) (b) as presented. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

The meeting adjourned at 6:50 p.m.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary



**Date:** Monday, August 19, 2013, Council Meeting  
**To:** Honorable Mayor and City Council  
**From:** Staff Sergeant Dennis Pullin, Twin Falls Police Department

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**Request:**

Consideration of a request by Debbie Urrutia, owner of The Cove, to approve “The Cove’s 6th Camp-Out” in remembrance of Charlotte Meyers to be held on Saturday, September 14, 2013.

**Time Estimate:**

Having had no calls for service requiring a Police response during previous years’ events, this item is being submitted for consideration on the Consent Calendar.

**Background:**

On September 14, 2013, a group of Cove patrons are planning to park their RVs and camp trailers in the parking lot at The Cove, 496 Addison Avenue West, commencing at 2:00 p.m. and concluding at 1:00 a.m. “The Cove Camp-Out” is an annual remembrance of Charlotte Meyers at which patrons congregate in the parking lot on lawn chairs and enjoy a variety of foods, beverages, and entertainment. Identifications will be checked for those wishing to purchase alcohol. Several bands will be playing live music consecutively from 3:00 p.m. to 10:00 p.m. Between seven (7) and ten (10) RVs and camp trailers and 200 people are expected to attend.

Ms. Urrutia has contacted various businesses and residents near The Cove so that the neighborhood is informed of this special event.

The Twin Falls Fire Department, Twin Falls Zoning and Development, and various other City Departments have reviewed and approved the application.

Given the success of five previous similar events, Staff has approved security to be provided by private security.

**Approval Process:**

Consent of the Council.

**Budget Impact:**

The Council’s approval of this request will not impact the City budget.

**Regulatory Impact:**

Private security will be providing security for this event

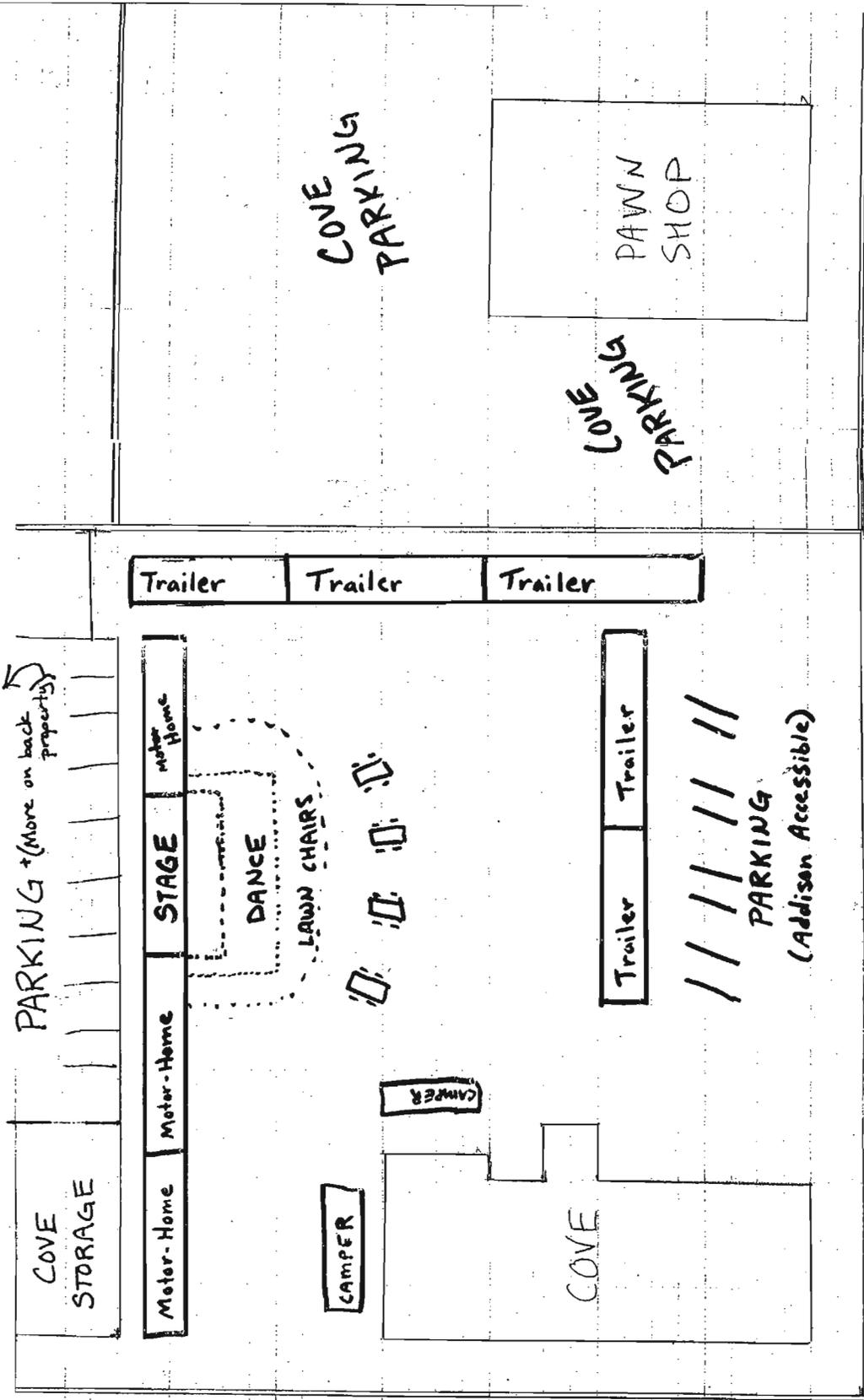
**Conclusion:**

Staff recommends approval of Ms. Urrutia's special event request with the proviso that, should the amplified music generate complaints from the neighborhood, the Patrol Supervisor will be advised to contact a representative from The Cove to have the volume decreased. If the noise complaints become habitual, the Patrol Supervisor shall be granted the authority to order the live music to be terminated.

**Attachments:**

1. Site Map
2. Cove Camp-Out Proposal
3. Letters collected from surrounding businesses granting the Cove permission to hold the event and utilize their lots for additional parking
4. Liability Insurance Binder

DP:aed



PARKING + (More on back property) ↗

COVE STORAGE

Trailer

Trailer

Trailer

STAGE

DANCE

LAWN CHAIRS

CAMPER

COVE

Trailer

Trailer

CAMPER

Trailer

Trailer

Trailer

PawN SHOP

//////  
PARKING  
(Addison Accessible)

COVE PARKING

COVE PARKING

COVE PARKING

COVE PARKING

ROSE STREET



## Cove Camp-Out Proposal:

Date: September 14, 2013

Time: 2:00PM to 1:00AM for serving of alcoholic beverages & food  
3:00PM to 10:00PM for live music by local bands

RV'S and Campers to be removed by 8:00 pm on 9-15-13

Location: The Cove of Twin Falls, Parking Lot  
496 Addison Ave W. / Twin Falls, ID 83301

### Event Description:

In remembrance of Charlotte Meyers for her birthday, a group of Cove patrons would like to park their RV's and Campers in the parking lot of The Cove. They would then congregate in lawn chairs and be served drinks from a portable bar located outside The Cove's side entrance, and food from inside the Cove kitchen. It will be called "The Cove's 6<sup>th</sup> Annual Camp-Out." Local bands will play music from 3:00PM to 10:00PM. We expect 7 – 10 RV's &/or Campers, and perhaps 200 or so people.

In honor of Charlotte Myers, a portion of proceeds from food & beverage sales will be donated to the Twin Falls Shrine Club. Last year we raised \$800 for their childrens' hospitals.

### Noise:

Music volume will stay at a reasonable level, and will cease at 10:00 pm, in accordance with city ordinance. In the event that the Police Department receives a complaint about the music volume, they may call Aaron Gupton at 404-2306, Debbie Urrutia at 316-2978, or the Cove at 733-9844 and the volume will be adjusted. If further complaints are received, we understand that we may be asked to cease the music and are prepared to comply.

### Serving of Beer, Wine, and Spirits:

The Cove's parking lot is drawn into the plan for liquor licensing approved by the State of Idaho. Twin Falls City also recognizes this location as "on site."

No minors shall be permitted inside the perimeter, which will be lined by Recreational Vehicles and Campers. Notices will be posted indicating the required age of persons entering the parking lot. Cove staff will check identification of all customers and issue hand stamps or wrist bands.

### Public Safety:

The Cove will hire private security for this event, as we have done for 5 years prior with no incident.

### Parking:

The Cove owners have purchased property directly across Rose Street (formerly part of Con Paulos' Instant Auto credit) which will provide 15 additional parking places. We also have secured permission from Instant Auto Credit for the use of 20+ parking spaces for public use, and Snake River Pawn for the use of 20+ parking spaces for public use. The Cove will have available 20 spaces for public use in addition to the space reserved for RVs (we recently demolished most of the storage units for parking purposes). The Cove also owns the property directly behind it, 120 Rose St, and it will be opened to allow approximately 10 people to park. All of this parking is located North of Addison, so no patron will be required to cross the busy street. Employees will use alternate transportation to free up more space as well.

\*\*Attached is a copy of a parking lot map indicating where campers are parked and where parking is available to patrons who are not bringing an RV or camper.



July 30, 2013

To Whom It May Concern:

I, JIM SHIRLEY, grant  
(printed name)

permission for Cove patrons to use parking on my property

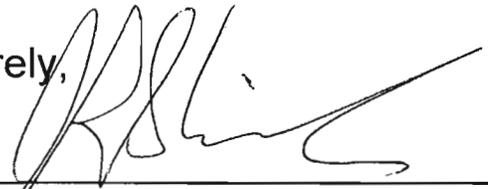
SNAKE RIVER PAVN located at 468 ADDISON AVE W.  
(business name) (address)

on September 14 2013 between the hours of

2:00pm and 3:00AM for the purpose of the event "Cove

Camp-Out."

Sincerely,

  
(signature)



July 30, 2013

To Whom It May Concern:

I, Karla Belveal, grant  
(printed name)

permission for Cove patrons to use parking on my property

Instant Auto Credit located at 522 Addison Ave W. I.F.  
(business name) (address) ID 83301

on September 14<sup>th</sup> 2013 between the hours of

5:00 pm and 3:00<sup>9/15</sup> AM for the purpose of the event "Cove

Camp-Out."

Sincerely,

  
(signature)





**Date:** Monday, August 19, 2013, Council Meeting

**To:** Honorable Mayor and City Council

**From:** Staff Sergeant Dennis Pullin, Twin Falls Police Department

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**Request:**

Consideration of a request to approve the Wings and Things Ultimate Fundraiser sponsored by the Twin Falls Optimist Club. The fundraiser will be held in the Twin Falls City Park on Saturday, September 7, 2013, from 12:00 p.m. to 5:00 p.m.

**Time Estimate:**

Because this has been an annual event, with no calls for service during past events, Staff recommends that this be placed on the Consent Calendar.

**Background:**

Dennis Bowyer, on behalf of the Twin Falls Optimist Club, has submitted a Special Events Application to hold their annual fundraiser, Wings and Things Ultimate. This event will be held in the Twin Falls City Park on Saturday, September 7, 2013, commencing at 12:00 p.m. and concluding at 5:00 p.m.

The event will consist of a Tailgating Food Competition where participants will purchase tickets to sample food and then cast their votes for their favorite foods. There will be televisions on-site for game previews and a half-time show that will consist of Twin Falls School District Coaches participating in a wing eating contest. There will be live broadcasting from the band shell during the event.

Alcohol will not be served at this year's event.

The Twin Falls Optimist Club has held fundraising events of this nature in past years. The 2012 event did not generate any Police calls for service. Due to the short time frame of the event and a history of no calls for service during past events, security is not required.

**Approval Process:**

Consent of the Council.

**Budget Impact:**

This event will not impact the City budget.

**Regulatory Impact:**

None

Agenda Item for August 19, 2013  
From Staff Sergeant Dennis Pullin  
Page Two

**Conclusion:**

The Twin Falls Police Department Staff and several relevant City Staff Members have met and approved this Special Events Application. Based on this request and the information provided, Staff recommends this event be approved.

The Twin Falls Police Department Staff recommends that the on-duty Patrol Supervisor be given the authority to order the event organizers to mitigate the sound of amplified noise. If there are continued noise complaints, disturbances by those participating in the event, and non-compliance, the on-duty Patrol Supervisor shall terminate the event.

**Attachments:**

None

DP:aed



# BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Vacation Application,

First Federal Savings Bank

c/o EHM Engineers, Inc

Applicant(s)

)  
 ) FINDINGS OF FACT,  
 )  
 ) CONCLUSIONS OF LAW,  
 )  
 )  
 )  
 )  
 ) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on June 10, 2013 for public hearing pursuant to public notice as required by law for Vacation of 15'x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North and the City Council of the City of Twin Falls having heard testimony from interested parties and being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has applied for Vacation of 15'x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: April 25, 2013 & May 23, 2013
3. The property in question is zoned C-B pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Townsite in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, First Federal Bank; to the south, Idaho First Bank; to the east, First Federal Bank to the west, Parking Lot

Based on the foregoing Findings of Fact, the City Council of the City of Twin Falls hereby makes the following

CONCLUSIONS OF LAW

1. The application for Vacation of 15'x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North is consistent with the purpose of the C-B Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.
2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1 & 2, Twin Falls City Code.
3. The proposed use is proper use in the C-B Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.
4. The application for Vacation of 15'x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

Based on the foregoing Conclusions of Law, the City Council of the City of Twin Falls hereby enters the following

DECISION

1. The application Vacation of 15'x 125' alley (1875 sq. ft.) located west of 303 Shoshone Street North is hereby granted.
2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

\_\_\_\_\_  
MAYOR - TWIN FALLS CITY COUNCIL

\_\_\_\_\_  
DATE

Exhibit No. A

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 an easement being recorded for the relocated utilities.

