

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
					<i>Mayor</i>	
<i>Vice Mayor</i>						



AGENDA

Meeting of the Twin Falls City Council
 Monday, October 26, 2015
 City Council Chambers
 5:00 P.M. - 305 3rd Avenue East -Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

PROCLAMATIONS: No-Shave November - Twin Falls Police Department

GENERAL PUBLIC INPUT										
5:00 - AGENDA ITEMS										
I. <u>CONSENT CALENDAR:</u>	<u>Purpose:</u>	<u>By:</u>								
1. Consideration of a request to approve the Accounts Payable for October 20 – 26, 2015.	Action	Sharon Bryan								
2. Consideration of a request to approve the following City Council Minutes:	Action	Sharon Bryan								
<table border="0"> <tr> <td>May 18, 2015</td> <td>August 24, 2015</td> </tr> <tr> <td>June 15, 2015</td> <td>September 8, 2015</td> </tr> <tr> <td>July 13, 2015</td> <td>September 14, 2015</td> </tr> <tr> <td>August 10, 2015</td> <td>October 19, 2015</td> </tr> </table>	May 18, 2015	August 24, 2015	June 15, 2015	September 8, 2015	July 13, 2015	September 14, 2015	August 10, 2015	October 19, 2015		
May 18, 2015	August 24, 2015									
June 15, 2015	September 8, 2015									
July 13, 2015	September 14, 2015									
August 10, 2015	October 19, 2015									
3. Consideration of a request to approve the final plat of the Quail Ridge Estates Amended, 13.51 (+/-) acres with 7 lots and 1 Tract, located west of 3400 East and south of the Snake River Canyon Rim.	Action	Jonathan Spendlove								
II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>								
1. Presentation of information regarding the City's specifications for construction and regarding policy on streets.	Presentation	Jacqueline Fields								
2. Public input and/or items from the City Manager and City Council.										
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>										
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M.										
1. Consideration of a request to approve a PUD Amendment to the Canyon Park West PUD #264 to allow a Panera Bread Restaurant on Lot 7 Block 1 with a drive through facility c/o Canyon Park Development, LLC on behalf of Canyon Park I (app. 2748).	PH/Action	Gerald Martens, EHM Engineers Jonathan Spendlove								
V. <u>ADJOURNMENT:</u>										
1. Executive Session § 74-206(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 (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*

Proclamation

No-Shave November 2015

WHEREAS, among American men, prostate cancer is both the second most commonly diagnosed cancer and the second-leading cause of cancer deaths. Although prostate cancer incidence and mortality rates have declined over the past two decades, in 2015 alone, an estimated 220,000 men in the United States will be diagnosed with the illness and almost 27,500 men will die from this disease.

WHEREAS, during National Prostate Cancer Awareness Month, we remember those lost to prostate cancer, offer our support to patients and their families, and highlight our commitment to better prevention, detection, and treatment methods.

WHEREAS, the Twin Falls Police Department has indicated a desire to help support the treatment and awareness of Prostate and Testicular Cancer by promoting a program entitled No-Shave November.

NOW, THEREFORE, I, Don Hall, Mayor of the City of Twin Falls, proclaim the month of November as

No-Shave November 2015

and by this action, let it be known that we, the employees of the Twin Falls Police Department and citizens of the City of Twin Falls, support research, awareness, and treatment of prostate and testicular cancer.

In witness whereof, I have hereunto set my hand this 26th day of October, 2015, and caused this seal to be affixed.

Mayor Don Hall

Attest:

Leila A. Sanchez, Deputy City Clerk

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
					Mayor	



MINUTES

Meeting of the Twin Falls City Council
 Monday, May 18, 2015 – 4:00 P.M.
 City Council Chambers - 305 3rd Avenue East -Twin Falls, Idaho

4:00 P.M.
 Presentations from Municipal Powers Outsource Grants (MPOG) Applicants.

- | | |
|--|---|
| 1. Art Guild of the Magic Valley | 2. Boys and Girls Clubs of Magic Valley |
| 3. CASA – Court Appointed Special Advocates | 4. Crisis Center of Magic Valley |
| 5. Interfaith Volunteer Caregivers of Magic Valley | 6. Jubilee House, Inc. |
| 7. Magic Valley Arts Council | 8. Salvation Army |
| 9. Trans IV | 10. Twin Fall Senior Center |
| 11. Wellness Tree Clinic | |

PLEDGE OF ALLEGIANCE TO THE FLAG

CONFIRMATION OF QUORUM

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

PROCLAMATIONS: Public Works Week “Community Begins Here” – Jon Caton, Public Works Director

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for May 12-18, 2015.
2. Consideration of a request to approve the April 13, 2015 and April 27, 2015, City Council Minutes.
3. Consideration of a request to approve the Improvement Agreement for Sackett Farm Subdivision No. 2.
4. Consideration of a request to approve the Trust Agreement for Sackett Farm Subdivision No. 2, placing Lot 2, Block 1 and Lot 1, Block 2 into trust.

Purpose:

- Action
- Action
- Action
- Action

By:

- Sharon Bryan
- Leila A. Sanchez
- Troy Vitek
- Troy Vitek

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve the Western Days Event and Parade Application. The Western Days event is scheduled to be held on May 29–31, 2015. The Western Days Parade is scheduled to be held on May 30, 2015.
2. Consideration of a request to approve the Mutual Aid And Assistance Agreement for Idaho Intrastate Water/Wastewater Agency Response Network (IDWARN) to allow City Water and Wastewater utilities participation.
3. Consideration of a request to award a contract to Star Construction LLC of Star, Idaho, for the Jayco Lift Station Improvements project in the amount of \$310,096.00, and to be reimbursed by the State through the Community Block Grant for Clif Bar.
4. Consideration of a request to award a contract to ECS Environmental Solutions for a Biotower System to be located on Canyon Springs Road, adjacent to the Perrine Coulee, in the amount of \$99,000.00.
5. Consideration of a request to award a contract to Petersen Brothers Construction for the Terminal Expansion & Remodel Project in the amount of \$3,915,836.
6. Public input and/or items from the City Manager and City Council.

Purpose:

- Action
- Action
- Action
- Action
- Action

By:

- Dennis Pullin
- Rob Bohling
- Jason Brown
- Troy Vitek
- Bill Carberry

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. - None

V. ADJOURNMENT:

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 (208)735-7287.

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

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Grant Writer Mandy Thompson, Deputy City Clerk Sharon Bryan

CONFIRMATION OF QUORUM

A quorum is present.

Presentations from Municipal Powers Outsource Grants (MPOG) Applicants.

1. Art Guild of the Magic Valley
2. Boys and Girls Clubs of Magic Valley
3. CASA – Court Appointed Special Advocates
4. Crisis Center of Magic Valley
5. Interfaith Volunteer Caregivers of Magic Valley
6. Jubilee House, Inc.
7. Magic Valley Arts Council
8. Salvation Army
9. Trans IV
10. Twin Fall Senior Center
11. WellnessTree Clinic

Mayor Hall opened the meeting at 4:00 P.M.

Grant Manager Thompson explained that on Friday, April 17, 2015, the announcement was made that the City was accepting applications for the 2015 Municipal Powers Outsource Grant program. Applications were due to be received by the City by Monday, May 4th at 4:00 p.m. The applications were reviewed by City Attorney Fritz Wonderlich to determine eligibility for the funds. A total of 10 applications were received and all of them met the eligibility requirements. Those 10 applicants will be making their 5 minute presentations tonight.

Art Hoag, 645 2nd Avenue North, Twin Falls, Art Guild of the Magic Valley, said he is asking for \$1,000.00 to help with utilities at Mary Alice Park.

Councilmember Barigar asked what other funding does he receive for the park.
Hoag said that on occasion they receive small donations from citizens.

Kristina Silver, Program Director, Boys and Girls Club of Magic Valley said that they would like to create a Fitness Academy, Visual Arts Program, Performance Program – Choir and Band. They are asking for \$21,500.00 which will cover materials and equipment.

Councilmember Barigar asked how she came to the conclusion that these youth are being under served.

Silvers said that the majority of children coming to the Boys and Girls Club have nowhere else to go or have the opportunity to do these activities.

Kathy Floyd, President of the 5th Judicial District, CASA – Court Appointed Special Advocates, said they would like funds for recruitment, personnel, supplies, background checks, and mileage reimbursement. They are asking for \$6,641.00.

Jesse Vallez, Executive Director, Crisis Center of Magic Valley, Inc., said the funding would be used for counseling, therapy, parenting classes, food, transportation, and client medication. They are asking for \$20,000.

Vice Mayor Hawkins asked what the breakdown is for city vs county residences. Vallez said the majority are city residences.

Edie Schab, Director, Interfaith Volunteer Caregivers of Magic Valley, said the funding would be used for volunteer mileage reimbursement for transportation. They are asking for \$15,000.

Kathryn Bausman, Executive Director, Jubilee House, Inc., said the funding would be used for their Full Life Recovery Program. They are asking for \$5,000.

Carolyn White, Magic Valley Arts Council, is asking for funding to continue to offer free and reduced fee programs and arts education to the community of Twin Falls. They are asking for \$15,000.

Nicki Kroese, The Salvation Army is asking for funds to help with the It's All About KIDS – "Keeping In Desirable Shape" program. They are asking for \$20,000.

Lynn Baird, Director, Trans IV Buses, is asking for funds to support public transportation in Twin Falls. They are asking for \$65,000.

Councilmember Lanting asked if Interfaith Caregivers used Trans IV.

Baird indicated that he wondered why they would not use Trans IV. He said that seniors and handicapped do not pay anything. Only the general public pays the \$5.00 fee.

Councilmember Barigar asked if they had to forego any funds because of the City's diminished funds last year.

Baird said that it was close but they were able to cover the match and did not have to forego any funding.

Jeanette M. Roe, Twin Falls Senior Citizen's Federation, Inc., is asking for funds to carpet 3 rooms in the center. They are asking for \$3,500.

Councilmember Barigar said he appreciates that there are various sources of funding.

Councilmember Talkington asked for the total service population.

Roe said about 90% of the meals served are city residents.

Arne Walker, Executive Director, Wellness Tree Community Clinic, is asking for funding for a Wallach Cryosurgery System, Kodak digital camera with tripod and medical services. They are asking for \$17,077.

Councilmember Lanting asked if they had any partners that help with funding.

Walker said that C-Graves Foundation, Twin Falls Health Initiative Trust, The Community Health Improvement Fund, Twin Falls County, Service Clubs and various community donations.

Mayor Hall asked if it is time to increase the MPOG funding.

Councilmember Lanting would like to see it increased to \$100,000 and leave the City Band out of it.

Councilmember Munn said he is concerned about increasing the MPOG fund when the City has other priorities.

Councilmember Barigar said he is concerned with organizations not utilizing other agencies services.

MOTION:

Councilmember Munn moved to approve the MPOG funding as follows:

- Art Guild of the Magic Valley - \$1,000

MINUTES

Monday, May 18, 2015

Page 4 of 9

- Boys and Girls Clubs of Magic Valley – \$6,100
- CASA – Court Appointed Special Advocates – \$6,000
- Crisis Center of Magic Valley - \$15,000
- Interfaith Volunteer Caregivers of Magic Valley – \$4,000
- Jubilee House, Inc. – \$4,000
- Magic Valley Arts Council – \$10,000
- Salvation Army – \$6,100
- Trans IV - \$20,000
- Twin Falls Senior Center – \$3,500
- Wellness Tree Clinic – \$3,090

MOTION:

The motion was seconded by Vice Mayor Hawkins and roll call vote showed all present voted in favor of the motion.
Approved 6-0

MOTION:

Councilmember Talkington moved to increase next year's MPOG budget to \$84,000. Councilmember Munn seconded the motion. Roll call vote showed those voting Aye: Barigar, Talkington, Lanting, Hall. Those voting Nay: Hawkins and Munn. Motion passed 4-2.

MINUTES

Monday, May 18, 2015

Page 5 of 9

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Gregory Lanting, Don Hall, Chris Talkington.

Absent: Rebecca Mills Sojka.

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Water Superintendent Rob Bohling, Airport Manager Bill Carberry, Environmental Engineer Jason Brown, Staff Sergeant Dennis Pullin, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Hall called the meeting to order at 5:00 P.M. Mayor Hall asked Boy Scout Troop 60 to lead the Pledge of Allegiance. He then invited all present, who wished, to recite the pledge of Allegiance to the Flag.

Mayor Hall had the Boy Scouts introduce themselves.

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

City Manager Rothweiler asked that Item for Consideration 4. be removed from the agenda.