APPLICATION #: 2567



# BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Zoning District Change &amp; Zoning Map Amendment,</u>	)	FINDINGS OF FACT,
Application,	)	
	)	CONCLUSIONS OF LAW,
<u>TOMERYL, LLC</u>	)	
<u>c/o Tom &amp; Cheryl Arledge</u>	)	AND DECISION

Applicant(s)

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This matter having come before the City Council of the City of Twin Falls, Idaho on May 13, 2013 for public hearing pursuant to public notice as required by law for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for 4.71 acres (+/-) for property located at the northeast corner of Eastland Drive North & Addison Avenue East and the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has applied for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for 4.71 acres (+/-) for property located at the northeast corner of Eastland Drive North & Addison Avenue East
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: April 4, 2013 & April 25, 2013
3. The property in question is zoned R-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Neighborhood Center in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Addison Avenue East/Accountant's Office/Residential; to the east, Eastland Drive/Commercial; to the west, Photography Studio.

Based on the foregoing Findings of Fact, the City Council hereby makes the following

#### CONCLUSIONS OF LAW

1. The application for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for 4.71 acres (+/-) for property located at the northeast corner of Eastland Drive North & Addison Avenue East is consistent with the purpose of the R-2 NCO PUD Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-4-4, 10-4-21, 10-6-1, 10-7-6, 10-7-12, 10-10-1 through 3, 10-11-1 through 9, 10-14-1 through 9 of the Twin Falls City Code.

3. The proposed use is proper use in the R-2 NCO PUD Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity. A rezone of this property is not a guarantee city utilities are available. A will-serve letter will be issued upon review and approval for a final plat and/or a phase of a final plat.

5. The application for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for 4.71 acres (+/-) for property located at the northeast corner of Eastland Drive North & Addison Avenue East should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

1. The application for a for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for 4.71 acres (+/-) for property located at the northeast corner of Eastland Drive North & Addison Avenue East is hereby granted.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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MAYOR - TWIN FALLS CITY COUNCIL

---

DATE

"EXHIBIT NO. A"

1. Subject to amendments as required by Building, Engineering, Fire & Zoning Official to ensure compliance with all applicable City Code requirements and standards.
2. Subject to the section "Covenants 4-E-4: Signage" being amended as shown in "Attachment 12" of the staff report

APPLICATION #: 2563



**Date:** Monday, August 19, 2013  
**To:** Honorable Mayor and City Council  
**From:** Troy Vitek, PE Assistant City Engineer

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**Request:**

Consider a request to allow Grandview Properties LLC to place:

Phase 1:

Tract A and Lots 5 through 13 Block 1;  
Lots 19 through 21 Block 2;  
Lots 1 through 13 Block 3;  
Lots 1 through 20 Block 4;  
Lots 11 through 20 Block 5;

Phase 2:

Lots 1 through 4 Block 1;  
Lots 1 through 18 Block 2;  
Lots 22 through 33 Block 2;  
Tract B, Block 2;  
Lots 14 and 15 Block 3;  
Lot 1 through 10 Block 5;  
Lot 1 through 20 Block 6; and  
Lots 1 through 12 Block 7 of Grandview Estates Subdivision Into Trust.

**Time Estimate:**

The staff presentation will take approximately 5 minutes.

**Background:**

City Code Section 10-12-4-3 states "...the council may permit the subdivider to execute a trust and escrow agreement and record a notice prohibiting the sale of an undeveloped lot without a recorded developer's agreement between the subdivider and the city relating to that lot.."

**Approval Process:**

Approval of this will allow Grandview Properties LLC to record the plat and place all the listed lots in Trust.

**Budget Impact:**

No Budget Impact

**Conclusion:**

Staff recommends that City Council allow the mayor to Sign the Trust Agreement and Phase Control Development Notice.

**Attachments:**

- .. Trust Agreement
- .. Phase Control Development Notice

## TRUST AGREEMENT

This Trust Agreement (the "Agreement") is made and entered into this 17<sup>th</sup> day of July, 2013, by and between **GRANDVIEW PROPERTIES LLC.**, an Idaho Limited Liability Company, (hereinafter "Trustor"); **TITLEFACT, INC.**, an Idaho Corporation (hereinafter "Trustee"); and the **CITY OF TWIN FALLS, IDAHO** (hereinafter "Beneficiary"), and is made with respect to the following facts and objectives:

### WITNESSETH:

WHEREAS, Trustor is the owner of the real property described below (the "Property"); and

WHEREAS, it is the desire and intent of Trustor to arrange, by and through this Agreement, for the orderly development and sale of the Property, in a manner that is conducive to achieving full compliance with applicable rules and regulations of Twin Falls County, Idaho, and the City of Twin Falls, Idaho, in effect on the date of approval of the subdivision of the Property.

NOW THEREFORE, it is agreed between the parties hereto as follows:

1. That upon the execution of this Agreement by both parties, the Trustor agrees to execute and deliver to the Trustee a Warranty Deed, conveying to the Trustee, in Trust, to be held solely for the benefit of the Beneficiary, the Property to-wit:

Phase 1:

Tract A and Lots 5 thru 13, Block 1

Lots 19 thru 21, Block 2

Lots 1 thru 13, Block 3

Lots 1 thru 20, Block 4

Lots 11 thru 20, Block 5

GRANDVIEW ESTATES SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book \_\_\_\_\_ of Plats, page \_\_\_\_\_, records of Twin Falls County, Idaho.

Phase 2:

Lots 1 thru 4, Block 1

Lots 1 thru 18, Block 2

Lots 22 thru 33, Block 2

Tract B, Block 2

Lots 14 and 15, Block 3

Lots 1 thru 10, Block 5

Lots 1 thru 20, Block 6

Lots 1 thru 12, Block 7

GRANDVIEW ESTATES SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book \_\_\_\_\_ of Plats, page \_\_\_\_\_, records of Twin Falls County, Idaho.

2. The Trustor and the Trustee agree that the Trustee shall hold said title to the Property in trust, solely for the benefit of the Beneficiary under the terms hereof, and that title to the Property shall be and remain good and marketable and free from any defects, liens, conditions or encumbrances of any kind or nature, other than those appearing of record in the office of the Twin Falls County Recorder, the deed of trust or mortgage securing any development loan required to complete the development of the GRANDVIEW ESTATES SUBDIVISION and the conditions of the Phase Control Development Notice for lots in GRANDVIEW ESTATES SUBDIVISION, a copy of which is attached hereto as Exhibit "A," or those which are placed on the Property with the prior written consent of the Trustee. The Trustee shall not convey, transfer or encumber all or any interest in the Property, save and except to the extent as directed by the Trustor by written instrument delivered to the Trustee.
3. It is understood and agreed that the purpose of this Agreement is to provide Trustor with a convenient means of, subdividing, developing and selling the Property. It shall be the entire responsibility of the Trustor to effect such developing, subdividing and selling of the Property and to provide whatever subdivision plat it may desire and to pay all costs and expenses of said developing, subdividing and selling, and Trustee shall have no liability for any costs or expenses therefor or for any claim, damage, loss or liability sustained to the Property or Trustor or to any other person or persons in connection with said matter, save and except to the extent caused by Trustee's failure or refusal to comply with the terms and conditions of this Agreement.
4. The Trustor may, as it desires from time to time, sell all or any portion of the Property in its sole and complete discretion. The Trustee agrees that, when it is so instructed in writing by Trustor, Trustee shall execute and deliver to the person or persons designated by Trustor, a fiduciary deed conveying good and marketable title to the Property or any part thereof as designated, and at said time the Trustor agrees to pay to Trustee any reasonable costs and expenses incurred by the Trustee hereunder and to pay the normal and customary fee for the cost of an owner's title insurance policy to be issued by *TITLEFACT, INC.*
5. It is agreed that Trustee shall not be liable or responsible for the condition of title to the Property, except as may be provided in any title insurance policy issued by the Trustee, and Trustee shall have no liability concerning possession or survey or any taxes, costs or expenses in connection with the Property, other than as herein provided.
6. It is agreed that the term of this Agreement shall expire when all of the above described Lots have been conveyed by the Trustee pursuant to Trustor's written instructions.
7. It is agreed that this Trust Agreement may not be revoked or amended without the prior written approval of the Beneficiary. If Trustee is presented with written notice of Termination by both Trustor and Beneficiary, and Trustee receives Trustor's payment of all reasonable out-of-pocket costs and expenses incurred by Trustee in connection with this Agreement, if any, the Trustee shall immediately reconvey to Trustor the remaining part of the Property; and thereafter no party hereto shall have any further liability to the others in connection with the Property or under the terms of this Agreement. As provided in the Control Agreement, it is contemplated that this Agreement will be terminated upon the recording in the records of Twin Falls County, Idaho of an Improvement Agreement for Developments between the Beneficiary and Trustor designating the lots and blocks in each phase of the development of the Property which are approved for conveyance.

8. Trustor agrees to indemnify and save harmless Trustee from any claims, demands, judgments, costs and expenses including reasonable attorney's fees and any other obligation or liability of any kind or nature that the Trustee may for any reason suffer, incur or expend by reason of this Trust Agreement or in the administration thereof, other than for or as a result of Trustee's misconduct, breach of this Agreement, or willful neglect.

9. This Agreement shall bind the parties hereto, their heirs, representatives, successors and assigns.

Date: 7/17/13

TRUSTOR:  
**GRANDVIEW PROPERTIES LLC**

BY: [Signature]  
Justin V. Peterson, member

Date: \_\_\_\_\_

TRUSTEE:  
**TITLEFACT, INC.**

BY: \_\_\_\_\_  
Richard B. Stivers, President

Date: \_\_\_\_\_

BENEFICIARY:  
**CITY OF TWIN FALLS, IDAHO**

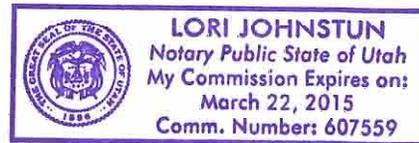
BY: \_\_\_\_\_

STATE OF Utah  
County of Salt Lake

On this 17th day of July, 2013, before me, a Notary Public in and for said State, personally appeared Justin V. Peterson, known or identified to me to be members of the limited liability company of **GRANDVIEW PROPERTIES LLC**, and the members who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that he/she/they executed the same in said limited liability company name.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

[Signature]  
Notary Public  
Residing in see UT  
Commission expires 03.22.2015



STATE OF IDAHO  
County of Twin Falls

On this \_\_\_\_ day of \_\_\_\_\_, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared **RICHARD B. STIVERS**, known or identified to me to be the President of **TITLE FACT, INC.**, the said corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

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Notary Public for Idaho  
Residing at:  
My Commission expires:

STATE OF IDAHO  
County of Twin Falls

On this \_\_\_\_ day of \_\_\_\_\_, 2013, before me, the undersigned, Notary Public in and for said State, personally appeared **GREG LANTING**, known or identified to me to be the Mayor for the City of Twin Falls, Idaho, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the City of Twin Falls, Idaho.

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

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Notary Public for Idaho  
Residing at:  
My Commission expires:

**"EXHIBIT A"**

**PHASE CONTROL DEVELOPMENT NOTICE**

THIS NOTICE prohibits the conveyance of any undeveloped lot in GRANDVIEW ESTATES SUBDIVISION until such time as an Improvement Agreement for Developments between the City of Twin Falls and the Developer is recorded designating the lots and blocks in each phase which are approved for conveyance.

TITLEFACT, INC., will hold the deed to all undeveloped lots in Escrow with instructions to convey only those lots covered by the recorded Improvement Agreement for Developments.

The real property subject to this notice is:

Phase 1:

Tract A and Lots 5 thru 13, Block 1  
Lots 19 thru 21, Block 2  
Lots 1 thru 13, Block 3  
Lots 1 thru 20, Block 4  
Lots 11 thru 20, Block 5

GRANDVIEW ESTATES SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book \_\_\_\_\_ of Plats, page \_\_\_\_\_, records of Twin Falls County, Idaho.

Phase 2:

Lots 1 thru 4, Block 1  
Lots 1 thru 18, Block 2  
Lots 22 thru 33, Block 2  
Tract B, Block 2  
Lots 14 and 15, Block 3  
Lots 1 thru 10, Block 5  
Lots 1 thru 20, Block 6  
Lots 1 thru 12, Block 7

GRANDVIEW ESTATES SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book \_\_\_\_\_ of Plats, page \_\_\_\_\_, records of Twin Falls County, Idaho.

as platted in the records of Twin Falls County, Idaho.

Dated this 17<sup>th</sup> day of July, 2013.

**GRANDVIEW PROPERTIES LLC, Developer**

BY: \_\_\_\_\_  
Justin V. Peterson, Managing Member

**TITLEFACT, INC.**

BY: \_\_\_\_\_  
Richard B. Stivers, President

Na/lo  
TitleFact, Inc.  
163 Fourth Avenue North  
P.O. Box 486  
Twin Falls, Idaho 83303

**"EXHIBIT B"**

\*\*\*\* SPACE ABOVE FOR RECORDER \*\*\*\*

**WARRANTY DEED**

FOR VALUE RECEIVED **GRANDVIEW PROPERTIES LLC, an Idaho Limited Liability Company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **TITLEFACT, INC., an Idaho corporation, as Trustee**,

hereinafter called Grantee, whose address is: % GRANDVIEW PROPERTIES LLC Attn: JUSTIN V. PETERSON, 225 S. 200 E., SUITE 300, SALT LAKE CITY UT 84111 , the following described premises in Twin Falls County, Idaho; to-wit:

Phase 1:

Tract A and Lots 5 thru 13, Block 1  
Lots 19 thru 21, Block 2  
Lots 1 thru 13, Block 3  
Lots 1 thru 20, Block 4  
Lots 11 thru 20, Block 5

GRANDVIEW ESTATES SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book \_\_\_\_\_ of Plats, page \_\_\_\_\_, records of Twin Falls County, Idaho.

Phase 2:

Lots 1 thru 4, Block 1  
Lots 1 thru 18, Block 2  
Lots 22 thru 33, Block 2  
Tract B, Block 2  
Lots 14 and 15, Block 3  
Lots 1 thru 10, Block 5  
Lots 1 thru 20, Block 6  
Lots 1 thru 12, Block 7

GRANDVIEW ESTATES SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book \_\_\_\_\_ of Plats, page \_\_\_\_\_, records of Twin Falls County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee as Trustee under that certain Trust Agreement dated \_\_\_\_\_, 2013 relating to development and sale of said premises in which Grantor appears as Trustor, Grantee appears as Trustee and the City of Twin Falls, Idaho appears as Beneficiary. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances other than those appearing of record in the office of the Twin Falls County Recorder; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 18, 2013

**GRANDVIEW PROPERTIES LLC**

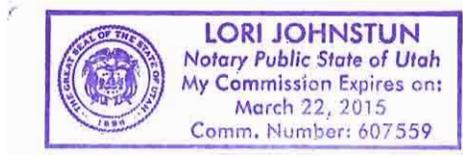
BY   
Justin V. Peterson, Managing Member

STATE OF Utah  
County of Salt Lake

On this 17<sup>th</sup> day of July, 2013, before me, a Notary Public in and for said State, personally appeared **JUSTIN V. PETERSON**, known or identified to me to be Managing Member of the limited liability company of **GRANDVIEW PROPERTIES LLC.**, and the member who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that he executed the same in said limited liability company name.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

  
Notary Public  
Residing in  
Commission expires





**Date:** Monday, August 19, 2013  
**To:** Honorable Mayor and City Council  
**From:** Troy Vitek, Assistant City Engineer

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**Request:**

Consideration of a request to accept the Improvement Agreement for the purpose of constructing certain improvements sought to be developed on Lots 1 through 10 Block 18 and Tract D as well as Lots 1 through 5 Block 19 of Canyon Trails Subdivision No. 6.

**Time Estimate:**

The staff presentation will take approximately 2 minutes.

**Background:**

The final plat was approved on August 28, 2006 and subsequently placed into trust. The owner wishes to develop Lots 1 through 10 Block 18 and Tract D as well as Lots 1 through 5 Block 19, all located along Shadetree Trail. Prior to development, an improvement agreement is required. The developer is meeting that requirement with this document.

**Approval Process:**

Accepting the Improvement Agreement allows the developer to develop the lots. After acceptance of utilities or a financial guarantee provided to the city, the lots can be removed from trust and sold.

**Budget Impact:**

There is no significant budget impact associated with the Council's approval of this request.

**Regulatory Impact:**

Approval of this request will allow the applicant to proceed to develop the property.

**Conclusion:**

Staff recommends that the Council approve the request and authorize the Mayor to sign the Improvement Agreement.

**Attachments:**

1. Improvement Agreement.

IMPROVEMENT AGREEMENT

for

DEVELOPMENTS

This Agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City" and CANYON PROPERTIES LLC hereinafter called "Developer" for the purpose of constructing certain improvements on property sought to be developed for the following Development CANYON TRAILS SUBDIVISION No 6, PHASE 6A.

WHEREAS, there is attached hereto and incorporated herein as if the same were set out in full, a certified copy of the deed to the real property showing ownership of said real property to be in the Developer's name, or, as the case may be, there is attached hereto and incorporated herein as if the same were set out in full, a copy of the deed to the above described real property showing ownership in fee simple in someone other than Developer together with a notarized authorization, signed by the real property owner, authorizing Developer to act on behalf of said real property owner, and;

WHEREAS, Developer desires to develop said real property for the following purposes:

RESIDENTIAL SUBDIVISION

WHEREAS, the Developer is obligated to construct certain improvements pursuant to City Code Section 10-12-4.2, and;

WHEREAS, the Developer has committed to construct special features as part of the development, and;

WHEREAS, the City has certain policies, ordinances, rules and regulations governing the construction of improvements, and;

WHEREAS, it is in the best interest of the City and Developer to clearly establish in one concise document the policies, ordinances, rules and regulations which apply to developments of the type contemplated herein.

WITNESSETH

That for and in consideration of the mutual promises, conditions, and covenants contained herein the parties agree as follows:

I.

City agrees: (1) to operate and maintain all approved streets, alleys, service and roads, excluding state highways, constructed under the terms of this Agreement in any public rights-of-

way or easements and which are presently within or subsequently annexed into the City limits. Those streets, excluding state highways, lying outside the City limits and within the City Area of Impact shall be constructed to City standards but shall become the responsibility of the Twin Falls Highway District until such time as they are annexed or a maintenance agreement is signed by the City and the Twin Falls Highway District. (2) To operate and maintain all approved water lines, drainage lines, and sewer lines constructed under the terms of this Agreement in any public rights-of-way or easements and to provide water and sewer service to the Developer's real property, subject to all ordinances, rules and regulations governing sewer and water service. (3) To maintain non-pressure irrigation lines only where they cross City streets. All other maintenance of non-pressurized irrigation lines is the responsibility of the Twin Falls Canal Company or the irrigation users.

## II.

In lieu of the actual installation of required public improvements before recording of the final plat, the Council may permit the subdivider to provide a financial guarantee of performance in one (1) or a combination of the following arrangements for those requirements which are over and beyond the requirements of any other agency responsible for the administration, operation and maintenance of the applicable public improvement.

### a. Surety Bond

1. Accrual - The Bond shall accrue to the City covering construction, operation and maintenance of the specific public improvement.
2. Amount - the bond shall be in an amount equal to one hundred percent (100%) of the total estimated cost for completing construction of the specific public improvements, as estimated by the Developer's Engineer and approved by the City Engineer.
3. Term Length - The term length in which the bond is in force, for the duration of that phase of the project, shall be until completed and accepted by the City Engineer.
4. Bonding for Surety Company - The bond shall be with a surety company authorized to do business in the State of Idaho, acceptable to the Council.
5. The escrow agreement shall be drawn and furnished by the subdivider to the satisfaction of the Council.

- b. Cash Deposit, Certified Check, Negotiable Bond, or Irrevocable Bank Letter of Credit.
  1. Treasurer, Escrow Agent or Trust Company - A cash deposit, certified check, negotiable bond or an irrevocable bank letter of credit such surety acceptable by the Council, shall be deposited with an escrow agent or trust company.
  2. Dollar Value - The dollar value of the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be equal to one hundred percent (100%) of the estimated cost of construction for the specific public improvements, as estimated by Developer's Engineer and approved by the City Engineer.
  3. Escrow Time - The escrow time for the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be until all required improvements are completed and accepted by the City Engineer.
  4. Progressive Payment - In the case of cash deposits or certified checks, an agreement between the City and the subdivider may provide for progressive payment out of the cash deposit or reduction of the certified check, negotiable bond or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvement, in accordance with a previously entered into agreement.

### III.

Developer agrees to retain a Professional Engineer, hereinafter called the Developer's Engineer, registered by the State of Idaho to perform the following minimum Engineering Services in accordance with Title 10 Chapter 12 Section 4-1 of the City Code:

- a. Prepare a master utility plan showing the location of all existing and proposed utility lines to include but not be limited to sewer, water, gas, electricity, telephone, irrigation, pressure irrigation and storm sewer.
- b. Prepare detailed plans and specifications for construction of all improvements required by this Agreement and shall include but not be limited to a complete set of construction plans, including profiles, cross-sections, specifications and other supporting data, for all required public streets, utilities and other facilities. Such construction plans shall be based on preliminary plans which have been approved

with the preliminary plat, and shall be prepared in conjunction with the final plat. Construction plans are subject to approval by the responsible public agencies. All construction plans shall be prepared in accordance with the public agencies' standards and specifications.

- c. Perform construction surveying, staking, testing, inspection and administer the construction of all facilities required by this contract.
- d. Submit all test reports, inspection reports, change orders and construction diaries to the City Engineer every week during the construction of the development or subdivision.
- e. Prepare and submit an updated copy of the enclosed development and subdivision checklist to the City Engineer every week during the construction of the development or subdivision, and also upon completion of the project.
- f. Submit to the City Engineer the final plans, and master utility plan for the City records showing any approved changes to the original plans and specifications. A permanent drawing in ink on approved transparent polyester drafting film and an electronic media copy of the plans in ACAD 2000 using City standard format shall be provided within thirty (30) days after completion of the project.
- g. Submit a letter upon completion of construction stating that the work has been constructed in conformance to the plans and specifications, with the certification by the Developer's Engineer that improvements were constructed to the lines and grades shown.

The above work shall be subject to the approval of the City Engineer.

The City agrees to provide asphalt pavement testing for conformance with City standards, but it shall be the responsibility of Developer's Engineer to provide all necessary quality control during construction. All tests shall be taken at a frequency based upon City of Twin Falls Standard Specifications.

The Developer agrees to: (1) allow the City full and complete access to the work (2) provide all materials necessary to conduct all tests (3) supply all water necessary to test pipe joints and (4) provide the equipment and perform or have performed any testing of manufactured materials required by the City Engineer.

The Developer shall submit a letter to the City Engineer upon completion of the project, requesting that the City assume the responsibility for maintenance and operation of all public improvements as stated herein.

IV.

The Developer agrees to obtain a permit or letter of approval from the Twin Falls Highway District or the State of Idaho Department of Highways prior to constructing improvements on their respective right-of-ways. The original or a certified copy of said permit or letter shall be submitted to the City Engineer prior to beginning of construction thereon.

V.

The Developer agrees to dedicate rights-of-way to the public for the development of all streets and alleys in accordance with the City Master Street Plan and to dedicate easements for the maintenance and operation of all public utilities. The size and location of said rights-of-way and easements shall be determined by the City Engineer.

VI.

The Developer hereby agrees and petitions the City to annex into the corporate limits of said City, the above described real property that is contiguous with the same or becomes contiguous to said City limits. Developer agrees to annexation of said real property by the City upon the terms and conditions as shall be set forth by said City.

VII.

The Developer and the City agree that the improvements listed herein are required unless specifically waived by action of the City Council and that said improvements will be constructed on any public rights-of-way or easements approved and accepted by the City Council all as designed by the Developer's Engineer and approved by the City Engineer and in accordance with standards established by the City Engineer and that all required improvements will be completed in a timely manner. If improvements are not completed in a timely manner, the Developer shall provide an updated, current version of the developer's agreement and financial guarantee for City Council consideration.

VIII.

The Developer agrees to pay the total actual costs of all materials, labor and equipment necessary to completely construct all of the improvements required herein, except those costs specifically shown to be paid by the City and to construct or contract for the construction of such improvements.

## IX.

Developer agrees to pay the total extra cost of all additional materials, labor and equipment necessary to construct any streets the City requires to be wider or deeper than a standard street or any water or sewer lines the City requires to be larger than the size required to properly serve the development. The requirement for wider and deeper streets shall be based on the City Master Street Plan. Requirements for larger water and sewer lines shall be based on the citywide sewer and water system sizing guidelines.

## X.

The City shall provide no compensation for the cost of an oversize water or sewer line. In the case of water or sewer lines extended adjacent to or outside the limits of development, the Developer shall be eligible for payback from adjacent property owners pursuant to Resolution No. 1182. The Developer shall also be eligible for compensation when a private developer extends or connects to any water or sewer system previously installed by private developer, pursuant to Resolution 1651.

## XI

Developer agrees to request in writing that the Developer's Engineers make the inspections required herein and the Developer or his Contractors shall not proceed with the next construction phase until the required inspection is complete and the work has been approved by the Developer's Engineer, the City Engineer or the Engineer's authorized inspector. All such inspections shall be scheduled in accordance with the City of Twin Falls Standard Specifications. Developer agrees to pay all costs resulting from: 1) his failure to properly schedule and request a required test or inspection or 2) proceeding with work before receiving approval to proceed. Developer agrees to remove or correct any rejected, unapproved or defective work or materials as required by the Developer's Engineer or the City Engineer. Any such defective work whether the result of poor workmanship, use of defective materials, damage through carelessness or any other cause, shall be removed within ten (10) days after written notice is given by the Developer's Engineer or the City Engineer, and the work shall be re-executed by the Contractor at his expense. The fact that either Engineer may have previously overlooked such defective work or materials shall not be a basis for acceptance of any part of it.

The issuance or approval of plans, specifications and computations shall not be construed as an approval of any violation of any provisions of City code, specifications, standards, policy, or any

other ordinance of the City. Approvals of plans that may violate City code, specifications or departmental policies will not be valid.

The approval of construction plans, specifications, and other data shall not prevent the City from thereafter requiring the correction of errors or omissions in said plans or specifications prior to or during actual construction or final acceptance by the City.

The Developer shall remove from all public property all temporary structures, rubbish, and waste materials resulting from their operation or caused by his employees.

The Developer shall guarantee all materials, workmanship and equipment furnished for a period of one (1) year from the date of written acceptance of the work by the City Engineer or authorized representative.

The Developer shall be responsible for any damage to any existing public improvements and shall repair or replace any such damage as required by the City Engineer, during or after completion of this project.

## XII.

The City and the Developer agree to the following minimum for Required Improvements, City Costs, Required Inspections and to any other improvements, approved or required by the City Council and shown on the approved construction plans.