PROCLAMATIONS: Public Works Week “Community Begins Here” – Jon Caton, Public Works Director

Mayor Hall read proclamation and presented it to Jon Caton

Public Works Director Caton thanked Council and invited Council and public to an Open House at the Public Works Building, 119 South Park Avenue West and Street Dept. at, 205 6th Avenue West on Thursday, May 21, 2015 from 12 to 4:00 PM.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for May 12-18, 2015.
2. Consideration of a request to approve the April 13, 2015 and April 27, 2015, City Council Minutes.
3. Consideration of a request to approve the Improvement Agreement for Sackett Farm Subdivision No. 2.
4. Consideration of a request to approve the Trust Agreement for Sackett Farm Subdivision No. 2, placing Lot 2, Block 1 and Lot 1, Block 2 into trust.

MOTION:

Councilmember Lanting moved to approve the Consent Calendar. The motion was seconded by Councilmember Barigar. 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 approve the Western Days Event and Parade Application. The Western Days event is scheduled to be held on May 29–31, 2015. The Western Days Parade is scheduled to be held on May 30, 2015.

Staff Sergeant Pullin said that the opening ceremonies for the 33rd Annual Twin Falls Western Days event are scheduled for Friday, May 29, 2015, at 5:00 PM at the City Park. The parade will be held on Saturday, May 30, 2015 and will begin at 9:00 AM and conclude by 1:00 PM. There will be live music, food and craft

vendors, a carnival and amusement rides, and a beer garden in the park. Western Days will be May 29, 2015 to May 31, 2015.

Staff recommends that beer sales terminate at 8:00 p.m. on Saturday only allow the sale of beer.

Councilmembers discussed the following:

- Alcohol sales
- Closing time of serving beer.
- Wine sales
- Adequate insurance coverage

MOTION:

Councilmember Munn moved to approve the Western Days Event and Parade Application with beer sales on Saturday ending at 8:00 PM and sale of beer only. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

2. Consideration of a request to approve the Mutual Aid And Assistance Agreement for Idaho Intrastate Water/Wastewater Agency Response Network (IDWARN) to allow City Water and Wastewater utilities participation.

Water Superintendent Bohling explained that this Mutual Aid and Agreement doesn't bind or allocate the city to anything we do not agree to. It basically puts us on a list that is available to surrounding communities as a source for resources (equipment, personnel, or parts) in times of unforeseen disasters. We are not locked into any type of agreement we are not comfortable with and only offer assistance if resources are available. It will also give us contacts to use should we need assistance also.

Approval of this request will allow the City of Twin Falls Water and Waste Water Departments to be available to surrounding communities to aid in times of need only, and will also give us some connections to assistance should we need it in times of disaster.

City staff recommends that the Council approve this request and authorize the Mayor to sign the agreement.

Vice Mayor Hawkins asked if anyone else in the Magic Valley is on the pending list.

Water Superintendent Bohling said that Jerome and Kimberly have expressed interest in joining.

Councilmember Talkington asked if this would endanger the City's water standards.

Water Superintendent Bohling said no the City would be safe.

Councilmember Talkington asked if by joining would there be any benefits from EPA or State.

Water Superintendent Bohling said no.

MOTION:

Councilmember Barigar moved to approve the Mutual Aid and Assistance Agreement for Idaho Intrastate Water/Wastewater Agency Response Network (IDWARN) to allow City Water and Wastewater utilities participation and authorize the Mayor to sign the agreement. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

3. Consideration of a request to award a contract to Star Construction LLC of Star, Idaho, for the Jayco Lift Station Improvements project in the amount of \$310,096.00, and to be reimbursed by the State through the Community Block Grant for Clif Bar.

Environmental Engineer Brown explained the Jayco Lift Station Improvement project will expand the current lift station to be able to accept the waste water from the new Clif Bar Baking Facility. The improvements will consist of constructing an additional wet well, installation of one new pump, and piping reconfiguration.

In accordance with the Development Agreement between Clif Bar/URA/City of Twin Falls, the City agreed to improve the Jayco Lift Station to serve the Clif Bar Baking Facility. The Jayco Lift Station Improvement Project was publicly bid and bids were opened on April 7, 2015. On April 13, 2015 Staff requested that all bids be rejected, which allowed the City to investigate other possibilities to construct the lift station. Staff worked with the original bidder, Starr Construction LLC and were able to decide upon a functional lift station to fulfill the needs of the Clif Bar Baking Facility.

The bid amount for this project is \$310,096.00. The Jayco Lift Station will be reimbursed through the Community Development Block Grant (CDBG) along with additional wastewater fund that have been budgeted.

Staff recommends that the City Council approve the award of the contract to Star Construction LLC in the amount of \$310,096.00.

Vice Mayor Hawkins asked how high the old bids were, what the engineers estimates were before and is this the same exact project or did we scale it down to get the price down.

Environmental Engineer Brown said that the original bid was \$493,339.00 with the add alternates it was \$537,467.00. The engineers estimate was \$288,400.00 with the alternates \$350,000.00. He explained that they had to scale the project down by removing some of the items for maintenance, a crane and a building to help shelter equipment.

Vice Mayor Hawkins asked if the equipment will be fine if it is not under cover.

Environmental Engineer Brown said that for now the equipment is fine. We would like to build a shelter for the equipment at a later date.

MOTION:

Councilmember Talkington moved to award a contract to Star Construction LLC of Star, Idaho, for the Jayco Lift Station Improvements project in the amount of \$310,096.00, and to be reimbursed by the State through the Community Block Grant for Clif Bar. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

4. Consideration of a request to award a contract to ECS Environmental Solutions for a Biotower System to be located on Canyon Springs Road, adjacent to the Perrine Coulee, in the amount of \$99,000.00. REMOVED FROM AGENDA.

Consideration of a request to award a contract to Petersen Brothers Construction for the Terminal Expansion & Remodel Project in the amount of \$3,915,836.

Airport Manager Carberry explained the terminal project was identified in the airport's FAA master Plan in 2012. In 2014 they entered into a contract with the architectural firm of CSHQA to complete a terminal feasibility pre-design study and subsequently a contract to design, bid, and provide construction management services for the project.

Bids were opened for the Terminal Building Expansion and Remodel Project on April 22, 2015.

It is apparent that the market conditions, which have had a spike in construction activity this season, is driving up the cost of construction.

After discussing the results of the bid opening with the FAA, they offered to increase discretionary funding for the project by approximately \$810,000. This new funding offer, along with the higher than forecast percentage of FAA eligible costs included in our FAA entitlement funding, will have the effect of maintaining the local investment in the project at forecast levels. The most significant change to the project will be a delay in starting the project until April 1, 2016.

One difference with FAA discretionary grant funding, required by statute, is that work must be pending at the time of grant issue. This affects the construction schedule because discretionary funding may come late in the fiscal 2016 year and would need a corresponding dollar amount of work still pending construction. In order to be positioned for the additional discretionary funding the project needs to be delayed approximately 10 months.

After reviewing bids with the FAA, they were concerned that a re-bid of the project in the future would potentially yield even higher construction costs. Thus the FAA recommended the City and County consider moving forward with the project and award the bid to low bidder, Petersen Construction. It has been determined by our Architect, CSHQA, that the bid is responsive and the contractor is qualified to complete the work. Petersen Construction has agreed to adjust the contract to delay the start of construction in order for the Airport to take advantage of the FAA funding schedule.

After reviewing the revised approach to the project with our Architect, FAA Project Manager, Petersen Bros Construction, City Attorney and City Finance Officer staff recommends awarding the bid to Petersen Brothers for the bid amount of \$3,915,836, contingent upon FAA funding, execution of a pending change order and contract satisfactory to both the City and Petersen Brothers Construction.

MOTION:

Councilmember Talkington moved to award a contract to Petersen Brothers Construction for the Terminal Expansion & Remodel Project in the amount of \$3,915,836 contingent upon FAA Funding, and a contract and change order acceptable to both contractor and the City. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

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

City Manager Rothweiler reminded Council that in observation of Memorial Day the Council will meet on Tuesday, May 26, 2015, at 5:00 PM.

City Manager Rothweiler said that on Tuesday, May 26, 2015 at 6:00 PM there will be a public hearing to discuss the downtown projects specifically the downtown parking.

City Manager Rothweiler said that on Thursday, May 21, 2015 from 4:00 PM to 6:00 PM there will be demonstrations downtown to try the back in parking concept.

Council encouraged citizens to come out and try the back in parking.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Hall asked Council if they would like to participate in the Western Days Parade.

Councilmember Lanting likes the ideal of riding on the Fire Truck.

Vice Mayor Hawkins suggested that the Council participate with Youth Council in the parade. She will gather information and let the Council know what they are planning.

IV. PUBLIC HEARINGS: 6:00 P.M. – None

V. ADJOURNMENT:

There being no other business the meeting adjourned at 6:10 PM

Sharon Bryan Deputy City Clerk

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
					Vice Mayor	Mayor



MINUTES

Meeting of the Twin Falls City Council
 Monday, June 15, 2015
 City Council Chambers - 305 3rd Avenue East -Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM CONSIDERATION OF THE AMENDMENTS TO THE AGENDA PROCLAMATIONS: NONE		
GENERAL PUBLIC INPUT		
AGENDA ITEMS		
I. <u>CONSENT CALENDAR:</u>	<u>Purpose:</u>	<u>By:</u>
1. Consideration of a request to approve the Accounts Payable for June 9–15, 2015, total: \$638,945.52.	Action	Sharon Bryan
2. Consideration of a request to approve Liquor, Wine and Beer license renewals for the 2015/2016 year subject to the condition applicants receive their State alcohol license.	Action	Sharon Bryan
3. Consideration of a request to approve the May 26, 2015, City Council Minutes.	Action	Leila A. Sanchez
4. Consideration of the request to donate three benches with one plaque located along the Snake River Canyon Rim Trail System.	Action	Dennis J. Bowyer
5. Consideration of a request to approve the 4 th Annual Magic Valley Beer Festival to be held at the Twin Falls City Park on Saturday, August 1, 2015.	Action	Dennis Pullin
6. Consideration of a request to approve the Fit & Well Fair to be held at the Twin Falls City Park on Saturday, June 20, 2015.	Action	Dennis Pullin
II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>
1. Consideration of a request to approve the Festival of Colors Event sponsored by Krishna Temple to be held at the Twin Falls City Park on Saturday, July 25, 2015.	Action	Ron Fustos
2. Consideration of a request to allow a modified street width on Grandview Drive North between Falls Avenue West and North College Road in connection with Broadmore Subdivision.	Action	Gerald Martens
3. Update on the implementation of Phase I of the Bicycle Facilities Plan.	Update	Dennis J. Bowyer
4. Public input and/or items from the City Manager and City Council.		Josh Baird
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u>	6:00 P.M. – None	
V. <u>ADJOURNMENT:</u>		
1. Executive Session 67-2345 (1)(c) To acquire an interest in real property which is not owned by a public agency.		
2. 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 or 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 (208)735-7287.

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Gregory Lanting, Don Hall, Chris Talkington.

Absent: Rebecca Mills Sojka.

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, City Engineer Jacqueline Fields, Staff Sergeant Ron Fustos, Parks and Recreation Director Dennis Bowyer, Assistance City Engineer Troy Vitek, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

Deputy City Manager Humble asked that item #3 be removed from the Consent Calendar unless Council has reviewed.

Council said that they have reviewed and would like it left on the Consent Calendar.

PROCLAMATIONS: NONE

GENERAL PUBLIC INPUT - None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for June 9–15, 2015, total: \$638,945.52.
2. Consideration of a request to approve Liquor, Wine and Beer license renewals for the 2015/2016 year subject to the condition applicants receive their State alcohol license.
3. Consideration of a request to approve the May 26, 2015, City Council Minutes.
4. Consideration of the request to donate three benches with one plaque located along the Snake River Canyon Rim Trail System.
5. Consideration of a request to approve the 4th Annual Magic Valley Beer Festival to be held at the Twin Falls City Park on Saturday, August 1, 2015.
6. Consideration of a request to approve the Fit & Well Fair to be held at the Twin Falls City Park on Saturday, June 20, 2015.

MOTION:

Councilmember Lanting moved to approve the Consent Calendar. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Councilmember Talkington said that Consent Calendar, Item # 4 recognizing the Langdon's is appreciated.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve the Festival of Colors Event sponsored by Krishna Temple to be held at the Twin Falls City Park on Saturday, July 25, 2015.

Staff Sargent Fustos said that on January 12, 2015, Kapil Sethi, on behalf of Net Effect Media and the Krishna Temple, Spanish Fork, Utah, submitted a Special Event Application for their Festival of Colors gathering to be held at the north end of the Twin Falls City Park. The Festival of Colors is an ancient Indian tradition which celebrates the arrival of spring and the passing of winter.

Alcohol will not be served at the event nor permitted in the park during the event.

Organizers will provide four (4) private security personnel.

Organizers predict that approximately 400 people will be in attendance for the event.

This Special Event Application has been approved by several relevant City Staff members and the Twin Falls Police Department Staff. Organizers have secured a Twin Falls City Parks and Recreation permit for use of the City Park. It is recommended that this request be approved by the City Council as presented.