### PUBLIC WAYS

(a) Required Improvements

- (1) Curb, gutter and sidewalk on all public street rights-of-way.
- (2) A standard residential street thirty six feet (36') wide with an eight inch (8") gravel course and two inch (2") asphaltic concrete surface course on all public street rights-of-way serving residential use property.
- (3) Minor residential and private streets as specified in the City of Twin Falls Standard Drawings.
- (4) A standard commercial or collector street forty eight feet (48') wide with an eleven inch (11") gravel course and three inch (3") asphaltic concrete surface course on all public street rights-of-way serving commercial use property or as a collector street. Whenever a street serves an industrial use property the City Engineer will determine the appropriate structural section.

- (5) A service-road twenty four feet (24') wide with an eight inch (8") gravel course and two inch (2") asphaltic concrete surface course and with concrete curb-gutter or curb and valley-gutter on all public service road rights-of-way.
  - (6) A sidewalk five feet (5') wide minimum on all public pedestrian rights-of-way. Four foot (4') sidewalks by special permission of the City Council are allowed by City of Twin Falls Standard Drawings for minor residential streets under certain conditions.
  - (7) Landscaping and sidewalk placement required adjacent to arterial and collector streets: A tract of land eleven feet (11') in depth behind the curb line will be dedicated as part of any residential development adjacent to arterial and collector streets. Within that tract the developer shall install landscaping six feet (6') in depth with a sprinkler system and with grass and trees behind the curb line and shall also install a five foot (5') sidewalk. The landscaping will be maintained by the city and funded through a fee added to the water bill of each account within the development. Irrevocable restrictive covenants for this development and maintenance shall provide for this funding. TFCC §10-12-4.2(O).
  - (8) Street signs and traffic control devices on all public streets.
  - (9) Street lights as determined by City policy for street light installation.
- (b) City Costs
- (1) The cost of any street signs or traffic control devices installed by the City on new or existing streets.
  - (2) The cost of any required street lights (standard luminaires mounted on a wood pole). The Developer shall pay the extra cost of any decorative luminaries or poles. Prior approval will be required, and the cost of maintenance, replacement and power usage will be considered.
- (c) Required Inspections and Testing
- (1) All inspections and testing shall be as required by City of Twin Falls Standard Specifications.

#### WATER SYSTEM

- (a) Required Improvements

- (1) Pursuant to City Code Section 7-8-3, 7-8-10 and 10-12-4.2 water line and fittings six inch (6") minimum diameter that will transport a flow of water, which will satisfy fire, domestic, other water demands of the development, based upon the City water pipe sizing plan and computer water model. Water line extension shall include connection from the existing City Water System to each building site and fire hydrants and then loop back to the City System in a manner that will provide a properly functioning system approved by the City Engineer, Water Superintendent and Fire Chief. If the development is to be constructed in phases, the water system shall be looped back to the City system during the first phase. No dead-end lines will be allowed during any phase of the project.
- (2) Water lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the City water distribution network in accordance with existing sizing guidelines.
- (3) Water valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users or creating a critical situation in the suppression of fires.
- (4) Fire hydrant connections and fire hydrants spacing to substantially comply with the minimum standards suggested by the Fire Rating Bureau and American Water Works Association. Fire hydrants are required in all developments.
- (5) One water service line shall be constructed to each building site at the time the water lines are installed. Each service line shall not exceed fifty feet (50') in length and shall terminate at the right-of-way.

During construction of the curb the letter W shall be stamped into the top or face of the curb directly in front of the water meter box. The impression shall be not less than one and one half inches (1½") high. Meters shall be grouped at adjacent side lot lines when possible or at another location if requested by the Developer and approved by the City Engineer and Water Superintendent. Water meter boxes will not be allowed in driveway approaches. Any cost associated in relocating meters from driveway

approaches will be the responsibility of the Developer or Lot Owner. Temporary address or lot number signs shall be staked at the location where the water meter box is to be installed. The City may install multiple water meters in a single water meter box.

The City will make the water line tap only after all appropriate tap fees for a Water Connection General Permit have been received and permits issued. All new water service line and connections made from existing water service mains to service any new development will be the responsibility of the Developer. The City will make the necessary service line tap after payment of the required water connection general permit fees.

- (6) One water service line tap, meter box, and service line shall be constructed for each building connected to the City water system. It is understood and agreed that the City will make all service line taps and install all meter boxes and that the fee paid by the developer for a Water Connection General Permit will reimburse the City for such work.
- (7) It is further understood and agreed that the City will make all connections to the existing water system. The City will disinfect the new water system at the developer's expense.

(b) City Costs

- (1) None.

(c) Required Inspections

- (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

WASTE WATER COLLECTION SYSTEM

(a) Required Improvements

- (1) Pursuant to City Code Section 7-7-4, 7-7-11 and 10-12-4.2 a waste water collection system (eight-inch (8") minimum diameter) that will transport a flow of waste water, under conditions of maximum and minimum discharge from the development, to the existing City waste water system.
- (2) Waste water sewer lines adjacent to or internal to the development will be sized to continue the orderly expansion of the City Waste Water Collection

System in accordance with existing sizing guidelines and computer sewer model.

- (3) Manholes to provide access for maintenance and cleaning of the sewer lines located at any change of grade or alignment of the sewer, at the end of each sewer and spaced not more than four hundred feet (400') apart.
- (4) During construction of the curb the letter S shall be stamped into the top or face of the curb directly in front of the sewer service line location. The impression shall be not less than one and one half inches (1½") high.

(b) City Costs

- (1) None.

(c) Required Inspections and Testing

- (1) All inspections and testing shall be as required by City of Twin Falls Standard Specifications.

#### DRAINAGE SYSTEM

(a) Required Improvements

- (1) Any valley-gutters, ditching, grading or other surface drainage facilities necessary to convey any storm run-off originating from or traversing across the proposed development over the land surface to a point of retention, detention or discharge approved by the City Engineer.
- (2) Any catch basin, storm sewer and other sub-surface drainage facilities necessary to convey any storm run-off, originating from or traversing across the proposed development, to a point of retention, detention or discharge approved by the City Engineer, that cannot, in the City Engineer's opinion, be conveyed over the land surface without causing damage to public or private property or without being an unreasonable inconvenience or hazard to a private individual, a group of individuals or the general public.

(b) City Costs

- (1) None.

(c) Required Inspections and Testing

- (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

GRAVITY IRRIGATION SYSTEM

(a) Required Improvements

(1) Any pipe, boxes or other appurtenances necessary to convey all irrigation water in underground pipe across the development and any adjacent public property. Irrigation facilities outside an established City irrigation district shall be constructed in an irrigation easement on private property except where it is necessary for irrigation water to cross the public right-of-way and all such crossings shall be perpendicular to the center line of said right-of-way unless otherwise approved by the City Engineer due to some unusual condition.

(b) City Costs

(1) None.

(c) Required Inspections and Testing

(1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

PRESSURE IRRIGATION SYSTEM

(a) Required Improvements

(1) Pursuant to Section 7-8-3 of the City Code, the use of the City's potable water supply as the primary source of irrigation water in all new developments shall be prohibited. For purposes of this subsection, the term "new development" means any new subdivision or PUD, or any development of any parcel of land of two (2) acres or larger that is not part of a subdivision or PUD. One (1) share of Twin Falls Canal Company Water for each acre of property within the subdivision shall be deeded to the City of Twin Falls before the filing of the final plat for use in the City's pressurized irrigation system.

(2) Pressure irrigations water line and fittings shall be four inch (4") minimum diameter or larger that will transport a flow of water, which will satisfy all irrigation water demands of the development,

based upon the computer irrigation water model that the developer's engineer has prepared.

- (3) Water lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the City Pressure Irrigation water distribution network in accordance with existing sizing guidelines.
- (4) Water valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users. One pressure irrigation water service line shall be constructed to each subdivision lot site at the time the pressure irrigation water lines are installed. Each service line shall not exceed fifty feet (50') in length and shall terminate at the right-of-way. One Pressure irrigation water service line tap, irrigation box, and service line shall be constructed for each subdivision lot connected to the City pressure irrigation water system.
- (5) The Developer shall be responsible for all costs incurred in designing and installing the pressure irrigation station. This includes the land, pumps, motors, filters, buildings, delivery system to the station from the TFCC head gate, storage pond, Supervisory Control and Data Acquisition (SCADA) system, and power to the station.
- (6) All pressure irrigation system plans must be prepared by the Developer's engineer shall be according to the City's standard specifications and drawings. Plans submitted to the City shall be signed by a Professional Engineer for review and final approval,

before the City Engineer will sign the plat or approve construction plans.

- (7) The Pressure Irrigation System shall be located with in easements, right of ways and/or property deeded to the City of Twin Falls.
- (b) City Cost.
  - (1) None
- (c) Required Inspections and Testing
  - (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

SPECIAL FEATURES

Pursuant to commitments made by the Developer as conditions of approval of the development, the following special features shall be constructed:

- a) Required Improvements

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- b) City Costs
  - (1) None.

XIII.

The City and the Developer agree that the sequence of construction shall be as follows unless special approval in writing is obtained from the City Engineer:

1. Erosion and sedimentation controls.
2. Stormwater retention and detention facilities.
3. Waste water sewers and service connections.
4. Waste water manholes.
5. Storm sewers and catch basins.
6. Gravity irrigation pipes and boxes.
7. Pressure irrigation lines, service connections, etc.
8. Water lines and service connections.
9. Gas lines, power lines, telephone lines and cablevision lines.
10. Any other underground improvements that are required.

11. Sub-base preparation for public ways.
12. Gravel base course for public ways.
13. Curb-gutter, valley-gutter and sidewalk.
14. Gravel leveling course.
15. Asphalt paving.
16. Special Features.

#### XIV.

The Development may be phased as indicated on the attached development plan submitted by the Developer and approved by the City Engineer.

The terms of the basic agreement shall apply individually to each phase shown on the attached plan as though each phase were a separate and independent development providing each phase is begun in the sequence indicated on the development plan.

The two (2) year time limit, (indicated in Section VII of the Agreement) for completing the required improvements shall begin for each phase when the Developer sells a lot or an application or a building permit to construct a building within the phase has been received by the City.

The Developer may cease further development after completing any phase and before beginning the next phase and the basic agreement shall terminate in accordance with Section XVI, of the basic agreement for any undeveloped phases of the development originally proposed in the basic agreement.

#### XV.

This agreement shall bind the parties hereto, their heirs, successors in interest, and lawful assigns.









**Date:** Monday, August 19, 2013  
**To:** Honorable Mayor and City Council  
**From:** Troy Vitek, Assistant City Engineer

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**Request:**

Consideration of a request to accept two waterline easements for First Federal Bank on Shoshone St.

**Time Estimate:**

The staff presentation will take approximately 2 minutes.

**Background:**

The attached Easements accommodate the relocation of the water main and loop as required in the vacation of the alley that was approved by council the 10<sup>th</sup> day of June 2013 .

**Approval Process:**

City Code Section 10.16.1 (G) through (I) requires the council to accept property and easements before they can be transferred to the City.

**Budget Impact:**

There is no budget impact associated with the Council's approval of this request.

**Conclusion:**

Staff recommends that the Council approve the request and accept the easements.

**Attachments:**

1. Public Easement of Lot 6 and 7, Block 57 of Twin Falls Townsite
2. Public Easement of Lot 26 and 27, Block 57 of Twin Falls Townsite
3. Map of both Easements



**RECEIVED**

**JUN 25 2013**

**CITY OF TWIN FALLS  
PLANNING & ZONING**

IN THE FIELDS OF:  
PLANNING  
SURVEYING  
HIGHWAYS  
WATER  
WASTEWATER  
STRUCTURAL  
SUBDIVISIONS  
BRIDGES  
ENVIRONMENTAL  
QUALITY CONTROL  
CONSTRUCTION MGMT.  
GRANT ADMINISTRATION

June 25, 2013

Troy Vitek, P.E.,  
Assistant City Engineer  
City of Twin Falls Engineering Dept.  
324 Hansen Street East  
Twin Falls, Idaho 83301

Re.: First Federal  
Water line easements

Dear Sir;

Accompanying are two water line easements for First Federal Bank on Shoshone Street executed by Mr. Horner. These accommodate the relocation of the water main and loop as required in the vacation of the alley.

Please feel free to call me if you have any questions at 734-4888.

Sincerely,  
Tim Vawser

EHM Engineers, Inc.

**Public Easement**

FOR VALUABLE CONSIDERATION, The receipt of which is hereby acknowledged, **FIRST FEDERAL SAVINGS BANK OF TWIN FALLS**; having lawful authority to do so, hereafter referred to as "Grantor(s)", do hereby irrevocably grant unto **THE CITY OF TWIN FALLS**, a Municipal Corporation, whose address is P.O. Box 1907, Twin Falls, Idaho, 83303-1907, hereafter referred to as "Grantee", an easement for the installation, operation, maintenance, repair, and/or replacement of a potable water mainline and appurtenances. Said easement is particularly described as:

**Being located in Lots 6 and 7, Block 57, "Twin Falls Townsite", according to the official plat thereof recorded in the office of the Twin Falls County Recorder, Twin Falls County, Idaho. Said Easement being 15 feet wide, 7.5 feet on each side of the following described centerline:**

**Commencing at the most Northerly corner of Lot 7, Block 57. Thence, North 45°24'04" West 4.50 feet along the Southerly right of way of Fourth Avenue North to the REAL POINT OF BEGINNING of said centerline.  
Thence, South 44°20'07" West, 125.05 feet along and to the end of said centerline.**

This grant of easement is perpetual, and shall bind the parties, their heirs, personal representatives, lawful assigns and successors in interest.

TO HAVE AND TO HOLD, said easement unto Grantee, its successors and assigns this 24<sup>th</sup> day of June, 2013.

**FIRST FEDERAL SAVINGS BANK OF TWIN FALLS**

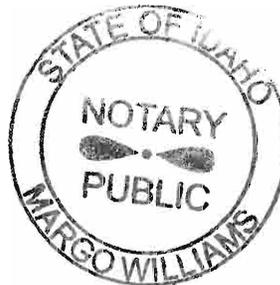
BY: C. Alan Horner  
President

STATE OF Idaho )  
 )ss  
County of Twin Falls )

On this 24<sup>th</sup> day of June, 2013, at 10:45 A.M., before me, a Notary Public, personally appeared **C. Alan Horner**, known or identified to me to be the person whose name is subscribed to the foregoing instrument as President of **First Federal Savings Bank of Twin Falls**, and acknowledged to me that he executed the same on behalf of said **First Federal Savings Bank of Twin Falls**.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

Margo Williams  
Notary Public for Idaho  
Residing at Twin Falls  
Commission Expires 9-1-2018



**Public Easement**

FOR VALUABLE CONSIDERATION, The receipt of which is hereby acknowledged, **FIRST FEDERAL SAVINGS BANK OF TWIN FALLS**; having lawful authority to do so, hereafter referred to as "Grantor(s)", do hereby irrevocably grant unto **THE CITY OF TWIN FALLS**, a Municipal Corporation, whose address is P.O. Box 1907, Twin Falls, Idaho, 83303-1907, hereafter referred to as "Grantee", an easement for the installation, operation, maintenance, repair, and/or replacement of a potable water mainline and appurtenances. Said easement is particularly described as:

**Being located in Lots 26 and 27, Block 57, "Twin Falls Townsite", according to the official plat thereof recorded in the office of the Twin Falls County Recorder, Twin Falls County, Idaho. Said Easement being 15 feet wide, 7.5 feet on each side of the following described centerline:**

**Commencing at the most Southerly corner of Lot 26, Block 57. Thence, North 45°23'50" West 4.60 feet along the Northerly right of way of Third Avenue North to the REAL POINT OF BEGINNING of said centerline. Thence, North 44°38'14" East, 125.06 feet along and to the end of said centerline.**

This grant of easement is perpetual, and shall bind the parties, their heirs, personal representatives, lawful assigns and successors in interest.

TO HAVE AND TO HOLD, said easement unto Grantee, its successors and assigns this 24th day of June, 2013.

**FIRST FEDERAL SAVINGS BANK OF TWIN FALLS**

BY: C. Alan Horner  
President

STATE OF Idaho )  
 )ss  
County of Twin Falls )

On this 24th day of June, 2013, at 10:45 A.M., before me, a Notary Public, personally appeared **C. Alan Horner**, known or identified to me to be the person whose name is subscribed to the foregoing instrument as President of **First Federal Savings Bank of Twin Falls**, and acknowledged to me that he executed the same on behalf of said **First Federal Savings Bank of Twin Falls**.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

Margo Williams  
Notary Public for Idaho  
Residing at Twin Falls  
Commission Expires 9-1-2018







**Date:** Monday August 19, 2013 City Council Meeting

**To:** Honorable Mayor and City Council

**From:** Dennis J. Bowyer, Parks & Recreation Director

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**Request:**

Consideration of a request to pay fees in lieu of park land dedication for the Dunthorn Subdivision.

**Time Estimate:**

None – Consent Calendar

**Background:**

The Dunthorn Subdivision is a four lot subdivision on 1.181 acres with only one additional household unit. The subdivision is located at the southwest corner of 4<sup>th</sup> Avenue West and Oak Street, which is southwest of the corner of Washington Street and Addison Avenue.

Code Section 10-12-3-11 requires a dedication of one acre of land per 100 units developed within a subdivision for the development of a neighborhood park. Therefore, this subdivision will require a dedication of 0.01 acre of park land. However, City Code Section 10-12-3-11(F) states that:

“The City Council may, at their discretion, approve and accept cash contributions in lieu of park land with improvements, which contributions shall be used for park land acquisition and/or park improvements within the boundaries of the arterial streets in which the development is located.”

Attached are the Parks in Lieu Contribution application and a map showing the location of the proposed subdivision. Using the 2012 Twin Falls County Assessor’s value of land, the price per acre is calculated at \$19,509.74 per acre, and using the in lieu of formula, the in lieu of payment is \$512.10.

Currently the closest neighborhood park is Drury Park, located approximately ¼ mile to the east. Since the park land dedication requirement from this subdivision is only .01 acres, staff supports the developer’s request for a Parks in lieu of contribution

Ordinance # 3034 allows developments meeting all five (5) criteria shall qualify for a 50% reduction on their cash contribution in lieu of dedication of park land. The five criteria are:

1. The number of household units must be 8 or less per acre, as identified on the preliminary plat.
2. Development shall be located within city limits.
3. Development shall not border an arterial street.
4. Development shall not border the city limits.
5. Development must not have been converted from agricultural land.

The Dunthorn Subdivision meets all five of the criteria, since the Dunthorn Subdivision qualifies for a 50% reduction of their cash contribution; the in lieu of contribution is reduced to \$256.05

**Approval Process:**

City Code 10-12-3-11 provides for the Council to approve a request to pay fees in lieu of park land dedication. A public hearing is not required. The Code does not require a recommendation from the Parks & Recreation Commission. However, staff has made it a policy to bring these in-lieu requests to the Commission for a recommendation. At their August 13<sup>th</sup> meeting, the Commission unanimously recommended approval of the request.

**Budget Impact:**

The developer has submitted the 2012 Twin Falls County Assessor's value for this property; the land is valued at \$19,509.74 per acre. The value of the land is added to the cost of developing an acre of park land (\$31,700), then multiplied by 0.01 to arrive at an in lieu payment amount of \$512.10, and with the subdivision qualifying for the 50% reduction, the in lieu payment is \$256.05.

**Regulatory Impact:**

Approval of this request will allow the applicant to proceed with the development of this property without park land dedication.

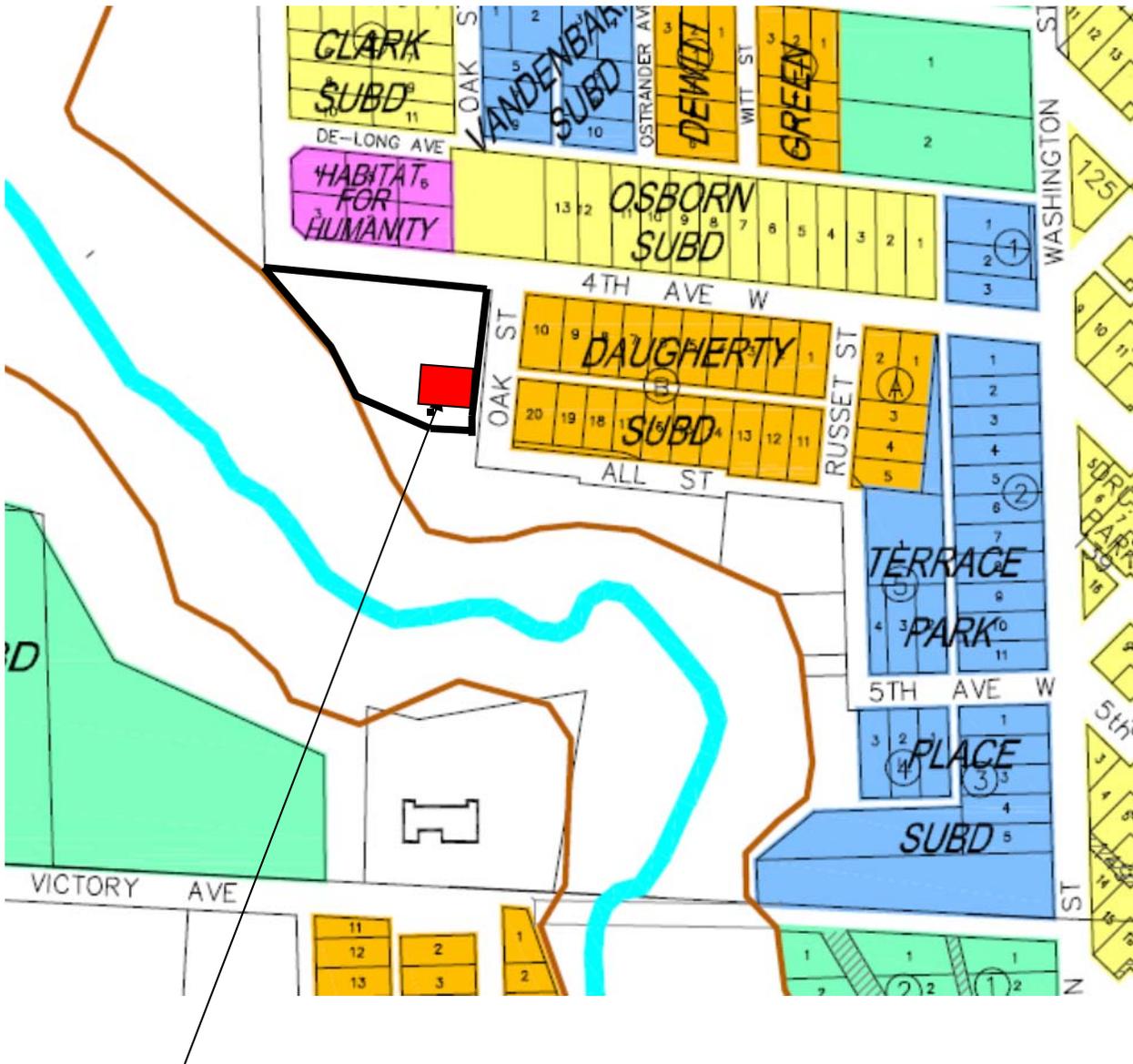
**Conclusion:**

The Parks & Recreation Commission recommends that the City Council accept the developer's request to pay fees in lieu of park land dedication as part of the park ordinance. Staff concurs with the recommendation.

**Attachments:**

1. Area Map
2. Parks In Lieu Contribution Application
3. Preliminary Plat
4. City Parks & Recreation Facilities Map

↑ North



Lot #3 of the Dunthorn Subdivision, the one additional household unit

PARKS IN LIEU CONTRIBUTION APPLICATION

Subdivision Name: Dunthorn Subdivision  
 Number of Dwelling Units/acres: 1 / 1.181 Acres  
 Developer: Ray Perron  
 Address/phone#: 2468 Dorm Dr Twin Falls - 208-734-7700

Appraiser: Twin Falls County Assessor  
 Address/phone #: 208-734-4008

The following items shall be included with the parks in lieu contribution submittal prior to acceptance by the City Administrator. It is the responsibility of the developer to see that all required information is submitted to the city at the time of the application. Please read the application and decide which process you are going to use. The City of Twin Falls allows three different requests. Please mark an X by the method used.

Have you talked to the parks department about the requirements?

- X Enclosed is a copy of the appraiser's value for the land.
- N/A Enclosed copy of a bid/material costs to construct walking path/bike trail.

I am requesting an in lieu of contribution in concept only. Will present final values at the time of the final plat application for approval.

I am requesting an in lieu of contribution without walking/bicycle trails, using the following formula:

- a. Determine the per acre appraised value of the land in the development. (L)  
 (See 10-12-3-11(F).), Appraisal value: (L) \$19,509.74
- b. The current park development cost is \$31,700 per acre. (P)
- c. Total the number of household units in the development. (H) 1

**Note:** Lots large enough for multi-family units will require a certification and supporting covenants addressing the developer's intent relative to the requirement for single family dwellings.

- d. Use the contribution (C) formula:  $C = (L+P)(H)(.01)$   
 $C = (19,509.74 + 31,700)(1)(.01) = 512.10$   
*Qualifies for a full reduction of 50%*  
**Contribution Amount to be approved:** \$256.05

I am requesting an in Lieu of contribution with walking/bicycle trails, using the following formula;

- a. Determine the per acre appraised value of the land in the development. (L)  
 (See 10-12-3-11(F).)
- b. The current park development cost is \$31,700 per acre. (P)
- c. Total the number of household units in the development. (H) \_\_\_\_\_

**Note:** Lots large enough for multi-family units will require a certification and supporting covenants addressing the developer's intent relative to the requirement for single family dwellings.

d. Use the following formula:

Land contribution portion:

- i. Appraisal value: (L) \_\_\_\_\_
- ii. Development costs for the walking/bicycle trail.
  1. Cost of land underneath the trail per square foot:  
(A) \_\_\_\_\_
  2. Cost to develop the trail per square foot:  
(B) \_\_\_\_\_
  3. Trail cost = (A + B) (total trail square footage):  
Trail cost \_\_\_\_\_
  4. Land portion = (L)(H)(0.01) - (Trail cost):  
**Land portion** \_\_\_\_\_

**Note:** Land portion cannot be less than 50% of (L)(H)(0.01).

**Park improvement portion** = (31,700) (H) (.01): \_\_\_\_\_

Land portion + park improvement portion = \_\_\_\_\_

**Contribution amount to be approved:** \_\_\_\_\_

**In lieu of contribution must be made prior to final plat recordation.**







**Date:** Monday, August 19, 2013 City Council Meeting

**To:** Honorable Mayor and City Council

**From:** Dennis J. Bowyer, Parks & Recreation Director

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**Request:**

A presentation of funds from the YMCA and the Magic Valley K9 Social Club for the development of Baxter's Park.

**Time Estimate:**

Gary Ettenger, CEO for the YMCA will make the presentation. It will take approximately 5 minutes. Following the presentation, we expect some time for questions and answers.