MOTION:

Councilmember Barigar moved to approve the Festival of Colors Event sponsored by Krishna Temple to be held at the Twin Falls City Park on Saturday, July 25, 2015. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

2. Consideration of a request to allow a modified street width on Grandview Drive North between Falls Avenue West and North College Road in connection with Broadmore Subdivision.

Gerald Martens, EHM, explained that Broadmore Subdivision is located between Grandview Drive North and Wendell Street, and between Falls and North College Road. The developer has submitted plans for construction of Grandview Drive between Falls Avenue West and North College Road that differ from the 2008 Twin Falls City Transportation Master Plan. The Master Plan calls out for 46' from centerline of dedicated right of way and 31' from centerline to lip of gutter of street construction. The developer is also dedicating the necessary land to meet the 46' from centerline requirement.

Assistant City Engineer Vitek explain that there are three options.

1. Accept roadway as Gerald Martens presented. That means the City will eventually bear the full burden of the cost.
2. Accept his proposal and put the future road construction in the form of an LID.
3. To do nothing and Gerald Martens will have to abide by the Master Traffic Plan and bear the burden of the full cost.

Council discussed the following:

- Detached sidewalks
- Bike Lanes
- Duration of LID
- Deed restriction

MOTION:

Councilmember Munn moved approval of the request to allow a modified street width on Grandview Drive North between Falls Avenue West and North College Road in connection with Broadmore Subdivision with the inclusion that on the plat

MINUTES

Monday, June 15, 2015

Page 4 of 5

map that all future owners in the platted subdivision will be responsible and unopposed to the development of an LID for the sole purpose of widening the roadway to current requirements at time of widening as determined by the City Engineer. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

3. Update on the implementation of Phase I of the Bicycle Facilities Plan.

Parks and Recreation Director Bowyer said that Staff presented to the City Council on October, 2014, Phase I of the Bicycle Facilities Map. The City Council approved the implementation of Phase I and staff said they would start the process in the summer of 2015. As discussed October, 2014, there are three types of bike facilities:

1. Bike Lane – striped, on-street lanes specially marked as bicycle lanes. There are three existing bike lanes in the community.
 - 1) East side of town, from the City/YMCA pool along Falls Avenue to the top of the grade at Shoshone Falls.
 - 2) West side of town, from North College Road West, south on Sparks to Blake St. N. east on Shoup Avenue West to Harrison St. then north on Harrison to Falls Avenue. There is also a section of this lane that is along Caswell Avenue in front of I.B Perrine Elementary school and Robert Stuart middle school.
 - 3) South side of town, from the south water tanks, north on Washington St. South to Park Avenue, then west on Park Avenue to Oregon Trail Elementary School, and including a short section on Lois Avenue along the Oregon Trail Youth Complex.
2. Shared Use Path – designated pathways that can be separate from streets, or on the sidewalks of streets. The canyon rim trail system is designated as a shared use path, along with the pathway on Washington St. N. from Falls Avenue to Pole Line Road and the sidewalk along Pole Line Road.
3. Shared Lane Marked – designated streets that are marked with “sharrows” to inform all motorized and non-motorized vehicles that these designated streets are to be shared. Roads designated with sharrows are usually low volume, low speed roads.

Phase I consists of three main functions:

1. Striped, on-street lanes specially marked as bicycle lanes
2. Installation of way finding signage, 30 – 40 signs
3. Installation of sharrows on designated streets

The Street Department will start the week of June 22nd applying the sharrows on the designated streets and marking the on-street lanes. It is estimated that it will take up to 10-12 weeks (starting June 22nd) to accomplish all these tasks. The reason it seems that it will take the Street Department a long time is that starting the week of July 6th, they will have to commit their resources to support the seal coating project which will last 4-5 weeks. After they are completed with that project, they will be able to resume work on installing the sharrows, the way finding signs and the markings for the on-street lanes.

At this time, staff has not had developed Phase II. After Phase I have been installed for a few weeks; staff would like to meet with the biking community again to discuss what the next phase could look like.

Councilmember Talkington commented it has not been a friendly environment for pedestrians and bicyclists. He said we have come a long way.

Mayor Hall expressed concern with adopting the State Code for bicyclists.

Councilmember Lanting thanked Dennis Bowyer for his dedication of services with the City.

Mayor Hall greeted Boy Scout Troop 77. He had them come up and introduce themselves.

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

1. City Manager Rothweiler reported on an emergency road closure on Blue Lakes and 7th. The road will be closed until tomorrow.

MINUTES

Monday, June 15, 2015

Page 5 of 5

2. City Manager Rothweiler reminded Council that the June 29 meeting will start at 4:00 p.m. to tour the Waste Water Treatment Plant.

Council asked if they had to meet at City Council Chambers or could they meet at the plant.

City Attorney Wonderlich said the Council will have to convene at City Council Chambers then go down to the plant.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

1. Mayor Hall congratulated Greg Lanting for being appointed the AIC President.
2. Councilmember Talkington said that at the AIC Conference, Dr. Stephanie DeWitt spoke on revenue source for municipalities for the State. Councilmember Talkington asked Finance Director Race to do a study on revenue sources.
3. Mayor Hall gave recognition to City Manager Rothweiler and Finance Director Race for their presentation at AIC Conference.

IV. PUBLIC HEARINGS: 6:00 P.M. – None

V. ADJOURNMENT: 5:45 pm

Executive Session 67-2345 (1)(c) To acquire an interest in real property which is not owned by a public agency.

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 or individual agent, or public school student.

MOTION:

Councilmember Talkington moved to adjourn to Executive Session Idaho Code Section 67-2345 (1) (c) and Code Section 67-2345 (1) (b). The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

There being no further business the meeting was adjourned at 5:45 PM.

Sharon Bryan
Deputy City Clerk

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
Vice Mayor					Mayor	



MINUTES

Meeting of the Twin Falls City Council
 Monday, July 13, 2015
 City Council Chambers
 305 3rd Avenue East
 Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
 PROCLAMATIONS: NONE

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for July 7 through July 13, 2015.
2. Consideration of a request to approve the June 22 and June 29, 2015, Council Minutes.
3. Consideration of a request to approve the 35th Annual Buffalo Hot Wings Door Slammer Softball Tournament and Picnic to be held at Harmon Park on Saturday, August 22, 2015.
4. Consideration of a request to approve the 5th Annual Parktacular event to be held at the Twin Falls City Park on Sunday, August 16, 2015.
5. Consideration of a request to approve the 5th Annual Kermes event, also known as the Hispanic Food Festival to be held at the Twin Falls City Park on Thursday, August 9, 2015.

Purpose:

Action
 Action
 Action
 Action
 Action

By:

Sharon Bryan
 Leila A. Sanchez
 Dennis Pullin
 Dennis Pullin
 Dennis Pullin

II. ITEMS FOR CONSIDERATION:

1. Carleen Herring to discuss the Magic Valley selection as one of the 12 top manufacturing communities by the U.S. Commerce Department's Investing in Manufacturing Communities Partnership.
2. Presentation of a Certificate of Appreciation to Roger Laughlin in recognition of his five years of service on the Building Inspection Department Advisory Committee.
3. Consideration of a request to approve the Grand Opening event for Full Throttle Bike Wear to be held on Saturday, July 18, 2015.
4. Presentation of a final report on the 125th Anniversary of Idaho's Statehood celebration held on July 3, 2015.

Discussion
 Presentation
 Action
 Presentation

Carleen Herring/
 Region IV
 Jarred Bordi
 Dennis Pullin
 Nancy Taylor/HPC
 Kelly Weeks

II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>
5. Consideration of a request to select and approve a contract with McKibben and Cooper Architects to assist the Twin Falls Historic Preservation Commission design guidelines for the Twin Falls Downtown Historic District and City Park Historic District.	Action	Nancy Taylor, HPC Kelly Weeks
6. Consideration of a request to award the 2015 Canyon Springs Sewer Project to Knife River Corporation–Northwest of Boise, Idaho, in the amount of \$333,333.00.	Action	Lee Glaesemann
7. Consideration of a request to adopt an ordinance vacating a sewer easement on Lot 7 Block 1 of the Canyon Park Amended Subdivision (app. 2729).	Action	Rene’e V. Carraway-Johnson
8. Consideration of a request to adopt an ordinance for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 for 2.4 (+/-) acres located at 1629 Locust Street North (app. 2727).	Action	Rene’e V. Carraway-Johnson
9. Consideration to adopt an ordinance for annexation of 53.38 (+/-) acres located at the southeast corner of 2700 East Road aka Sunway Drive North and North College Road West, extended (app. 2730).	Action	Rene’e V. Carraway-Johnson
10. Consideration to adopt an ordinance vacating sewer easement located on Lot 4 Block 1 of the Canyon Park Amended Subdivision (app. 2731).	Action	Rene’e V. Carraway-Johnson
11. Discuss and provide feedback on the conceptual design of the City Council Chambers in the new City Hall.	Discussion	Clint Sievers Mitchel Hummel
12. A presentation of the Enterprise Fund-Types contained in the City Manager’s Recommended Budget for FY 2016 followed by citizen input.	Presentation	Travis Rothweiler
13. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u>	6:00 P.M. - None	
V. <u>ADJOURNMENT:</u>		

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 (208)735-7287.

Present: Suzanne Hawkins, Shawn Barigar, Gregory Lanting, Don Hall, Chris Talkington

Absent: Rebecca Mills Sojka, Jim Munn

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Zoning & Development Manager Rene'e V. Carraway-Johnson, Staff Sergeant Dennis Pullin, Finance Director Lorie Race, Project Coordinator Lee Glaesemann, Deputy City Clerk Sharon Bryan

Mayor Hall called the meeting to order at 5:00 p.m. He then invited all present, who wished, to recite the pledge of Allegiance to the Flag with him.

CONFIRMATION OF QUORUM

A quorum is present. Councilmember Lanting will be arriving late.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA - NONE

PROCLAMATIONS: NONE

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for July 7 through July 13, 2015.
2. Consideration of a request to approve the June 22 and June 29, 2015, Council Minutes.
3. Consideration of a request to approve the 35th Annual Buffalo Hot Wings Door Slammer Softball Tournament and Picnic to be held at Harmon Park on Saturday, August 22, 2015.
4. Consideration of a request to approve the 5th Annual Parktacular event to be held at the Twin Falls City Park on Sunday, August 16, 2015.
5. Consideration of a request to approve the 5th Annual Kermes event, also known as the Hispanic Food Festival to be held at the Twin Falls City Park on Thursday, August 9, 2015.

MOTION:

Vice Mayor Hawkins moved to approve the Consent Calendar. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0

II. ITEMS FOR CONSIDERATION:

1. Carleen Herring to discuss the Magic Valley selection as one of the 12 top manufacturing communities by the U.S. Commerce Department's Investing in Manufacturing Communities Partnership.

Carleen Herring explained the Magic Valley Selection process.

Councilmember Talkington commented this helping to development traffic at airport and upgrading services at the airport. He hopes this will help with the lack of natural gas and fiber optics.

Don Hall expressed his appreciation for the work Carleen Herring has done.

2. Presentation of a Certificate of Appreciation to Roger Laughlin in recognition of his five years of service on the Building Inspection Department Advisory Committee.

Building Inspector Bordi, Mayor Don Hall and Councilmember Shawn Barigar presented a Certificate of Appreciation to Roger Laughlin in recognition of his five years of service on the Building Inspection Department Advisory Committee.

Roger Laughlin thanked the Council.

3. Consideration of a request to approve the Grand Opening event for Full Throttle Bike Wear to be held on Saturday, July 18, 2015.

Staff Sergeant Pullin explained that on June 30, 2015, Staff received a Special Event Application from Phil Labat, owner of Full Throttle Bike Wear. Mr. Labat requests to hold a grand opening event at the store location of 712 Main Avenue South on Saturday, July 18, 2015. Although Full Throttle Bike Wear has been open for business for the past few months, this will be a celebration of their opening and will be an opportunity to advertise the new store. The event will begin at 12:00 p.m. and will conclude at 9:00 p.m. During the event, the store will be open for business. There will be a live band performing in the parking lot of Full Throttle Bike wear. The band will begin at 2:00 p.m. and will conclude no later than 5:00 p.m.

Alcohol will not be provided during the event. They expect less than 500 people to attend and additional parking has been obtained from neighboring businesses. Mr. Labat has spoken with all proprietors in the immediate area and has obtained permission to utilize their parking lots. There will be no street closures. Mr. Labat will have two extra receptacles to aid in cleaning the immediate area during and after the event.

Due to the nature of this event, no alcohol is being provided, under 500 people are anticipated, the band will be playing for no more than three hours, and security will not be required.

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 music. 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.

Vice Mayor Hawkins asked for a clarification on the location.

MOTION:

Councilmember Talkington moved to approve the Grand Opening event for Full Throttle Bike Wear to be held on Saturday, July 18, 2015, with the condition that the on-duty Patrol Supervisor has the authority to terminate the event if there are continued noise complaints, disturbances by those participating in the event, and non-compliance. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

4. Presentation of a final report on the 125th Anniversary of Idaho's Statehood celebration held on July 3, 2015.

Nancy Taylor, Historic Preservation Commission Chairwoman, explained that on July 3, 2015, there was a Celebration of the 125th Anniversary of Idaho's Statehood, as well as Twin Falls 111th Anniversary of becoming a Township. The event was held at the Visitor's Center. She reviewed the budget for the 125th Anniversary of the Idaho Statehood.

Nancy Taylor presented Kelly Weeks with a thank you bouquet for all her work she did on putting the event together.

Mayor Hall and Councilmember Talkington presented an appreciation certificate to Nancy Taylor.

5. Consideration of a request to select and approve a contract with McKibben and Cooper Architects to assist the Twin Falls Historic Preservation Commission design guidelines for the Twin Falls Downtown Historic District and City Park Historic District.

Nancy Taylor, Historic Preservation Commission Chairwoman said that on October 28, 2013, the Council approved the contract with the State Historic Preservation Office for a matching grant from the National Park Service, U.S. Department of the Interior. This grant was awarded for the development of the design guidelines of the City Park Historic District and restoration of the Lincoln Street Lights. The restoration of the Lincoln Street Lights has been completed. The Commission asked for an extension on the design guidelines. There is \$7,000.00 left on this grant.

The HPC applied for an additional grant or \$6,000.00 in September 2014. This grant was awarded for the development of the design guidelines of the Twin Falls Downtown Historic District. The contract has not gone to Council as of this date because HPC have not received it from the State. The Federal Government just awarded the money to be released by the State last week. The State Historic Preservation Office Consultant, Pete L'Orange, suggested combining the two grants and hire a consultant to help develop the design guidelines. Federal regulations required the HPC to solicit requests for qualifications from qualified consulting firms.

The City solicited requests for qualifications (RFQ) from qualified consulting firms to provide professional services to develop design guidelines for the Twin Falls Downtown Historic District and City Park Historic District. Proposals were due on Friday, June 26, 2015. Staff received one (1) submittal in response to the RFQ.

Nancy Taylor (Historic Preservation Commission Chair), Chris Talkington (Councilman), Rene'e Carraway-Johnson (Zoning and Development Manager) and Kelly Weeks (Planner 1) reviewed the submittal. Based on the qualifications, this group recommended this firm to develop the design guidelines for the Twin Falls Downtown Historic District and City Park Historic District.

Staff has been negotiating with McKibben and Cooper Architects to finalize a scope of services and associated contract. The scope of services includes a base workload amount of \$13,000.00. The combined CLG Grants will cover the cost of this contract. Staff forwarded the contract to Fritz Wonderlich, City Attorney, for review and has approved the contract to go forward with processing.

The development of the Design Guidelines will allow the Historic Preservation Commission to proceed with their Five Year Plan to educate the public about preservation of historic buildings and create Overlay Districts for the Historic Downtown District and Twin Falls City Park Historic District.

Councilmember Barigar asked if this is in the warehouse district.

Nancy Taylor said yes this would be in the warehouse district.

Councilmember Talkington said this company is very well qualified.

MOTION:

Councilmember Lanting moved to approve a contract with McKibben and Cooper Architects to assist the Twin Falls City Historic Preservation Commission in developing design guidelines for the Twin Falls Downtown Historic District and the City Park Historic District in the amount of \$13,000.00. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Mayor Hall commented that he would like to see the character of district stay but also sees the need to move forward.

6. Consideration of a request to award the 2015 Canyon Springs Sewer Project to Knife River Corporation– Northwest of Boise, Idaho, in the amount of \$333,333.00.

Project Coordinator Glaesemann explained that in November 2011, the City of Twin Falls, Urban Renewal Agency, and Agro-Farma entered into a development agreement. Under the agreement, the City was required to construct sewer improvements to support wastewater flows of 1.5 million gallons a day (MGD) from the proposed Chobani plant. In addition to accommodating the Chobani flows, the new improvements included additional capacity for future industrial, commercial, and residential development. Initial flows from Chobani were anticipated to be less than 1.0 MGD, so the improvements needed to accommodate those flows were completed prior to the plant opening.

Sewer modeling indicated that a short section of sewer line at the top of Canyon Springs Road would be able to handle the initial flows, but not the full 1.5 MGD, so it was not included in the construction effort in 2012. However, the improvement is still required under the development agreement.

Project Coordinator Glaesemann said that on July 2 2015, bids were opened on the 2015 Canyon Springs Road Sewer Project. One bid was received in the amount of \$333,333.00 from Knife River Corporation – Northeast of Boise, Idaho.

Staff recommends that the Council award the 2015 Canyon Springs Road Sewer Project to Knife River Corporation – Northwest, in the amount of \$333,333.00.

Councilmember Talkington asked if this was the upper part of the grade.

Project Coordinator Glaesemann said it was.

Councilmember Barigar asked for the timeline.

Project Coordinator Glaesemann said time line is 90 days.

MOTION:

Councilmember Barigar moved to award the 2015 Canyon Springs Sewer Project to Knife River Corporation– Northwest of Boise, Idaho, in the amount of \$333,333.00. The motion was seconded by Councilmember Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

7. Consideration of a request to adopt an ordinance vacating a sewer easement on Lot 7 Block 1 of the Canyon Park Amended Subdivision (app. 2729).

Zoning and Development Manager Carraway-Johnson said that on May 27, 2015, the Planning and Zoning Commission held a public hearing whereby there was no public comment. After discussion it was voted on to recommend approval of the request to the City Council.

On June 29, 2015, the City Council moved to approve the vacation of the portion of a platted sewer easement as presented subject to the Commission’s recommendations.

MOTION:

Councilmember Talkington made a motion to suspend the rules and place Ordinance 3099, on third and final reading by title only. The motion was seconded by Councilmember Barigar. Roll call vote showed al members present voted in favor of the motion. Approved 6 to 0

Deputy City Clerk Bryan read the ordinance by title only:

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.

MOTION:

Vice Mayor Hawkins made a motion to adopt Ordinance 3099. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

8. Consideration of a request to adopt an ordinance for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 for 2.4 (+/-) acres located at 1629 Locust Street North (app. 2727).

Zoning Development Manager Carraway-Johnson explained that on May 27, 2015, the Commission held a public hearing on this request. Upon conclusion of the public portion of the hearing the Commission held deliberations with no issues or concerns. After discussion it was voted on to recommend 1) this request was in conformance with the Comprehensive Plan, and 2) the extent and nature of changing the zoning of this property to C-1 would allow land development that would be compatible with and not detract from the surrounding area and therefore recommended approval of the request to the City Council.

On June 22, 2015, the City Council held a public hearing on this request. There was no public comment and upon conclusion of the public hearing and deliberations Council approved the request as presented.

MOTION:

Councilmember Lanting made a motion to suspend the rules and place Ordinance 3100, on third and final reading by title only. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Deputy City Clerk Bryan read the ordinance by title only:

ORDINANCE 3100

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AMENDMENTS TO THE AREA OF IMPACT AND ZONING DISTRICTS MAP AND THE REVISED AREA OF IMPACT AND COMPREHENSIVE PLAN LANDE USE MAP.

MOTION:

Councilmember Barigar made a motion to adopt Ordinance 3100. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

9. Consideration to adopt an ordinance for annexation of 53.38 (+/-) acres located at the southeast corner of 2700 East Road aka Sunway Drive North and North College Road West, extended (app. 2730).

Zoning & Development Manager Rene'e Carraway-Johnson said that on May 27, 2015, the Commission held a public hearing regarding the zoning designation of this site being requested for annexation. Upon conclusion of the public portion of the hearing the Commission held deliberations with no issues or concerns. The Commission recommends the R-2 VAR zoning designation for the entire 53+/- acre site.

MOTION:

Councilmember Talkington made a motion to suspend the rules and place Ordinance 3101, on third and final reading by title only. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Deputy City Clerk Bryan read the ordinance by title only:

ORDINANCE 3101

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ANNEXING CERTAIN REAL PROPERTY BELOW DESCRIBED, PROVIDING THE ZONING CLASSIFICATION THEREFOR, AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

MOTION:

Councilmember Lanting made a motion to adopt Ordinance 3101. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

10. Consideration to adopt an ordinance vacating sewer easement located on Lot 4 Block 1 of the Canyon Park Amended Subdivision (app. 2731).

Zoning & Development Manager Carraway-Johnson, said that on May 27, 2015, the Planning and Zoning Commission held a public hearing whereby there was no public comment. After discussion the Commission recommended approval of the request to the City Council as presented.

MOTION:

Vice Mayor Hawkins made a motion to suspend the rules and place Ordinance 3102 on third and final reading by title only. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Deputy City Clerk Bryan read the ordinance by title only:

ORDINANCE 3102

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.

MOTION:

Councilmember Barigar made a motion to adopt Ordinance 3102. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

11. Discuss and provide feedback on the conceptual design of the City Council Chambers in the new City Hall.

Clint Seivers, Architect with Hummel Architects, provided a brief presentation and led the discussion regarding further programming input and feedback on the City Council Chambers area of the new City Hall facility.

During the presentation the following was discussed:

- A need for an executive room when council could utilize other meeting rooms for executive sessions.

- Commission meetings would meet in another room that would be equipped with the necessary AV equipment
- Traffic flow.
- Needs to be handicap accessible
- Good acoustics and up to date electronics
- Screen placement for audience and council
- Media needs – platform for cameras and plugs ins for their equipment
- Staff location – make sure the Council’s backs are not to the audience
- Visibility into the chambers
- AV center
- Safety concerns – Uniformed Officers in attendance at some meetings and panic buttons
- Kevlar reinforced daises
- Tiered audience seating sloping down
- Metal detectors not necessary
- Presentation area needs to be mobile
- Natural lighting important
- Good heating and cooling system
- Good ventilation

12. A presentation of the Enterprise Fund-Types contained in the City Manager’s Recommended Budget for FY 2016 followed by citizen input.

City Manager Travis Rothweiler said that the recommended budget addresses the need to protect the long-term future of the community, primarily in the areas of public safety, preservation of public infrastructure, and in delivering sustainable government that aligns with the demands of today, while ensuring the ability to rapidly respond to growth. This proposal is balanced, complete, sustainable, strategically driven, and represents our continued commitment to prudent fiscal management, effective service delivery, sustainability, and transparency. While this budget covers only FY 2016, it continues to define a path that will move Twin Falls into the future as a safe city with a solid infrastructure and an ongoing commitment to a unique quality of life.

The Recommended Budget provides funding for current and enhanced service levels. It is designed to meet the Twin Falls’ City Council members’ priorities within the constraints of available resources. It calls for the use of only 1.5% of the statutorily-allowed three-percent increase to property tax revenues collections and requests no increases to the city’s assessed water, sewer and sanitation rates. The adopted budget has been formulated with a philosophy of:

- Providing solid, high-quality, core governmental services
- Efficiently allocating resources to meet citizen needs
- Emphasizing affordability and sustainability
- Capitalizing on technology to improve service delivery
- Valuing our employees

The Recommended 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 maintains 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.

The budget is balanced and in accordance with the state law and Government Finance Officers’ Association (GFOA) best practices. The total net budget for FY 2016 is \$60,765,948 or \$3,683,759, or 6.45% larger than the total net budget of \$57,082,189 for the current fiscal year. For FY 2016, Government Fund-Type expenditures, those funds that receive some of their funding from property tax revenues, increase by \$205,779 (0.60%), of which \$543,820 is from cash reserves to fund one-time capital initiatives. Enterprise Fund-Type expenditures increase by \$3,761,445, or by 14.34%, of which \$3,668,923 is from cash reserves.

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. Equally, the City recognizes the value and importance of honoring and upholding our fiduciary duties and responsibilities. Because openness and transparency are part of our organizational culture and values, the City has taken several steps designed to afford our citizens and stakeholders several opportunities to actively participate and contribute to the budgeting process.

The City of Twin Falls has taken additional steps designed to illustrate our commitment to effective community involvement in the annual budget process. 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. On August 10, 2015, the City Council will adopt the preliminary budget for FY 2016, with a public hearing and final adoption scheduled to occur on August 24, 2015.

Connection to the City's 2030 Strategic Plan

The City views its planning and operations in a strategic manner. Our fiscal, operational and organizational strategies are governed and directed by the City's 2030 Strategic Plan. The Strategic Plan has a series of vision statements, that when viewed collectively, will allow us to create and maintain an accessible, healthy, learning, environmental, responsible, prosperous, and secure community with a strong internal organization designed to be able meet the needs of our citizens, businesses and visitors. The Strategic Plan is divided into eight, equally important focus areas: a *Healthy Community*, a *Learning Community*, a *Secure Community*, an *Accessible Community*, an *Environmental Community*, a *Prosperous Community*, a *Responsible Community*, and recognition of the importance of the *Internal Organization*. For each focus area, there is a description of the vision for that topic in the year 2030. To review the vision descriptions, please see the City of Twin Falls 2030 Strategic Plan.