**Background:**

The Magic Valley K9 Social Club (MVK9SC) has been raising funds for the City's first dog park the past year. The MVK9SC was contacted by the YMCA to see if they could help to raise funds for Baxter's Park. The two entities along with City staff coordinated a 5K run/walk for humans and dogs (The Fast and the Furriest Fun Run) and an event at City Park that was called "A Day for the Dogs". This event was held on Saturday June 29<sup>th</sup>. Some of the events were a: pet look-alike contest, pet tricks contest, dog agility course, and a special appearance and book signing by Dr. Marty Becker "American's Veterinarian". Dr. Marty Becker is a former residence of Twin Falls.

At City Park on the same day, KMVT hosted a Fitness and Wellness Expo that generated a tremendous amount of foot traffic.

The Fast and the Furriest 5K fun run and the "Day for the Dogs" event raised approximately \$1650 toward Baxter's Park. So far, MVK9SC has raised over \$60,000 for Baxter's Park.

City's crew has started to work on the development of the park. The irrigation system will be installed in the next month, the fencing will be the next step, and then the seeding will take place. The goal is to have a grand opening/ribbon cutting for the park next June or so.

**Approval Process:**

There is no approval process associated with this presentation.

**Budget Impact:**

There is no immediate budget impact associated with this presentation. The funds raised by the MVK9SC for the dog park are being channeled to the Twin Falls Community Foundation.

**Regulatory Impact:**

There is no regulatory impact associated with this presentation.

**Conclusion:**

This is a presentation by the YMCA. No action is necessary.

**Attachments:**

None



**Date:** MONDAY, August 19, 2013  
**To:** Honorable Mayor and City Council  
**From:** Mitch Humble, Community Development Director

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**ITEM**

**REQUEST:**

Consideration of adoption of one (1) ordinance for vacation of property located between Lot 1 and Lot 14, Block 14, of the Canyon Trails Subdivision No. 5.

**TIME ESTIMATE:**

Staff presentation will be approximately five (5) minutes.

**APPROVAL PROCESS:**

**Vacation:**

City Code: 10-16-1: PETITION PROCEDURE:

(F) Action by Council: The Council, prior to approving, modifying or denying the vacation, shall conduct a public hearing using the same notice and hearing procedures as the Commission. Whenever public rights of way or lands are vacated, the COUNCIL SHALL PROVIDE adjacent property owners with a QUIT CLAIM DEED for the vacated rights of way in such proportions as are prescribed by law.

Idaho Code: 50-1324(2)

**BUDGET IMPACT:**

Approval of this request will not impact the City budget.

**REGULATORY IMPACT:**

The Council's adoption of the ordinance will allow for the vacation of public right-of-way which will allow for the property owner to develop the site.

**HISTORY:**

On April 9, 2013 the Commission held a public hearing on the 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 which was unanimously approved 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

On May 6, 2013 the 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 was unanimously approved by the City Council as presented subject to the conditions as recommended by the Commission.

**CONCLUSION:**

Staff recommends that the Council adopt the attached ordinance as submitted which will allow the developer/engineer to redevelop the site.

**ATTACHMENTS:**

- |     |                                 |     |                      |
|-----|---------------------------------|-----|----------------------|
| 1 . | Proposed Ordinance              | 3 . | GIS Map              |
| 2 . | Canyon Trails Subdivision No. 5 | 4 . | City Subdivision Map |

**ORDINANCE NO. 3054**

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, VACATING THE REAL PROPERTY DESCRIBED BELOW AND PROVIDING FOR VESTING OF TITLE TO THE PROPERTY SO VACATED.

WHEREAS, **CANYON PROPERTIES, LLC, C/O GARY N. NELSON** has made application for vacation of property located between Lot 1 and Lot 14, Block 14, of the Canyon Trails Subdivision No. 5 in the City of Twin Falls; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 9th day of April, 2013, to consider the vacation of the real property below described; and,

WHEREAS, the City Planning and Zoning Commission has made recommendations to the City Council for the City of Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 6th day of May, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

SECTION 1. That the following described real property be and the same is hereby VACATED:

**SEE ATTACHMENT "A"**

SECTION 2. That title to the real property by this Ordinance vacated be divided among the adjoining property owners in the portions here below described to the persons named below:

NAME: Canyon Properties LLC, c/o Gary N. Nelson  
ADDRESS: P.O. Box 6004, Twin Falls, Idaho 83303

PROPERTY: See Attachment **"A"**

SECTION 3. That the City Clerk immediately upon the passage and publication of this Ordinance as required by law certify a copy of the same and deliver said certified copy to the County Recorder's Office for indexing and recording, in the same manner as other instruments affecting the title to real property, as required by Idaho Code 50-1324(2).

PASSED BY THE CITY COUNCIL

August 19, 2013

SIGNED BY THE MAYOR

August 19, 2013

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Mayor

ATTEST:

---

Deputy City Clerk

PUBLISH:

ATTACHMENT "A"

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.





NORTHERN SKY DR

LOS LAGOS

ALVARADO ST

CANYON RIM DR

BLUE SKY LN

BLAKE ST

AVENIDA DEL RIO DR

TALUS LOOP

CANYON TRAIL WAY

SUNNY TRAIL WAY

ARROWHEAD PATH

SETTEPERS LN

SHADE TREE TRL

PIONEER PATH

HIDDEN TRAIL LN

FALLING LEAF LN

PARK VIEW DR

PARK VIEW DR

SBLWAY ST

SHADE TREE TRL

PIONEER PATH

HIDDEN TRAIL LN

CANYON CREST DR W

FALLING LEAF LN

NORTH HAVEN DRIVE

PARK VIEW DR

PROSPECTOR WAY

RED ROCK WAY

LOCHSA RD

CAYUSE ST

LOLO RD

COLUMBIA DR

PRONGHORN DR

GRIZZLY DR

WHITETAIL DR

BIGHORN DR

KODIAK DR

MOOSE DR

POLE LINE RD W

KAMIAH RD

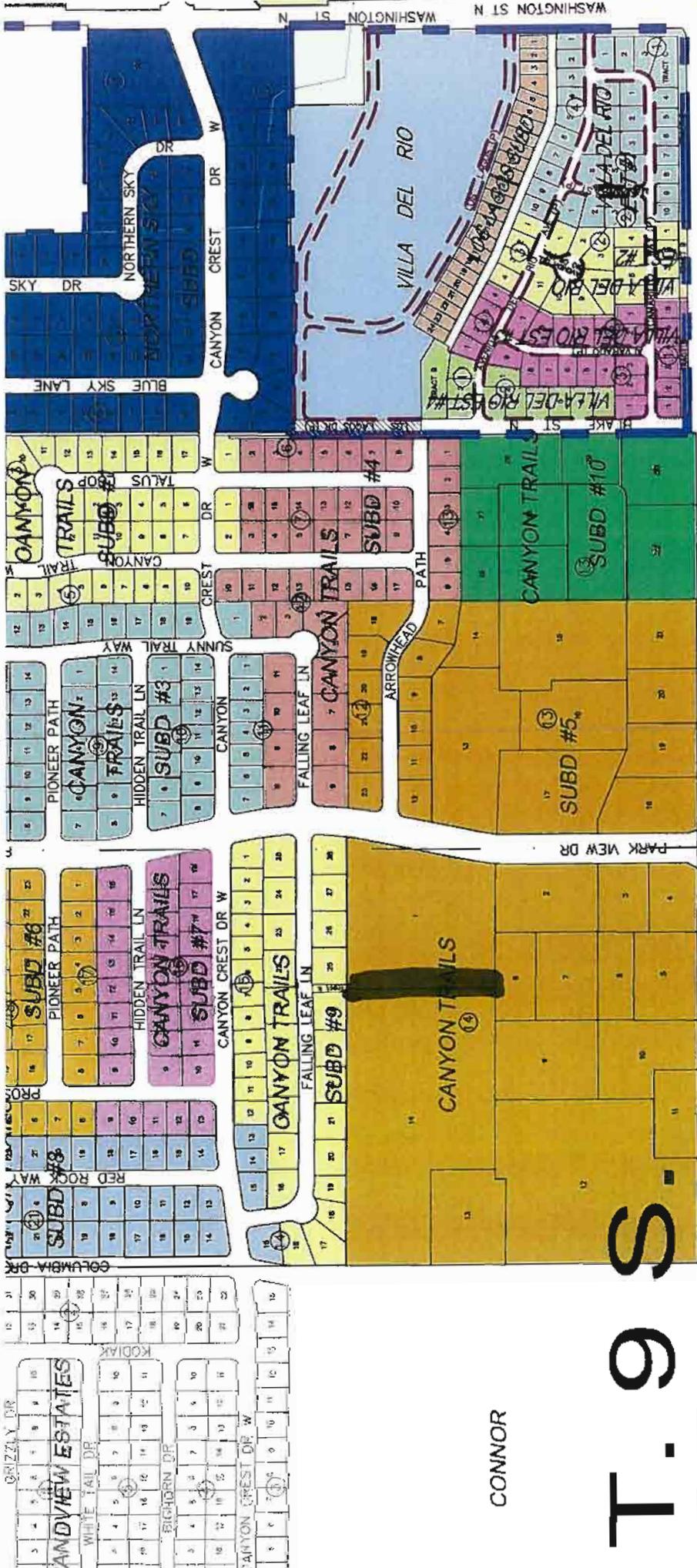
FEDERATION RD

LOLO RD

GRANDVIEW DR N

GRANDVIEW DR N

POLE LINE RD W



T. 9 S.

T. 10 S.

POLE LINE RD W

POLE LINE RD W

CONOR



**Date:** August 19, 2013 City Council Meeting

**To:** Honorable Mayor Lanting and City Council Members

**From:** Lorie Race, CFO

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**Request:**

This is a request for Council consideration to adopt Resolution #1907, following the public hearing held on Monday, August 5, 2013, to increase sewer fees.

**Time Estimate:**

This item should take 3-5 minutes, plus any additional time for questions from City Council.

**Background:**

On May 21, 2013, the citizens of the City of Twin Falls voted and approved a \$38 million revenue bond for improvements at the wastewater treatment plant and the wastewater collection lines. Debt in the Wastewater Fund is estimated to increase by approximately \$2.12 million, and a 27% increase in rates is needed to cover this new debt.

The current maximum sewer rate for residential customers is \$19.29 per month. The 27% rate adjustment will increase this by \$5.21 to \$24.50 per month. The effect on other users is dependent on the metered water use each month.

**Budget Impact:**

The Fiscal Year 2013-2014 budget contains the anticipated revenues that would be generated by increasing sewer rates 27%. The revenue will go towards the new debt service.

**Regulatory Impact:**

There is no regulatory impact.

**Conclusion:**

Staff recommends that the Council adopt the new utility rate resolution, effective October 1, 2013.

**Attachments:**

1. Utility Rate Resolution #1907

**RESOLUTION NO. 1907**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ESTABLISHING SEWER CONNECTION FEES AND USER CHARGES; ESTABLISHING WATER CONNECTION FEES AND USER CHARGES; ESTABLISHING PRESSURE IRRIGATION FEES; PROVIDING FOR COMMERCIAL CLASS USER RELIEF; ESTABLISHING GARBAGE AND RUBBISH COLLECTION FEES; PROVIDING FOR A POLICY ON DELINQUENT ACCOUNTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. WASTEWATER CONNECTION FEES: That the following fees to be paid for connection to the Wastewater Collection and Treatment System shall be, and the same are hereby established:

A. General Permit: The fee for processing the application shall be Fifteen Dollars (\$15.00).

B. Industrial Permit: The fee for processing the application shall be established by the City Council at the time of such application.

C. Municipal Permit: The fee for processing the application shall be established by the City Council at the time of such application.

D. Standard Connection: The assessment for construction of a standard sewer connection four inches (4") in diameter and fifty feet (50') or less in length shall be Five Hundred Fifty Dollars (\$550.00) per connection. The assessment may be paid over a 20-year period by monthly payment after execution of a payment contract provided by the City. The annual interest rate for paying connection assessments on a monthly basis shall be six percent (6%) compounded on the unpaid balance.

F. Capacity Fees: The following capacity fees are to be paid for connection to the Wastewater Treatment System:

Single Family Residence	\$453.00
Duplexes, per dwelling unit	\$361.00
Mobile Home Parks, per dwelling unit	\$268.00
Apartments, per dwelling unit	\$361.00

Commercial, Institution, and Industrial capacity fees are priced based on annual flows and strengths using the following table:

Flow, per 1,000 gallons	\$3.018
Biological Oxygen Demand (BOD), per pound	\$1.200
Total Suspended Solids (TSS), per pound	\$1.218

SECTION 2. WASTEWATER USER CHARGES: That the following user classification and charges to be paid by each City resident user for use of the wastewater collection and treatment system shall be, and the same are hereby established.

A. Group I - Residential (User Code 100): This class of users includes all single-family dwelling units. The monthly fee for this class of users shall be \$20.236 for the use of the collection and treatment system, and \$.532 per thousand gallons of metered water usage for the first 8,000 gallons used each month.

B. Group I - Residential (User Code 102): This class of users includes all multi-family dwelling units including duplexes, apartments, and mobile home parks. The monthly fee for this class of users shall be \$16.405 for each dwelling unit, for the use of the collection and treatment system, and there shall be added to each user account a capital construction fee of \$1.977 per month.

C. Group II - Commercial (User Code 200): This class of user includes office buildings, hotels/motels (without restaurants), retail and wholesale (non-food), warehousing and light manufacturing, bars (without restaurants), car washes, laundromats, repair shops and gas stations. The monthly fee for this class of users shall be \$20.236 for use of the collection and treatment system, and \$1.307 per 1,000 gallons of metered water used each month.