Budget Overview

The role of local government is to protect the citizen's health and provide for their safety. To realize that end, local governments, like the City of Twin Falls, are responsible for providing accessible streets, dependable emergency responses, and safe and aesthetically pleasing parks and public facilities—all in a manner that is both effective and efficient. While the budget does not fund all capital initiatives and projects in the entire organization, it does meet the City Council's priorities and the citizen's service level expectations. It demonstrates restraint in the areas of taxation and rate adjustments. It appropriately incorporates the use of cash reserves to cover one-time, critical and needed capital projects in the Library Fund and the Water Fund.

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 2016 Budget. The specific allocations are outlined in subsequent sections of this message. To ensure that the City is incrementally improving each year, the City will continue to review and develop performance plans to advance established vision statements. Additionally, the City will use the City's 2030 Strategic Plan to build collaborative partnerships with our public, private and other community partners. Sustainable Twin Falls, the Economic Development Ready Team, and Activate Twin Falls/Magic Valley are just three examples of the many opportunities that the City has to collaborate with our partners to create the ideal community.
- **Limit Tax Collections and Rate Increase.** During the initial budget development conversations, the members of the City Council said that they wanted the budget to be sensitive towards tax and rate

adjustments. The City Manager's FY 2016 Recommended Budget holds water and sewer rates at the current levels and calls for a 3.3% decrease to the sanitation rate that is assessed to its residential customers. The City does not supply sanitation services to properties considered non-residential in nature.

- Invest in our employees. Each year, the City of Twin Falls reviews the full compensation (salary and benefits) level of its employees to ensure it is competitive with the market. The Recommended Budget for FY 2016 provides competitive compensation and benefits adjustments as well as advanced training opportunities. It provides an across-the-board adjustment of 3.0% for all employees who meet minimum job performance standards. It also provides funding to adjust the City's salary table by 0.5%. Both of these requests are consistent with the City's compensation strategy and similar to the adjustments made in FY 2015. As stated last year, moving the compensation table 0.5% does not constitute a 0.5% compensation adjustment for all employees. The movement of the market on the compression ratio table will allow the City to address wage compression issues for tenured employees. Employees that are below new 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.
- Continue to Invest in Our Infrastructure Systems – The Recommended Budget for FY 2016 provides increased funding for maintenance and planning activities in the Water and Waste Water funds.

Water Fund – The Recommended Budget increases total capital funding in the Water Fund from \$1,382,500 to \$4,618,310, which represents an increase of \$3,235,810 or 234%. The FY 2016 allocation is derived from anticipated revenues totaling \$10,073,076, an increase of \$105,006 compared to FY 2015, and cash reserves equaling \$3,114,096 for engineering and reconstruction of the Wills Booster Station, which is estimated to cost \$3,374,000. In addition, the Recommended Budget provides funding for: mainline replacement (\$378,000) upgrades and improvements to the water mainlines (\$360,000), meter replacement (\$169,000), and the development, and upgrading of pressurized irrigation stations (\$305,000).

Waste Water Fund – *The Recommended Budget maintains total capital funding in the Waste Water Fund of \$1,012,250. The City Manager's Recommended Budget requests funding for: maintenance and upgrades at the City's TSS Ponds and Auger Falls reuse project (\$70,000), the sewer line collection system modeling (\$200,000), and upgrades to sewer mainlines (\$375,000). The allocation does not include the ongoing revenue bond funded expansion project to the City's waste water treatment plant (\$32 million) and collections lines (\$6 million).*

- Continue to Pursue Innovative Strategies and Find More Effective Outcomes. In our continued pursuit of excellence, the City 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 Insights, formally known as the Center for Performance Measurement.

2016 Fiscal Year Budget Summary & Overview

The total net budget for FY 2016 is \$60,765,948, an increase of \$3,683,759, or 6.45% compared to the 2015 fiscal year adopted net budget of \$57,082,189. Of the total FY 2016 Recommended Budget, \$27,118,691 is contained in the Enterprise Fund, or business-like funds. In 2015, the City appropriated \$33,506,273 in the Government Fund and \$23,575,916 in the Enterprise Funds.

A total of \$4,212,743 of "cash reserves" is being used to complete several critical, one-time capital intensive projects.

The total amount of cash reserves allocated in the Enterprise Funds is \$3,668,923. Specifically:

- \$400,000 in the Impact Fee Fund for trail project

- \$26,567 in the Airport Construction Fund (PFC account) for land acquisition
- \$3,114,096 in the Water Fund for the Wills' booster station
- \$4,034 in Common Area Maintenance Fund for proposed increased maintenance
- \$10,475 in the Shop Fund for capital projects
- \$49,854 in Park Development Fund for shelter/shade structures at the 1st Federal Park
- \$63,897 in the Seizures and Restitution Fund for specified operational and capital acquisitions

The use of cash reserves assists in the completion of critical capital projects and allows the FY 2016 Recommended Budget to remain stable and sustainable. The use of cash reserves in the Enterprise-Type Funds allows us to continue to offer comprehensive, quality local government services at competitive tax rates and "lower-than-market" user fees.

Water Fund – Revenues and Expenditures

The importance of having a clean, reliable and safe water system is articulated in the City's 2030 Strategic Plan. The *Healthy Community* Vision states: "Water, sewer and other public facilities function at a high level ensuring the public health benefits of that infrastructure are well-maintained and kept in compliance with acceptable standards. Community design standards facilitate individuals' commitment to maintaining a healthy life-style..." The projects contained in the FY 2016 will allow the City to achieve the *Health Community vision statement*.

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 2016, the City Manager's Recommended Budget calls for total system expenditures in the amount of \$13,187,172, an increase of \$3,368,485, or 34.31%, when compared to the total allocation of \$9,818,687 in FY 2015.

The Recommended Budget recommends that the City maintain the current water rate. Simply, there does not need to be a rate increase to cover the programmed cost, improvements and projects recommend in FY 2016. Holding the line assures the City of Twin Falls water rates will remain among the lowest in the region.

The increase in capital funding is a result of the recommendation to use \$3,114,096 of Water Fund cash reserves to support the reconstruction for the Wills Booster Station. The estimated total cost of the project is \$5.0 million and the balance will be funded with private participation. Without the use of cash reserves to offset one-time capital costs, advancing this capital project would not be financially possible.

Water Fund – FY 2016 Budget: \$13,187,172

FISCAL YEAR 2016 OPERATIONAL BUDGET: **\$4,691,107**, AN INCREASE OF \$110,102
COMPARED TO FY 2015 FISCAL YEAR 2016 CAPITAL BUDGET: **\$4,618,310**, AN INCREASE
OF \$3,235,810 COMPARED TO FY 2015 FISCAL YEAR 2016 DEBT SERVICE BUDGET:
\$2,810,162, AN INCREASE OF \$450 COMPARED TO FY 2015 FISCAL YEAR 2016
TRANSFERS: **\$1,067,593**, AN INCREASE OF \$22,123 COMPARED TO FY 2015

FY 2016 CAPITAL HIGHLIGHTS:

- \$3,374,000 FOR WILLS BOOSTER STATION UPGRADE – TO BE FUNDED WITH WATER FUND RESERVES
- \$378,560 FOR WATER MAINLINE REPLACEMENT
- \$305,000 FOR REGIONAL PRESSURIZED IRRIGATION STATIONS
- \$169,000 FOR METER REPLACEMENT

Council discussed the following:

- Decrease on assessed valuation
- Challenge County valuations.
- Control on how much the City spends. Don't have control on valuation levy.

MINUTES

Monday, July 13, 2015

Page 13 of 13

- Actual valuation rates will come out in August, 2015.
- Encourage Citizens to share their ideas and concerns.

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

City Manager Rothweiler said that a City Fair at the Banner Building and future City Hall will be held on Wednesday, July 14, 2015, from 3:00 p.m. to 8:00 p.m. City Staff will demonstrate developments including advancements in policing and public safety, trail connectivity and public transportation, downtown redevelopment and new public facilities that better serve a growing population. There will also be a station where people can give input on the exterior design for the future City Hall.

Mayor Hall explained that CSI Trans IV bus systems funding from ITD has been cut substantially.

City Manager Rothweiler explained the 5411 funding.

Mayor Hall asked the Council for their approval of a support letter for Trans IV.

Council gave their approval.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: - NONE

IV. PUBLIC HEARINGS: 6:00 P.M. - None

V. ADJOURNMENT:

There being no further business to come before the Council the meeting was adjourned at 7:25 p.m.

Sharon Bryan, Deputy City Clerk

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
Vice Mayor					Mayor	

**MINUTES**

Meeting of the Twin Falls City Council
 Monday, August 10, 2015
 City Council Chambers
 305 3rd Avenue East -Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG		
CONFIRMATION OF QUORUM		
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA		
PROCLAMATIONS: NONE		
GENERAL PUBLIC INPUT		
AGENDA ITEMS		
I. <u>CONSENT CALENDAR:</u>	<u>Purpose:</u>	<u>By:</u>
1. Consideration of a request to approve the Accounts Payable for August 4 – 10, 2015.	Action	Sharon Bryan
2. Consideration of a request to approve a Beer License for Shopko #67, located at 1649 Pole Line Road.	Action	Sharon Bryan
3. Consideration of a request to approve the June 1, 2015, July 6, 2015, and August 3, 2015, City Council Minutes.	Action	Sharon Bryan Leila A. Sanchez
4. Consideration of a request to approve the Findings of Fact, Conclusions of Law, and Decision: Vacation for Base Jumper Two.	Action	Rene'e V. Carraway-Johnson
II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>
1. Consideration of a request to approve the use of street impact fees paid by the Twin Falls School District for the construction of a traffic signal at Hankins Road and Stadium Boulevard.	Action	Mitchel Humble
2. Consideration of a request to adopt a resolution to allow the City to procure goods and services on the open market and awarding this year's Zone Maintenance Project to Knife River Inc.	Action	Jon Caton
3. Consideration of a request to approve a preliminary (30%) Main Avenue Redesign concept	Action	Melinda Anderson Mandi Roberts/Otak
4. Presentation of the City Manager's Recommended Budget for FY 2016 followed by citizen input.	Presentation	Brian Pike
5. Consideration of a request for the adoption of the Tentative Budget for the City of Twin Falls and set August 24 2015, at 6:00 p.m. as the date and time for the public budget hearing.	Action	Travis Rothweiler
6. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None	<u>Purpose:</u>	<u>By:</u>
V. <u>ADJOURNMENT:</u>		

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 (208)735-7287.

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Gregory Lanting, Don Hall, Chris Talkington.
Absent: Rebecca Mills Sojka
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, City Engineer Jacqueline Fields, Economic Development Director Melinda Anderson, Public Works Director Jon Caton, Public Information Officer Josh Palmer, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

Corrected collection of meeting minutes. The change appears on page #4, marked in red, we had a wrong motion.

PROCLAMATIONS: NONE

GENERAL PUBLIC INPUT

1. Tyrell Burgess 233 Polk Street, spoke against the CSI Refugee Center.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for August 4 – 10, 2015.
2. Consideration of a request to approve a Beer License for Shopko #67, located at 1649 Pole Line Road.
3. Consideration of a request to approve the June 1, 2015, July 6, 2015, and August 3, 2015, City Council Minutes.
4. Consideration of a request to approve the Findings of Fact, Conclusions of Law, and Decision: Vacation for Base Jumper Two.

MOTION:

Councilmember Lanting moved to approve the Consent Calendar including the corrected minutes Agenda item #3. The motion was seconded by Councilmember Barigar. 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 approve the use of street impact fees paid by the Twin Falls School District for the construction of a traffic signal at Hankins Road and Stadium Boulevard.

Deputy City Manager Humble explained the Twin Falls School District has begun construction of four different projects in the last few months that have been assessed impact fees by the City. The four projects include the

South Hills Middle School new construction, the Pillar Falls Elementary School new construction, the Rock Creek Elementary School new construction, and the Canyon Ridge High School addition. The City required one of those projects, the Pillar Falls Elementary School, to construct a traffic signal at Hankins Road and Stadium Boulevard. The signal was required to mitigate safety concerns of children crossing Hankins Road to attend the school.

The traffic signal at this location is included on the City's street impact fee capital improvement plan. That means that the City collects impact fees to pay for the construction of, among other things, this traffic signal. According to the City's impact fee regulations, we cannot charge an impact fee of a development and require that development to construct an improvement that would be paid for by those impact fees. Double dipping the development community is not allowed in our program. Therefore, City staff refunded the street impact fee payment of \$10,570.35 for Pillar Falls Elementary School to the District to be in compliance with our program.

The other three school projects also paid street impact fees in the following amounts:

- South Hills Middle School - \$19,548.30
- Rock Creek Elementary School - \$10,615.50
- Canyon Ridge High School - \$3,936.90
- Total - \$34,100.70

The District has requested that the City allow these funds to also be used toward the construction of the traffic signal at Hankins Road and Stadium Boulevard. In the street impact fee capital improvement plan, the City estimates the cost of this signal to be \$418,263.

This request was discussed by the Development Impact Fee Advisory Committee at their July 23rd meeting. The Committee unanimously supported the request and recommends to the Council that the \$34,100.70 collected from the three District projects go toward the construction on the traffic signal at Hankins Road and Stadium Boulevard. The Committee's comments centered on the idea that if we allow the use of this \$34,100 on the traffic signal, it will save District tax payers' money, which most are also City tax payers.

Councilmember Talkington was impressed with the board meeting. He said it was a very engaged group.

Assistant City Manager Humble said that they have 9 people on the commission.

MOTION:

Vice Mayor Hawkins moved to approve the use of street impact fees paid by the Twin Falls School District for the construction of a traffic signal at Hankins Road and Stadium Boulevard. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

2. Consideration of a request to adopt a resolution to allow the City to procure goods and services on the open market and awarding this year's Zone Maintenance Project to Knife River Inc.

Public Works Director Caton explained this year, as part of our Zone Maintenance Program, Public Works planned to reconstruct 3rd Ave. W. The project scope includes the replacement and upsizing of existing water main, installation of a Storm water pipe, curb, gutter, sidewalk, ADA ramps and complete road reconstruction.

This formally bid and on May 28th received only one bid from Idaho Sand and Gravel in the amount of \$850,242.50. On Monday, June 22nd, Staff recommended rejecting this bid and Council approved the bid rejection.

Staff contacted Idaho Sand & Gravel and attempted to negotiate a more competitive price. Idaho Sand & Gravel explained that they could not adjust their price due to their current backlog and schedule. Subsequently, Staff, approached Knife River Inc. and requested a bid. Knife River's bid was \$696,713.50, substantially less than the lowest formal bid previously received.

Public Works Director Caton recommends approval of the proposed resolution which shall allow the city to procure goods and services on the open market and enter into a contract with Knife River Inc. in the amount of \$696,713.50

- Councilmember Talkington asked questions on the difference of the bids.
- Vice Mayor Hawkins asked what were the engineer estimates.
- Tim Vawser, EHM Engineers went over the engineer estimates.
- Public Works Director Caton explained that bidding construction project right now is difficult and he feels that it is not going to get any better with all the projects that are going on right now.

MOTION:

Councilmember Lanting moved to adopt Resolution #1948. The motion was seconded by Councilmember Barigar . Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

MOTION:

Councilmember Lanting moved to award this year's Zone Maintenance Project to Knife River, Inc., in the amount of \$696,713.50. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Councilmember Lanting asked for an update on the School District Building Projects.

Brad Wills gave an update on the School District Building Projects.

Councilmember Talkington reminded Council what happened with the Airport bid and did not want this to happen with this project.

3. Consideration of a request to approve a preliminary (30%) Main Avenue Redesign concept

Economic Development Director Anderson said that today Otak presented to the Project Advisory Committee and to the TFURA board its preliminary design. It includes much of what the community has said they want to see as part of a rejuvenated Main Avenue and the new Downtown Commons. This design means that Main Avenue from Jerome Street to Fairfield Street will be completely overhauled with new street, sidewalk, lighting, landscaping, and more. This design will also open up Hansen Street from Main to 2nd Ave South by removing the fountain, and will entail building a new plaza (Downtown Commons) at the site of the current Rogerson Building.

Along with the design, Otak will also present preliminary costs based on the 30% design. Once the engineering is 100% complete, we will have more refined estimates to review.

Mandi Roberts with Otak gave a 20-minute presentation of the Main Avenue Redesign concept.

Discussion ensued on the following:

- Clarification on estimates
- Extra cost for pavers
- Lighting
- Traffic calming – rated streets for crossing.
- Parking on Hansen Street – convenient parking to access City Hall
- Acoustics in Council Chambers – use of sound absorbing materials
- Electrical updated
- Less landscape maintenance
- Plumbed irrigation for flower baskets

- Community Block Grants

MOTION:

Councilmember Lanting moved to approve a preliminary (30%) Main Avenue Redesign Concept. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

4. Presentation of the City Manager’s Recommended Budget for FY 2016 followed by citizen input.

Deputy City Manager Pike presented the recommended Budget for FY 2016 and he explained that over the course of the past several weeks, the City’s leadership and department head teams have presented elements of the FY 2016 City Manager’s Recommended Budget. The Recommended Budget addresses the need to protect the long-term future of the community, primarily in the areas of public safety, preservation of public infrastructure, and in delivering sustainable government that aligns with the demands of today, while ensuring the ability to rapidly respond to growth. This proposal is balanced, complete, sustainable, strategically driven, and represents our continued commitment to prudent fiscal management, effective service delivery, sustainability, and transparency.

The FY 2016 City Manager’s Recommended Budget is \$60,765,948 or \$3,683,759, or 6.45% larger than the total net budget of \$57,082,189 for the current fiscal year. It only requires the City to collect 1.5% more property tax revenue compared to the amount collected in FY 2015. This equates to an additional \$264,935. By not taking the full 3% statutorily provided for revenue adjustment, the City will add to its overall foregone balance.

This is the sixth consecutive, and eighth overall meeting where the budget has been a topic of discussion at a City Council meeting. Tonight, August 10, 2015, the City Council will adopt the preliminary budget – or maximum budget – for FY 2016. The official public hearing and final adoption of the FY 2016 is scheduled to occur on August 24.

Focus on how the recommended budget for FY 2016 is connected to the City’s 2030 Strategic plan, with special emphasis on Focus Areas 2 and 3.

Focus Area 2 – Learning Community

Twin Falls is a community that consciously supports an individual’s pursuit of intellectual growth, as well as personal and professional growth. The formal education system is well supported and prepares the youth of the community to effectively function as a contributing member of society along with a wide array of public and private institutions supporting a life-long pursuit of knowledge and skill development.

Programs are in place to ensure the maximum level of success possible in meeting educational standards. Twin Falls continues to be known as the training center for our local economy.

Capital Projects – Upgrade to the front entrance and ramp area of the Twin Falls Public Library (\$12,000), Seal coat of the Twin Falls Public Library parking lot (\$6,000) and we will continue to strengthen the “human capital” we have achieved through meaningful partnerships and relationships with the College of Southern Idaho and the Twin Falls School District.

Focus Area 3– Secure Community

Twin Falls is a community where people feel safe and enjoy a high level of safety. Effective partnerships among the professional public safety organizations and individuals and groups of private citizens help ensure broad-based, effective involvement in crime and fire prevention and building code enforcement efforts. Community education and civil engineering efforts show positive results in traffic, bicycle and pedestrian safety experience. Continued investment in professional development as well as in public safety systems, infrastructure and technology has ensured a robust emergency response capability.

Personnel – Three new positions are recommended in this budget to help achieve the objectives within Focus Area 3, a Planner I and two Patrol Officers.

This position will help the Planning Department adopt and maintain Codes regarding dangerous buildings and ensure new developments are designed in such a way as to help prevent crime. The justification for the Planner I position was included in Focus Area 1.

The two Patrol Officers include a fully burdened cost of \$123,374. These positions will help the Police Department support data driven decision making, improve relationships and educate implement electronic citation systems, improve security of public facilities, improve traffic enforcement, and proactively prevent and respond to drug and alcohol related abuses.

The Patrol Division currently has 34 police officers, four traffic officers, and seven supervisors. Deputy City Manager Pike believes the current staffing level is inadequate to meet the current and future public service expectations. According to the most recent Crime in Idaho Report, the offense total in the State of Idaho dropped 1.95% in 2014. The offense total in Twin Falls rose by 3.0% during the same period. This figure is the highest it has been since 2011, when the offense total was 8% higher than the current rate.

The current ratio of police officers to City residents is 1.5 per 1,000. The current statewide average is 1.6 per 1,000. However, our population grows to an estimated 70,000 every day. If calculated this ratio by the community daytime population, it drops to 1.02 per 1,000. A significant percentage of the Department's workload is directed at non-residents. In 2014, 47% of people listed in police reports and 46% of people who were issued an infraction or misdemeanor citation, were not City residents.

According to the 2014 National Citizens Survey results, several community satisfaction ratings of police services "were below the benchmark" when compared to similar-sized organizations across the country. Residents clearly expect the Department to improve services in areas that the City cannot be addressed with current staffing levels. In order to focus on many of the areas that rated low, additional resources need to be dedicated to traffic enforcement, public safety education, crime prevention, and community outreach programs. These two new positions will provide each Patrol Division platoon an additional officer to deploy in strategic areas that will enhance safety and security and improve the community's perception of police services.

Capital Projects – 5 Ford Interceptor vehicles, four replacement, one additional for two new Patrol Officers (\$243,970); Animal Control truck (\$43,700); replacement of a bomb suit for our Bomb Squad (\$25,000); Body Cameras (\$139,620); Taser Replacements (\$34,776); Uninterrupted Power Supply in E-911 Center (\$50,000); Full-size Pick-up for Code Enforcement (\$26,500); Self-contained breathing apparatus (SCBA) for Fire (\$246,058); Fire Rescue Vehicle replacement (\$175,000); Fire Fighters transitioning from EMR to EMT (\$17,213).

How much more will City Services Cost?

In addition to understanding the levels of services and the amount of improvements programmed in the budget, it is also important that the City recognize the impact this proposal has on our citizens and taxpaying shareholders.

The impact the City Manager's Recommended Budget will have on the taxpayers residing or doing business in Twin Falls. For the average customer, the Recommended Budget has a total maximum impact of -\$0.32 per month or -\$3.89 per year.

Specifically, the Recommended Budget:

- The annual property tax on a median-value home in Twin Falls may increase to a maximum of \$2.83 annually or by about \$0.24 per month. This would equate to a 0.51% increase. However, it is important to note the total taxable value is subject to refinement by the Twin Falls County Assessor's.

- The total monthly utility bill for the average resident in Twin Falls is expected to decrease. The Recommended Budget maintains the current water and sewer rates unchanged. The global sanitation rate will decrease for the City's residential customers by \$0.56 per month or \$6.72 annually.

Council discussion ensued on the following:

- EMS, EMT transitions
 - Emergency Medical responder needs to be brought up to an EMT level
 - With three new schools a need to reconfigure our stations. Need to update comp. plan
 - Staff has done an excellent job of putting budget together
 - Cell Service
5. Consideration of a request for the adoption of the Tentative Budget for the City of Twin Falls and set August 24 2015, at 6:00 p.m. as the date and time for the public budget hearing.

City Manager Rothweiler said the role of local government is to protect the citizen's health and provide for their safety. To realize that end, local governments, like the City of Twin Falls, are responsible for providing accessible streets, dependable emergency responses, and safe and aesthetically pleasing parks and public facilities—all in a manner that is both effective and efficient. While the budget does not fund all capital initiatives and projects in the entire organization, it does meet the City Council's priorities and the citizen's service level expectations. It demonstrates restraint in the areas of taxation and rate adjustments. It appropriately incorporates the use of cash reserves to cover one-time, critical and needed capital projects in the Library Fund and the Water Fund.

Budget concepts and funding strategies grew out of many internal conversations, public informational listening sessions and planning meetings. Seven primary focus areas were developed. Those areas are:

- Implement 2030 City of Twin Falls Strategic Planning goals and objectives to realize outcomes
- Limit Tax Collections and Rate Increase
- Appropriate new gas tax revenue to road maintenance projects
- Continue to Invest in our employees
- Continue to Invest in our Infrastructure
- Continue to pursue innovative strategies and find more effective outcomes
- Continue to evaluate service delivery level

2016 Fiscal Year Budget Summary & Overview

The total net budget for FY 2016 is \$60,765,948, an increase of \$3,683,759, or 6.45% compared to the 2015 fiscal year adopted net budget of \$57,082,189. Of the total FY 2016 Recommended Budget, \$33,647,257 funds the Government Fund departments and \$27,118,691 is in the Enterprise Fund, or business-like funds. In 2015, the City appropriated \$33,506,273 in the Government Fund and \$23,575,916 in the Enterprise Funds.

This Recommended Budget provides funding for additional full-time positions considered to be essential for maintaining levels of services provided to the public, increased operational cost and funding to address capital needs that are viewed to be critical to accomplishing stated strategic planning objectives. There are a few noteworthy recommended changes proposed in the City Manager's FY 2016 Recommended Budget. Those changes are the following:

- Total personnel cost will increase from \$22,543,609 to \$23,656,094 or by \$1,112,485 (4.93%). The FY 2016 Recommended Budget provides for a performance-based adjustment of 3.0% for all employees and moves the City's compensation table (0.5%). These improvements are designed to maintain the competitiveness of the City's compensation model. Changes to personnel costs.
- Overall operating costs are projected to increase from \$15,925,810 to \$16,105,200 or by \$179,390 (1.13%).
- Total Funding for capital improvements and acquisitions are scheduled to increase from \$12,320,801 to \$14,713,636, or by \$2,392,835 or 19.42%. This does not include any work associated with the \$38

million City's waste water treatment plant and collection system that will continue into FY 2016, or funding for the new City Hall and Public Safety Complex, estimated to cost \$8 million.