D. Group III - Commercial (User Code 300): This class of users includes hotels/motels (with restaurants), markets (including meat and produce), restaurants, bakeries (wholesale) and mortuaries. The monthly fee for this class of user shall be \$20.236 for use of the collection and treatment system, and \$2.873 per 1,000 gallons of metered water used each month.

E. Group IV - Institutional: This class of users includes churches, hospitals, convalescent hospitals, elementary schools, high schools and colleges. With the exception of elementary and other public schools, the monthly fee for this class of users shall be \$20.236 for use of the collection and treatment systems, and \$1.339 per 1,000 gallons of metered water used each month.

Elementary schools shall pay \$.319 per pupil per month during the school year, but not less than \$20.236 per month. Other schools shall pay \$0.578 per pupil per month during the school year, but not less than \$20.236. For billing purposes, the student enrollment on the first day of the school year shall be used to calculate the bill for the ensuing school year.

F. Wastewater Flow Measuring Device: Any Group II, III, or IV commercial user whose charge is based on water meter readings may install a wastewater flow measuring device or separate water meter as approved by the Public Works Director, at the user's expense, if the water meter readings are not representative of the wastewater flow.

The Wastewater Superintendent may require a wastewater system user to install a flow-measuring device in the building sewer or water meter if all or part of the water supply to the building comes from an unmetered source. The user shall operate and maintain such device in proper operating condition. The standard group user rate shall be applied to the measured flow.

G. Group V - Industrial (User Code 500): This class of users includes all large volume and industrial process waste dischargers. The monthly fee for this class of users shall be in accordance with the Industrial User Agreement, entered into by each industrial user with the City of Twin Falls for the use of the wastewater system. (The City of Twin Falls may negotiate sewer rates on a contractual basis with major industrial customers.)

The monthly fee for this class of user shall be \$20.236 for the use of the collection and treatment system, and a metered flow and measured strength charge determined using the following rate table:

Flow, per 1,000 gallons	\$ .532
Biological Oxygen Demand (BOD), per pound	\$.236
Total Suspended Solids (TSS), per pound	\$.231

H. Group VI - City of Kimberly (User Code 600): The City of Kimberly shall pay in accordance with the municipal User Agreement entered into by the City of Kimberly with the City of Twin Falls.

The monthly fee for this class of user shall be \$20.236 for the use of the collection and treatment system, and a metered flow and measured strength charge determined using the following rate table, plus a capital recovery charge of \$920.37:

Flow, per 1,000 gallons	\$ .532
Biological Oxygen Demand (BOD), per pound	\$.236
Total Suspended Solids (TSS), per pound	\$.231

**SECTION 3. WATER CONNECTION FEES:** That the following fees to be paid for connection to the Water Supply and Distribution System shall be, and the same are hereby established. These fees shall be adjusted annually, based upon the fluctuation of the Municipal Cost Index, as published by the American Cities and Counties magazine. The reference index number for the fees established by this resolution is 131.0, as shown in the February 1993 issue of the American Cities and Counties magazine.

A. General Permit: The standard size tapping connections and the fee for processing the application, tapping the public water line and constructing the meter and box shall be as follows:

Connection Size	Permit Fee
1 inch, standard meter	\$412.00
1 inch, radio-read	\$594.00
1 ½ inch, radio-read	\$912.00
2 inch, radio-read	\$942.00
4 inch, radio-read	\$4,751.00

B. Fire Permit: The standard sizes and the fee for processing the application and tapping the public water line shall be as follows:

Connection Size	Permit Fee
4 inch	\$1,118.00
6 inch	\$1,265.00
8 inch	\$1,689.00
10 inch	\$2,388.00
12 inch	\$3,688.00

C. Service Line: The fee for the City to construct all or any portion of a standard connection size service line, fifty (50) foot or less in length shall be as follows:

For connections not located in a subdivision	
Connection Size	Service Line Fee
1 inch	\$642.00
1 inch radio read	\$646.00
1 ½ inch	\$689.00
2 inch	\$749.00
4 inch	\$872.00

D. Fire Line: The City of Twin Falls no longer constructs fire line.

E. Commercial Sewer Relief Meter: The City of Twin Falls no longer provides this service.

F. Nonstandard Permit: The fee for a larger than standard sizes must be approved by the City Engineer. Once approved, the fee for a larger than standard size permit shall be determined by the City Engineer.

G. Nonstandard Service: The fee for the City to construct all or any portion of a non-standard size service line shall be determined by the City Engineer.

H. Rock Excavation: The above fees do not include any rock excavation that may be required. The actual cost of any rock excavation, as determined by the Water Superintendent, shall be paid in addition to any other fees and charges.

I. Incidental Costs: The above fees do not include incidental costs such as trenching and traffic control. The actual cost of any incidental charges, as determined by the Water Superintendent, shall be paid in addition to any other fees and charges.

J. Meter Turn-on Service Fee (new service): The fee for processing the application and turning on water at existing meter shall be \$10.00 each time the water is turned on.

K. Service Fee (repairs): The fee for responding to an afterhours service call, which involves either turning off or turning on the water, shall be \$80.00. Said fee shall not be charged to customers closing accounts. An emergency allowance may be granted by the City Manager or his designee.

L. Water Meter Removal Fine: The fine charged for removal of a water meter when the City finds that a meter which has been turned off or on without the City's authorization, shall be \$200.00.

**SECTION 4. WATER USER CHARGES:** That the following charges to be paid by each City resident user for use of the Water Supply and Distribution System shall be, and the same are hereby established as follows:

- A. User Charge: All users shall pay each month for the water supplied through their water meter. (The City of Twin Falls may negotiate water rates on a contractual basis with major industrial customers.)

The base fee shall be \$10.526, which includes up to the first 2,000 gallons of water. The charges per thousand (1,000) gallons of water supplied over 2,000 gallons shall be as follows:

Gallons Supplied	Additional Charge per 1,000 gallons
3,000 to 150,000	\$1.671
151,000 to 10,000,000	\$.755
10,001,000 and above	\$.574

B. Water rates for all mobile home parks, trailer parks, trailer and tourist camps shall be charged in accordance with the standard individual residence rates as set forth by the City, provided, however, that every two spaces for living unit parking shall be defined as the equivalent of one individual residence.

C. Each active water user shall pay each month an additional fee of \$10.75 for the annual debt service payment for the revenue bonds which financed the federally mandated arsenic compliance project.

**SECTION 5. PRESSURIZED IRRIGATION FEES:** That the following fees to be paid for connection to the Pressurized Irrigation System shall be, and the same are hereby established:

A. Processing Fee: There is no additional processing fee for utility customers with potable water service, but an additional monthly processing fee of \$6.12 will be assessed to any customer with only pressurized irrigation service.

B. Residential property: The monthly fee for residential property shall be computed based upon the full platted lot size, in square feet, at the rate of \$0.001940710 per square foot. This fee represents the total annual cost of service, divided into twelve monthly payments. The monthly fee for residential properties no longer receiving "shoulder water" shall be computed based upon the full platted lot size, in square feet, at the rate of \$0.001649603 per square foot. This fee represents the total annual cost of service, divided into twelve monthly payments.

C. Commercial property: The monthly fee for commercial property shall be computed based upon twenty percent (20%) of the full platted lot size, in square feet, at the established rate of \$0.001940710 per square foot. This fee represents the total annual cost of service, divided into twelve monthly payments.

SECTION 6. COMMERCIAL CLASS-USER RELIEF: Any commercial class user may request of the City Manager relief from his sewer billing rate. Relief shall be granted if the City Manager is satisfied that the user's billing rate has been increased due to irrigation water use only. The relief adjustment shall be the difference between the user's monthly charges from November 1st through April 30th and May 1st through October 31st, as determined by a review of the preceding twelve calendar months. The amount of the relief shall be the amount by which the user's sewer rate for the period of May 1st through October 31st exceeds the user's sewer rate for the period November 1st through April 30th. If the City Manager is satisfied that the requested adjustment is in order, a cash refund shall be made. Any commercial or non-commercial user may appeal the decision of the City Manager to the City Council, and the Council shall make a final determination of the matter at a regularly scheduled Council meeting. Any application for relief must be made within six (6) months following the year for which the application is made.

SECTION 7. GARBAGE AND RUBBISH COLLECTION FEES: That the following garbage and rubbish collection fees are, and the same are hereby established:

A. Single Family Residential: The collection rate for each single-family residential dwelling shall be \$16.99 per month, unless qualified for the "one-can" rate, which shall be \$9.10 per month. Effective October 1, 2005 the "one-can" rate will not be offered to any additional customer; however, the 76 customers currently qualified and using this rate may continue at this rate so long as they remain qualified.

B. Multi-Dwellings: The collection rate for multi-dwellings (IE: duplexes, triplexes, four-plexus, etc.) shall be \$16.99 per month for each residential unit in said multi-dwelling.

SECTION 8. RENTER DEPOSIT: That the City shall charge a \$75.00 renter deposit to renters wishing to establish water, sewer and/or sanitation accounts in their own names rather than their landlord's name. This \$75.00 deposit may be refunded or applied to the balance of the account at the time the account is closed or one year from the date of payment of said deposit if the account is, in the opinion of the Finance Director, in good standing. The Finance Director is hereby authorized to set standards by which the status of an account is evaluated for the purpose of determining if a refund is appropriate.

Deposits may be refunded or applied upon request under the above conditions and only if the renter has remained at the same address for the aforementioned one year period.

SECTION 9. DELINQUENT ACCOUNTS: The unpaid balance on utility and sanitation accounts shall be considered delinquent 30 days after the date identified on the billing. Interest shall be charged on the unpaid balance commencing with the first day of delinquency at the rate of 12% per annum (1% per month) subject to a minimum charge of 50¢. After 30 days of delinquency, accounts shall be notified by mail that service will be discontinued unless full payment is made within a period of seven calendar days from date of mailing. The City Manager or his designated representative may enter into a payment agreement with a customer, if the customer can establish an unusual financial hardship, which has resulted in the delinquency. Interest charges shall be applied to the delinquent balance during the term of the agreement. Any breach of the payment agreement shall be grounds for termination of service without any further notification. Service fees, as established in Section 3 of this resolution, shall be applied to all accounts when service is discontinued for lack of payment.

SECTION 10. RETURNED CHECK FEES: The service fee for returned checks, non-sufficient funds debit cards, non-sufficient funds automatic withdrawals, etc, shall be the maximum prescribed by law at \$20.00 per occurrence.

SECTION 11. EFFECTIVE DATE: This resolution shall be effective October 1, 2013. Industrial and municipal wastewater user charges that are established by separate agreements shall remain as specified in said agreements.

SECTION 12. REPEAL OF PRIOR RESOLUTIONS: All prior resolutions establishing utility rates or portions thereof, inconsistent with the provisions of this resolution are hereby repealed.

PASSED BY THE CITY COUNCIL,  
SIGNED BY THE MAYOR,

August 19, 2013  
August 19, 2013

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Mayor Greg Lanting

ATTEST:

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Deputy City Clerk



**Date:** Monday, August 19, 2013  
**To:** Honorable Mayor and City Council  
**From:** Travis Rothweiler, City Manager

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#### **Request:**

A public hearing on the FY 2014 Budget for the City of Twin Falls.

Adoption of an Ordinance of the City of Twin Falls adopting the appropriations ordinance for the FY 2014 Fiscal Year, beginning on October 1, 2013 and ending on September 30, 2014.

#### **Time Estimate:**

City Staff will provide a brief presentation. The staff presentation will take approximately 10 minutes. Citizen's thoughts, comments and suggestions are a welcome part of the process. Additional time may be needed to address and/or respond to questions and suggestions offered by citizens of Twin Falls and members of the Twin Falls City Council.

#### **Background:**

On August 5, 2013 the City Council adopted the tentative budget for FY 2014; setting the maximum expenditure amount at \$52,937,917.

The FY 2014 budget is directly linked to the City of Twin Falls' 2030 Strategic Plan, which provides a series of pathways that will allow the City to realize its mission and the newly established 2030 vision. The budget recommends maintaining service levels designed to protect our citizen's health, safety, and welfare. It funds projects and initiatives designed to enhance our citizen's quality of life. It continues our reputation for being a strong, fiscally-sound municipal government. It is a financial plan that will move our City toward achieving the newly established strategic vision within constraints of available resources. The proposed budget is balanced and in accordance with the state law and Government Finance Officers' Association (GFOA) best practices.

Continuation of sound financial and operational philosophies has guided the development of this proposed budget. By definition, preparation of any budget is the allocation of scarce resources. There will always be more needs than available funds, so the challenge is to ensure that available resources are dedicated to the community and City Council's highest priorities.

The budget building process includes four key components:

- Determination of program and service plan based on the prioritization of the majority of citizens
- Determination of the value and cost of each service based on the level of service needed and/or desired by our citizens
- Determination of optimal service delivery methods based on value to ensure efficient, effective delivery of the services our citizens expect
- Determination of the scope and value of government in relation to the availability of revenue for the City

The goal is to best align services delivered with the needs identified as priorities by the community. The reality of any budget is that it consists of a collection of purchasing decisions. The City of Twin Falls was looking for an innovative and intuitive approach that would engage our citizens, stakeholders and employees in the budgeting process, which, in turn, could lead to the transformation of our government. After reviewing many different processes, we found "Budgeting for Outcomes."

Budgeting for Outcomes approach allowed us to make our budgeting process more robust, complete and inclusive. Instead of starting with the previous year's budget and justifying increases or cuts from that budget, we begin our discussion by reflecting on our performance in the prior fiscal year and the strategic planning goals for the upcoming fiscal year. We allocate funds needed to realize intended outcomes/results. This model also allowed us to link our recently completed 2030 Strategic Plan with the budget.