Property Tax Overview & Analysis

In FY 2016, the City have a preliminary total taxable value for the City of \$2,278,878,114, or an increase of \$13,934,828, compared to 2015's total taxable value of \$2,264,943,286. The new construction roll was \$36,199,378. Without the new construction roll, the total taxable value of all existing structures decreased a total of \$21,552,971, or by -0.95%.

The FY 2016 Recommended Budget relies on property taxes to raise 53.2% of the net revenue needed to support municipal operations in the Government-Type Funds. The FY 2016 budget is balanced with a projected property tax rate of \$7.67/\$1,000 of taxable value to \$7.72/\$1,000 of taxable value. The recommended budget incorporates only 1.5%, or \$264,935 of the statutorily allowed 3% property tax revenue increase and revenue associated with the new construction value, or \$277,457. This spending plan adds to the City's foregone balance, which is anticipated to grow to \$2,147,606. The City anticipates total property tax collections for FY 2016 to be \$17,907,342, an increase of \$547,249 compared to FY 2015's collections of \$17,360,094.

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 2016, the City Manager's Recommended Budget calls for total system expenditures in the amount of \$13,187,172, an increase of \$3,368,485, or 34.31%, when compared to the total allocation of \$9,818,687 in FY 2015.

The Recommended Budget recommends that the City maintain the current water rate.

Sewer Fund – Revenues and Expenditures

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 2016, the City Manager's Recommended Budgets calls for expenditure totaling \$9,508,471 in this Fund. This represents an increase of \$412,139 when compared to FY 2015 Sewer Fund expenditures of \$9,096,332.

Personnel Costs in the Sewer Fund are projected to increase by \$27,309 (4%) in FY 2016 to \$705,530 from \$678,221. Operational costs in the Sewer Fund are projected to increase by \$107,535 (3.13%) in FY 2016 to \$3,541,392 from \$3,433,857. The allocation made to cover costs associated with the contract the City has with CH2MHill to operate its waste water treatment plan is relatively unchanged at \$3,280,000.

The Recommended Budget recommends that the City maintain the current sewer rate.

Sanitation Fund – Revenues and Expenditures

The importance of protecting the place we live is well described in the Environmental Community vision statement of the City of Twin Falls' 2030 Strategic Plan. Sustainability and stewardship are key drivers of this vision.

Overall, the City Manager's Recommended Budget reduces the cost of sanitation. The monthly bill paid by the City's residential customers will decrease from the current rate of \$17.18 per month to \$16.62 per month. This represents a \$0.56 per month per customer discount, or a fee reduction of -3.3%. The rate adjustment is influenced by the requested price adjustment of 2.0% by the City's contracted service provider (PSI, Inc.) and covers increases in their operational costs.

How much more will City Services Cost?

In addition to understanding the levels of services and the amount of improvements programmed in the budget, it is also important that the City recognizes impact this proposal has on our citizens and taxpaying shareholders.

Specifically, the Recommended Budget:

- The annual property tax on a median-value home in Twin Falls may increase to a maximum of \$2.83 annually or by about \$0.24 per month. This would equate to a 0.51% increase. However, it is important to note the total taxable value is subject to refinement by the Twin Falls County Assessor's.
- The total monthly utility bill for the average resident in Twin Falls is expected to decrease. The Recommended Budget maintains the current water and sewer rates unchanged. The global sanitation rate will decrease for the City's residential customers by \$0.56 per month or \$6.72 annually.

Open for Public Comments: 6:33 p.m.

Nikki Boyd, 878 Morning Sun Drive, encouraged citizens to participate in the budget hearings.

MOTION:

Councilmember Barigar moved to adopt the tentative budget for the City of Twin Falls in the amount of \$60,765,948 and set August 24, 2015, at 6:00 p.m., as the date and time for the public budget hearing. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Councilmember Talkington asked if the ad valorem can be moved within the budget.

City Manager Rothweiler said it could be moved.

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

LaVern Fairchild, Jerome, Idaho, spoke against the CSI Refugee Center.

City Manager Rothweiler reviewed upcoming events:

- Wednesday, August 12, 2015 – 2nd City Fair at Main and Hansen 5:00 p.m. to 8:00 p.m.
- Thursday, August 13, 2015, at 5:00 p.m., Employee Picnic at Candy Cane Park.
- August 31, 2015 – No Council Meeting.
- September 28, 2015 – No Council Meeting.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

- Vice Mayor Hawkins and Public Information Officer Palmer reported that on August 14, 2015 at 11:30 a.m. there will be a dedication ceremony for the A10 C Airplanes at Reeder Flying Service, Magic Valley Regional Airport.
- Councilmember Lanting said that the URA had a sign dedication for Dennis Bowyer Park

IV. PUBLIC HEARINGS: 6:00 P.M. – None

V. ADJOURNMENT:

There being no further business the meeting was adjourned at 6:45 pm

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
Vice Mayor					Mayor	



MINUTES

Meeting of the Twin Falls City Council
 Monday, August 24, 2015 - City Council Chambers
 305 3rd Avenue East - Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM CONSIDERATION OF THE AMENDMENTS TO THE AGENDA PROCLAMATIONS: MITOCHONDRIAL DISEASE AWARENESS WEEK – September 20-26, 2015.		
GENERAL PUBLIC INPUT		
AGENDA ITEMS		
I. <u>CONSENT CALENDAR:</u> 1. Request to approve the Accounts Payable for August 18 through August 24, 2015. 2. Request to approve the 7th Annual "The Cove's Camp Out" in remembrance of Charlotte Meyers to be held on Saturday, September 12, 2015, at The Cove located at 496 Addison Avenue West. 3. Request to approve the Findings of Fact and Conclusions of Law and Decision for: a. Final Plat for Golden Eagle Subdivision #6 b. Final Plat for South Hamptons #2 Subdivision c. District Change & Zoning Map Amendment for Christy Williams 4. Request to approve the final plat of Broadmoor Subdivision located at the northeast corner of Grandview Drive North and Falls Avenue West.	Purpose: Action Action Action Action	By: Sharon Bryan Dennis Pullin Rene'e V. Carraway-Johnson Rene'e V. Carraway-Johnson
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Swearing in ceremony for the Twin Falls Police Department's newest Police Officer, Dzevad Mustafic. It is requested that Mayor Don Hall administer the Oath of Office. 2. Consideration of a request to approve an outdoor concert by Ethan Tucker to be held on Saturday, August 29, 2015, at Elevation 486, located at 195 River Vista. 3. Update to the City Council regarding the petition presented by John Kaperleris for bike lanes on North College Drive 4. Consideration of a request to approve the purchase of Elm Park Company water right. 5. Consideration of a request to readopt <i>Ordinance No. 3073</i> , a Zoning Title Amendment to amend the development standards of Title 10; Chapter 4; Section 23.3-Residential Business District – Property Development Standards. 6. Consideration of a request to approve the purchase of thirty Individual First-Aid Kit packs and seventy-five personal ankle medical kits from The Activity Group in the amount of \$18,748.95. 7. Public input and/or items from the City Manager and City Council.	Purpose: Presentation Action Action Update/Action Action Action Action	By: Bryan Krear Don Hall Dennis Pullin Jacqueline Fields Rob Bohling Rene'e V. Carraway-Johnson Mathew Hicks Dan Lewin
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Presentation of the utility rate resolution for fiscal year 2016, and a public hearing of the City Manager's Recommended Budget for FY 2016. Proposed Resolution 1949 and Proposed Ordinance 3105.	Public Hearing//Action	Travis Rothweiler
V. <u>ADJOURNMENT:</u> EXECUTIVE SESSION 74-206 (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.		

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

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, City Engineer Jacqueline Fields, Water Superintendent Rob Bohling, Police Chief Bryan Krear, Captain Matt Hicks, Staff Sergeant Dennis Pullin, Parks and Recreation Director Wendy Davis, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA - None

PROCLAMATIONS: MITOCHONDRIAL DISEASE AWARENESS WEEK – September 20-26, 2015.

Mayor Hall read the proclamation and presented it to Stacy Sutherland.

Stacy Sutherland thanked Council.

I. CONSENT CALENDAR:

1. Request to approve the Accounts Payable for August 18 through August 24, 2015.
2. Request to approve the 7th Annual "The Cove's Camp Out" in remembrance of Charlotte Meyers to be held on Saturday, September 12, 2015, at The Cove located at 496 Addison Avenue West.
3. Request to approve the Findings of Fact and Conclusions of Law and Decision for:
 - d. Final Plat for Golden Eagle Subdivision #6
 - e. Final Plat for South Hamptons #2 Subdivision
 - f. District Change & Zoning Map Amendment for Christy Williams
4. Request to approve the final plat of Broadmoor Subdivision located at the northeast corner of Grandview Drive North and Falls Avenue West.

MOTION:

Vice Mayor Hawkins moved to approve the Consent Calendar. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

II. ITEMS FOR CONSIDERATION:

1. Swearing in ceremony for the Twin Falls Police Department's newest Police Officer, Dzevad Mustafic. It is requested that Mayor Don Hall administer the Oath of Office.

Police Chief Krear made the presentation.

Mayor Hall administered the Oath of Office to Police Officer Dzevad Mustafic.

2. Consideration of a request to approve an outdoor concert by Ethan Tucker to be held on Saturday, August 29, 2015, at Elevation 486, located at 195 River Vista.

Staff Sargent Pullin said that Ethan Tucker, a past resident of Twin Falls, will host a concert located outside of Elevation 486 on their outdoor plaza area. The actual event will begin at 8:30 p.m.; however the music will start at 9:30 p.m. and should conclude no later than 11:00 p.m.

This event will be a ticketed event with a maximum of 250 tickets to be sold. Alcohol will be served by Elevation 486 within the confinements of their licensed alcohol sales area. This venue is located in an area that is open to the public so identification will be checked and wristbands will be required for alcohol sales.

The Twin Falls Police Department Staff recommends that the on-duty Patrol Supervisor be given the authority to terminate the event if there are continued noise complaints, disturbances by those participating in the event, and non-compliance.

MOTION:

Councilmember Barigar moved to approve an outdoor concert by Ethan Tucker to be held on Saturday, August 29, 2015, at Elevation 486, located at 195 River Vista. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

3. Update to the City Council regarding the petition presented by John Kaperleris for bike lanes on North College Drive

City Engineer Fields explained that John Kapeleris presented a petition to the City Council requesting the placement of bike lanes on North College Rd. West. The petition includes a geographically diverse (but still generally local) group of people, very few of whom live on N. College Dr. W. The majority of petitioners do live in Twin Falls and/or felt they could support additional bicycle facilities.

Mr. Kapeleris also made a short presentation. He indicated that there was some concern with speed but. Mr.Kapeleris' primary intent, however, was to request the installation of bike lanes on North College Rd. West at the nearest reasonable opportunity.

The Transportation Master Plan indicates that collectors may be considered for and striped with bike lanes. The intent is to allow a through way for bicyclists without encouraging less competent riders to use arterial (heavier volume) roadways. The plans show a 3-lane section with bike paths as the alternative to the standard 4-lane section. This alternative works until the roadway becomes capacity limited and/or the vehicle/bike accidents become measureable; then the community really should consider placement of the lanes on a lower volume road.

The analysis was presented to the Traffic Safety Commission. Mr. Kaperleris was present and was able to participate. After considering the request, the alternatives, and searching for unintended consequences, the Traffic Safety Commission recommended placement of bike lanes between Grandview and Fieldstream Way. When Sunterra subdivision completes its roadwork, the Commission recommends extending the bike lanes from Fieldstream to Creekside Way.

Staff will continue to work towards placement of bicycle facilities along the remainder of North College Dr. West.

City Engineer Fields said that Staff recommends acceptance of the Traffic Safety Commission's recommendation to place bike lanes between Grandview and Creekside Way at the nearest reasonable opportunity.

Discussion ensued on the following:

- Broadmore Subdivision

- Off street multi transportation corridor
- Implement in our City code where paths would be more beneficial
- Progress being made on the bike lanes

MOTION:

Councilmember Talkington moved to place bike lanes between Grandview and Creekside Way. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

City Engineer Fields explained that the Broadmore subdivision is not yet developed. There is a lateral on the south side.

A discussion ensued on the following:

- Purpose of Chip Sealing
 - Article in the August 20, 2015 Idaho Statesman – Value and cost of chip sealing compares the amount of money that it cost to replace a new road vs chip sealing.
 - Link Idaho Statesman’s article to City of Twin Falls website
4. Consideration of a request to approve the purchase of Elm Park Company water right.