The budgeting for outcomes concepts allows us to: Better Engage Our Citizens; Transform Our Government; Engage Our Employees, and; Bring Common Sense to Our Budget and Budgeting Process.

The FY 2014 budget was developed from the conversations with Twin Falls citizens, City Council members, input from department leaders, review of the City's strategic plan, and the City's long-term plan. The FY 2014 budget sets forth the City's financial plan for the upcoming fiscal year, and allocates resources accordingly. The total citywide budget, which encompasses both operating and capital improvements funds is \$52,937,917 and represents an increase of \$3,683,439 million from the previous year's budget. Total authorized positions citywide equal 274 full-time equivalents (FTE) and represent an increase of 9 FTE from the previous year's budget. Budget concepts and funding strategies grew out of many internal conversations, public informational listening sessions and planning meetings. Five primary focus areas were developed. Those areas are:

Implement 2030 City of Twin Falls Strategic Planning goals and objectives to realize outcomes – Several of the Ongoing and Priority 1 goals and objectives that are expressed in the City of Twin Falls 2030 Strategic Plan receive funding in the FY 2014 Budget. The specific items are delineated in the City Manager's message and in the individual department's narratives.

Limit Tax Collections and Corresponding Revenues – The recommended budget is balanced with a state statutorily 3% increase and by incorporating the growth formula. It does not require the use of any of the City's foregone balance, which is \$1,478,577.

Continue with Phase II of the City's Compensation Strategy – This budget includes funding to adjust the City's salary table by 2.0%, makes adjustments to assist with wage compression in all departments including public safety, and provides an across-the-board adjustment of 3.5% for all employees who meet minimum job performance standards. A 2.0% adjustment to the salary table does not constitute a 2.0% compensation adjustment for all employees. Employees that are below market wage for their position will receive the larger increases, while those above the market wage will receive little to no adjustment associated with moving the salary table. Health insurance benefit levels remain unchanged.

Develop Funding Solutions for Infrastructure Systems and Enhance Water Redundancy – The recommended budget for FY 2014 provides increased funding for maintenance and planning activities in the City's Street, Water and Waste Water funds.

Streets Fund – We are recommending increased funding for road maintenance activities from \$995,000 to \$1,015,000, which represents an increase of \$20,000 or 2.0%.

Additionally, the street fund has allocations made to complete miscellaneous road projects such as ADA ramps, storm drains, valley gutters, culverts, etc. (\$692,840), Eastland South Reconstruction (\$500,000), Orchard Reconstruct (\$400,000), and L-HTAC Projects designed to illuminate the Pole Line and Eastland intersection and provide a signal at the Addison and Carriage intersection (\$614,000).

Water Fund – We are recommending increased funding levels for both line maintenance and system planning activities. In the Water Fund, we are recommending funding for the acquisition of real property to be used as a future well site (\$350,000), the replacement of pumps at the Blue Lakes well field (\$800,000), and upgrades to water mainlines (\$350,000).

Waste Water Fund – We are recommending funding for the Auger Falls effluent project (\$100,000), the sewer line collection system modeling (\$200,000), industrial sludge tank construction (\$400,000), and upgrades to sewer mainlines (\$350,000).

Continue to Pursue Innovative Strategies and Find More Effective Outcomes – In our continued pursuit of excellence, we will continue to review our processes beyond the budget conversations. This budget allocates funding to implement the City's new strategic planning objectives, update water and waste water facility master plans, and update development and implement a performance measurement and management system as developed by the International City Management Association's Center for Performance Measurement.

### **2014 Fiscal Year Budget Summary & Overview**

The total recommended net budget for FY 2014 is \$52,937,917, an increase of \$3,683,439, or 7.48% compared to the 2013 fiscal year adopted net budget.

Of the total recommended FY 2014 budget, \$31,416,419 is from the Government Funds and \$21,521,498 is in the non-tax supported funds. In 2013, the City appropriated \$29,536,459 in the Government Fund and \$19,718,019 in the non-tax supported funds.

The FY 2014 Budget is fiscally conservative, stable and sustainable. We are able to maintain a competitive tax rate and user fees. This budget provides funding for an essential, slightly larger staff, and estimated operational cost and funds capital needs received the highest priority. When compared to FY 2013, the recommended budget for FY 2014 has some noteworthy changes. Those changes are the following:

- Total personnel cost will increase from \$20,153,852 in FY 13 to \$21,113,423, or by \$959,571 or 4.8%. The recommended FY 2014 budget implements the second of a three-phase plan designed to create a more competitive compensation model. Like last fiscal year, this budget proposes a movement of the salary table (2%), continuation of the compression-ratio adjustment process, and provides an average performance-based adjustment of 3.5% to competent or better employees.
- Overall operating costs are projected to increase from \$14,871,208 to \$15,588,479 or by \$717,271 or 4.8%. The most significant increases are anticipated electrical costs and professional service contracts to assist the City staff meet increased workload obligations without adding long-term obligations of full-time employees.
- Total funding for capital improvements and acquisitions are scheduled to increase from \$10,011,690 to \$10,189,838, or by \$178,148 or 1.8%. This does not include any work associated with the \$2.1 million Cheney Drive Project or \$38 million improvements to the City's waste water treatment plant and collection system that are scheduled to begin in this fiscal year.

### **Property Tax Overview & Analysis**

For the first time in three years, the City's total taxable value, or tax base, increased. The increase in the taxable value can be attributed to several factors: decrease in the maximum homeowner's exemption and an increase associated with new growth and construction. For 2014, the total taxable value of the City is \$2,335,649,471, or an increase of \$183,594,257, compared to 2013's total taxable value of \$2,152,055,214. The total taxable value for the upcoming calendar year is higher than the taxable value of calendar year 2009, which was \$2,331,983,468 and represented the previous high.

For FY 2014, the City of Twin Falls relies on property taxes to raise 55% of the net revenue needed to support municipal operations in the Government-Type Funds. The FY 2014 budget is balanced with an estimated property tax rate of \$7.40 per \$1,000 of taxable value. The FY 2014 budget incorporates the revenues received from the statutorily allowed three-percent (3%) and new construction value into the revenue stream. It does not require the

use of any portion of the City's foregone balance, which is \$1,478,577. We anticipate total property tax collections for FY 2014 to be \$17,286,791, an increase of \$685,850 compared to FY 2013's collections of \$16,600,941.

### **Water Fund – Revenues and Expenditures**

The Water Fund supports the following water-related activities: water supply, water distribution, pressurized irrigation, and utility billing. To support each of these functions in FY 2014, we are recommending total system expenditures in the amount of \$9,786,385, an increase of \$685,162 or 7.53% when compared to the total allocation of \$9,101,223 in FY 2013. The FY 2014 recommended budget for the Water Fund calls for a 4% rate increase in the water operations and a \$0.40/month decrease in the assessed arsenic fee. The net increase to the average water user, defined as a user who consumes 18,000 gallons per month, is 2.2%, or \$12.40 annually (\$1.03 per month).

### **Sewer Fund – Revenues and Expenditures**

The sewer system is also a vital, critical component of a *Healthy Community*. The Sewer Fund is used to support all waste water services provided by the City of Twin Falls, namely waste water collections and waste water treatment. For FY 2014, the budget calls for the collection of \$9,339,189 in total waste water revenues, which is an increase of \$2,008,697 when compared to the FY 2013 Sewer Fund budgeted revenues of \$7,330,492.

For FY 2014, staff is requesting a rate adjustment of 27% to the assessed rates. This increase equals an average increase of \$5.21 per month, or \$62.52 annually for an "average" residential user. An average user is one who typically produces 8,000 gallons per month of waste water. The driving factor causing the rate increase is the passage of the revenue bond which will cause an increased annual debt service by approximately \$2,121,000 and requires a rate adjustment of 27%. Increased costs associated with operations, namely increase in electrical and power, have been included without an additional adjustment to the waste water rate.

### **Sanitation Fund – Revenues and Expenditures**

The City's Sanitation Fund supports the City's sanitation and recycling program. The City of Twin Falls is the only City in the Magic Valley to offer its residents a curbside single stream recycling program. The program was started in 2011. Since the creation of the program, the City has diverted over 5,000 tons from entering into the regional landfill. Although we have seen a slight decrease in participation, the City's recycling program continues to meet and/or exceed initial expectations. It remains one of the highest rated services offered by the City.

Overall, we are recommending an increase of \$.46 per month, which equals a 2.79% increase to our customers. The rate adjustment is influenced by several factors: an increase of 1.3% requested by the City's contracted service provider (PSI, Inc.), increases in operational costs, and internal accounting adjustments associated with the reorganization of this department, namely the creation of the Code Enforcement division. PSI, Inc.'s rate adjustment request has been included in the City Manager's recommended budget and represents \$.13 per month of the total increase provided above.

### **Public Input and Transparency**

The City of Twin Falls strives to communicate, operate, function, and conduct the business of the people in an open and transparent manner. The City of Twin Falls has taken additional steps designed to illustrate our commitment to effective community involvement in the annual budget process. In April and May 2013, the City Council shared its priorities and helped staff develop the key drivers for the FY 2014 budget. The Council provided an opportunity for our citizens and stakeholders to communicate their thoughts about specific programs, strategic initiatives and priorities for the upcoming fiscal year prior to the more customary, internal staff conversations.

A summary presentation of the proposed budget has been placed on the City's website. Tonight, the City Council will adopt the appropriations ordinance for FY 2014.

### **Approval Process:**

Approving the Ordinance adopting the FY 2014 Budget requires a simple majority (50%+1) of the members in attendance at this meeting.

**Budget Impact:**

This is the appropriations ordinance for the 2013-2014 fiscal year.

**Regulatory Impact:**

Section 50-1003 of the Idaho Code states "...the city council of each city shall, prior to the commencement of each fiscal year, pass an ordinance to be termed the annual appropriation ordinance, which in no event shall be greater than the amount of the proposed budget, in which the corporate authorities may appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such corporation, not exceeding in the aggregate the amount of tax authorized to be levied during that year in addition to all other anticipated revenues."

**Conclusion:**

City Staff recommends the adoption of the budget for the 2013-2014 Fiscal Year.

**Attachments:**

1. Ordinance.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF TWIN FALLS, IDAHO, APPROPRIATING \$52,937,917 FOR THE 2014 FISCAL YEAR TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF TWIN FALLS; PROVIDING FOR THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT APPROPRIATED FOR EACH OBJECT OR PURPOSE; LEVYING AD VALOREM TAXES IN THE AMOUNT OF \$17,286,791 FOR THE 2014 FISCAL YEAR; PROVIDING THAT A COPY OF THIS ORDINANCE SHALL BE FILED WITH THE COUNTY COMMISSIONERS OF TWIN FALLS COUNTY, IDAHO AND WITH THE SECRETARY OF STATE OF THE STATE OF IDAHO; PROVIDING FOR THIS ORDINANCE TO TAKE EFFECT UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN SUSPENDED.

WHEREAS, the City has provided proper notice and held a public hearing on August 19, 2013 regarding the proposed budget for Fiscal Year 2014, and

WHEREAS, the City Council has reviewed the proposed budget and determined that the expenditures are necessary;

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

**Section 1:** That the appropriations and the amount appropriated for the fiscal year beginning October 1, 2013 through September 30, 2014 be set as follows for the objects and purposes as herein specified:

<u>Objects and Purposes</u>	<u>Amounts</u>
General Fund	\$ 20,502,113
Street Fund	\$ 5,192,485
Street Light Fund	\$ 427,272
Library Fund	\$ 1,752,045
Airport Fund	\$ 929,647
Capital Improvement Fund	\$ 1,891,855
Pool Fund	\$ 130,857
Fireworks Fund	\$ 8,000
Insurance Fund	\$ 386,207
Historic Pres Comm Fund	\$ 6,000
Airport Construction Fund	\$ 1,166,667
Waterworks Fund	\$ 8,760,042
Wastewater Fund	\$ 8,666,770
Comm Area Maint Fund	\$ 25,392
Sanitation Fund	\$ 2,271,690
Golf Fund	\$ 79,409
Dierkes/Shoshone Falls Fund	\$ 249,730
Shop Fund	\$ 372,760
Park Development Fund	\$ 3,282
<u>Seizures/Restitution Fund</u>	<u>\$ 115,694</u>
<b>Total Appropriations</b>	<b>\$ 52,937,917</b>

The amount listed under the General Fund includes the budgets for City Council, City Manager, Finance, Legal, P&Z, Code Enforcement, Economic Dev., Human Resources, Info. Services, Police, Fire, Inspection, Animal Control, Engineering, Parks and Recreation.

**Section 2:** That the City of Twin Falls hereby certifies a tax levy in an amount not to exceed \$17,286,791 on the taxable market value of all taxable property within the corporate limits of the City of Twin Falls, Twin Falls County, Idaho to provide revenue for the following purposes:

<b>Activity</b>	<b>Tax Amount Certified</b>
General Fund	\$ 13,424,833
Street Fund	\$ 1,525,045
Street Light Fund	\$ 127,247
Library Fund	\$ 1,517,545
Airport Fund	\$ 340,250
Capital Improvement Fund	\$ 191,370
Insurance Fund	\$ 160,501
<b>Total</b>	<b>\$ 17,286,791</b>

**Section 3:** That the City Clerk of the City of Twin Falls is hereby directed to file a copy of the Ordinance with the County Commissioners of Twin Falls, County, Idaho; and the Secretary of State, in accordance with Idaho Code 50-1003 and 50-1007.

**Section 4:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law, the rule requiring that an ordinance be read on three separate days having been suspended.

PASSED AND APPROVED UNDER SUSPENSION OF RULES this 19th day of August, 2013.

SIGNED BY THE MAYOR August 19, 2013. \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Deputy City Clerk

PUBLISH: \_\_\_\_\_