Water Superintendent Bohling explained that the Elm Park Water Company has encountered problems with its water system quality that cannot be fixed, according to EPA rules. The system is failing and would cost hundreds of thousands of dollars to replace for the few customers that it serves. DEQ has given them until the end of September 2015 to find another alternative for water to their customers. Elm Park Water approached the City of Twin Falls asking if City would be interested in the water rights to the well in exchange for city water service. The City of Twin Falls, in January 2015, requested Idaho Water Engineering, a third party, to give us a valuation and analysis of what the water right (No.47-10001) was worth on the fair market. Once this was done, City staff approached Elm Park Water Company and City Council with this information. City Council requested that Staff look into entering a purchase agreement to purchase the Elm Park Company water right. This water right is one of the oldest rights in Twin Falls and is not effected by the north side water calls. It is allocated .49 cfs or roughly 316,800 gallons per day, 9,504,000 gallons per month. This right can be petitioned to add to our south well consolidation which is in its use area.

According to Idaho Water Engineering, the high end fair market value for this water right is \$56,500.00, which will be taken out of reserves in the Water Fund should Council approve this transaction between the City of Twin Falls and Elm park Water Company.

Staff recommends approval and sign this proposal agreement between the City of Twin Falls and Elm Park Water Company for the purchase of the Elm Park Company water right.

The following discussion ensued:

- Hook up to city water expenses.
- Agreement with Elm Park Water Company

MOTION:

Councilmember Mills Sojka moved to approve and sign this proposal agreement between the City of Twin Falls and Elm Park Water Company for the purchase of the Elm Park Company water right in the amount of

\$56,500.00, to come out of the reserves in the Water Fund. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

5. Consideration of a request to readopt *Ordinance No. 3073*, a Zoning Title Amendment to amend the development standards of Title 10; Chapter 4; Section 23.3-Residential Business District – Property Development Standards.

Planning and Zoning Carraway-Johnson explained that on July 21, 2014 the City Council adopted Ordinance #3073, which approved a Zoning Title Amendment to amend the development standards of Title 10; Section 23.3-Residential Business District – Property Development Standards.

Idaho State Statute Title 50; Chapter 9; Section; 901 states within 1 month after an Ordinance is passed it shall be published. Once the Ordinance is published it may take effect – due to technical timelines the ordinance was not published within the 1 month window. This request is asking the City Council to re-adopt previously approved Ordinance #3073.

MOTION:

Councilmember Talkington moved to suspend the rules and place Ordinance 3073, on third and final reading by title only. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Deputy City Clerk Bryan read Ordinance 3073 by title only:

ORDINANCE 3073

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING THE PROPERTY DEVELOPMENT STANDARDS OF THE RB (RESIDENTIAL BUSINESS) ZONE.

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

MOTION:

Councilmember Lanting moved to pass Ordinance 3073 as presented. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

6. Consideration of a request to approve the purchase of thirty Individual First-Aid Kit packs and seventy-five personal ankle medical kits from The Activity Group in the amount of \$18,748.95.

Captain Hicks explained that the City of Twin Falls has made great strides in the past several years in outfitting the first-line patrol officers with the best possible tools and equipment needed to meet the high demands of their job. Our officers are provided response bags equipped with extra ammunition, safety and patrol gear. Our Department recently learned that the majority of our medical response gear was outdated and antiquated. Staff have researched the types of medical equipment that other Idaho law enforcement agencies are equipping their officers with, and believe that these are the right products to meet our current and future needs.

The Activity Group is a well-respected, Idaho-based company that provides innovative first-aid medical products designed to save lives in both the military and law enforcement professions. They have designed two trauma medical kits that staff wish to purchase. These medical kits comply with current TECC (Committee for Tactical Emergency Casualty Care) standards of care to treat a variety of traumatic injuries, including severe bleeding, penetrating chest injuries, and gunshot wounds, until EMS services arrive or the patient can be transported to a primary care facility.

The first kit, the A250 IFAK (Individual First Aid Kit), is a medical kit that is designed to treat possible life threatening injuries and can be stored inside of a patrol vehicle bag. The second kit (Ankle Med Kit) is a personal treatment, low-profile medical kit that can be carried on the ankle of the officer while on patrol or undercover. This medical kit contains products to control severe bleeding and penetrating chest wounds and allows an officer to self-treat themselves until help arrives.

Staff would request that the City Council consider amending the current fiscal year's Capital Improvement Fund to allow for the purchase of these medical kits. Here is a breakdown of the proposed cost and the formal proposal is attached to this document:

Activity A250 IFAK (30)	\$196.19 =	\$ 5,885.70
Activity Ankle Med Kit (75)	\$171.51 =	\$12,863.25

MOTION:

Councilmember Talkington moved to approve the purchase of thirty Individual First-Aid Kit packs and seventy-five personal ankle medical kits from The Activity Group in the amount of \$18,748.95. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

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

Robert England, 1527 3rd Avenue East, asked Council to include a disc golf course in the budget.

Parks and Recreation Director Davis gave an update on a disc golf course.

Mike Stradley, 210 Camarillo Way, reminded Council that disc golf is #3 on the master plan list.

Councilmember Talkington suggested that Parks and Recreation Director Davis report back in six months with a plan for a disc golf course.

Parks and Recreation Director Davis said that she would meet with the disc golf group and report back.

Mayor Hall concerned about the weeds at Courtney Conservation Park.

Council discussion ensued on the following:

- How often grass should be mowed
- Weeds
- Educate citizens about Conservation Park
- Identification signs of the different plants

Parks and Recreation Director Davis will work with staff to get weeds taken care of and will work on getting something put together to educate citizens on what is a conservation park/

Parks and Recreation Director Davis will update Council on progress at a later date.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None

IV. PUBLIC HEARINGS: 6:00 P.M.

1. Presentation of the utility rate resolution for fiscal year 2016, and a public hearing of the City Manager's Recommended Budget for FY 2016. Proposed Resolution 1949 and Proposed Ordinance 3105.

City Manager Rothweiler said the budget is balanced and in accordance with the state law and Government Finance Officers' Association (GFOA) best practices. The combined expenditures and transfers total \$64,423,188, which is a \$3,967,224 increase compared to the current year budget of \$60,455,964. For FY 2016, Government Fund-Type expenditures, those funds that receive some of their funding from property tax revenues, increase by \$205,779 (0.60%), of which \$543,820 is from cash reserves to fund one-time capital initiatives. Enterprise Fund-Type expenditures increase by \$3,761,445, or by 14.34%, of which \$3,668,923 is from cash reserves.

MOTION:

Councilmember Lanting moved to approve the utility rate resolution #1949. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

MOTION:

Councilmember Talkington moved to suspend the rules and place Ordinance 3105 on third and final reading by title only. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Deputy City Clerk Bryan read Ordinance 3105 by title only.

ORDINANCE NO. 3105

AN ORDINANCE OF THE CITY OF TWIN FALLS, IDAHO, APPROPRIATING \$60,765,948 FOR THE 2016 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 \$18,203,078 FOR THE 2016 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.

MOTION:

Councilmember Barigar moved to pass Ordinance 3105 as presented. The motion was seconded by Councilmember Munn. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

V. ADJOURNMENT:

1. EXECUTIVE SESSION 74-206 (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

MOTION:

Councilmember Lanting moved to adjourn to Executive Session as presented. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

There being no further business the meeting adjourned at 7:15 PM

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Gregory Lanting, Don Hall, Chris Talkington
Absent: Rebecca Mills Sojka
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Parks and Recreation Director Wendy Davis, City Engineer Jacqueline Fields, Public Works Director Jon Caton, Staff Sergeant Dennis Pullin, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Hall called the meeting to order at 5:00 P.M. He then invited Quin Thorne, Sons of the American Legion, to lead us in the Pledge of Allegiance. Mayor Hall asked all present, who wished, to recite the pledge of Allegiance to the Flag.

Quin explained what he does with the Sons of the American Legion.

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA - None

PROCLAMATIONS: September 12, 2015 - Kathryn L. Peterson Day

Mayor Hall read proclamation.

Kathryn Peterson thanked everyone.

Mayor Hall said he will present the proclamation to her on Saturday at the Perrine Bridge Festival.

GENERAL PUBLIC INPUT - None

I. CONSENT CALENDAR:

1. Request to approve the Accounts Payable for August 25 – September 2, 2015.
2. Request to approve a Beer and Wine License ownership transfer for Oasis Stop n Go LLC, 3197 Kimberly Road E, 688 Poleline Road, 108 Addison Avenue, 1509 Kimberly Road, and 506 Blue Lakes Blvd North.
3. Request to approve the Findings of Fact and Conclusions of Law and Decision for a Final Plat for Broadmoor Estates Subdivision
4. Consideration of a request to approve a Trust Agreement for Broadmoor Subdivision, placing all lots into trust.
5. Request to approve a Trust Agreement for Morning Sun Subdivision No. 8, placing Lots 5-33, Block 1; Lots 1-9, Block 4; Lots 1-14, Block 5 and Lots 13-22, Block 3 into trust.
6. Consideration of a request to approve the Annual Twin Falls High School Homecoming Parade to be held on Friday, September 18, 2015.
7. 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 12, 2015, from 12:00 p.m. to 3:00 p.m.
8. Request to approve the Twin Falls Senior Center Benefit Car Show and Dance to be held on Saturday, September 26, 2015, on the 100 Block of 5th Avenue West, from 12:00 p.m. to 4:00 p.m.
9. Request to approve the 9th Annual South Central Community Action Partnership (SCCAP) Event to be held in the Twin Falls City Park on Saturday, September 19, 2015, from 11:00 a.m. to 3:00 p.m.
10. Request to approve the Special Event Application submitted by Rachelle Williams to host the 10th Annual Perrine Bridge Festival to be held on Saturday, September 12, 2015, from 7:00 a.m. until 12:00 p.m.

11. Request from Gary Miller, owner of Magic Mountain Ski Resort, to approve the fourth annual “Haunted Swamp” to be held at 646 South Park Avenue West, from September 25, 2015, through October 31, 2015, from 8:00 p.m. until 12:00 a.m.

Motion:

Vice Mayor Hawkins moved to approve the Consent Calendar. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

City Manager Rothweiler introduced our new IS Director Kathy Markus.

II. ITEMS FOR CONSIDERATION:

1. Request by Rosa Paiz to approve the Celebration of Mexico event to be held at the Twin Falls City Park on Sunday, September 20, 2015, from 1:00 p.m. to 7:00 p.m.

Staff Sergeant Pullin explained that around August 11, 2015, Rosa Paiz submitted a Special Event Application to hold the “Celebration of Mexico” event on Sunday, September 20, 2015, from 1:00 p.m. to 7:00 p.m., at Twin Falls City Park. The event will be similar to past events Ms. Paiz has held for the Cinco de Mayo/Mother’s Day celebrations held at Twin Falls City Park.

The festivities will include live bands and DJ music, dancing, and vendors. There will also be food vendors offering a variety of foods for purchase at the event. Alcohol will be sold consisting of beer only. All alcoholic beverages will be served and consumed at an established beer garden, identifications will be checked, and bracelets will be required. The music will be scheduled to start at 1:00 p.m. and will conclude by 8:00 p.m. This event will not require the closure of any streets.

The Twin Falls Police Department’s Administrative Staff recommends that four (4) sworn law enforcement personnel provide security from 4:00 p.m. until 8:00 p.m., or until the crowd has dispersed. Rosa Paiz has requested that Twin Falls County Sheriff’s Reserve Deputies provide the security. With this being the first time for this event, future events may allow for less security time based on the outcome of this celebration.

Rosa Paiz advises they will be donating a portion of their proceeds, between \$800.00 and \$1,000.00, to the Saint Luke’s Magic Valley Regional Medical Center Foundation.

Based on the above information, the Twin Falls Police Staff and other relevant City Staff members have reviewed the application and recommend its approval.

MOTION:

Councilmember Munn moved to approve the Celebration of Mexico event at Twin Falls City Park on Sunday, September 20, 2015 from 1:00 p.m. to 7:00 p.m. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

2. Request to approve the first Farm Bureau Customer Appreciation Dinner to be held at the Twin Falls City Park on Sunday, September 27, 2015, from 3:00 p.m. to 9:00 p.m.

Staff Sergeant Pullin explained that on behalf of Farm Bureau Insurance and the Car Store, Beatriz Guzman has submitted a Special Event Application requesting to hold a Customer Appreciation Dinner for Farm Bureau and Car Store customers and their families. During the festivities, live music will be played from the band shell and food will be provided to those in attendance. There will be several cars from the Car Store parked in and around the Twin Falls City Park. Customers from both Farm Bureau and the Car Store will be invited; however, the actual event will be free to other members of the public if they choose to attend.

Ms. Guzman estimates more than 500 people will be in attendance during this Customer Appreciation Dinner. There will be no alcohol provided during this event. Due to the nature of this event, law enforcement security is not required.

With this being the first event of this nature by Farm Bureau Insurance and the Car Store, there is no past history. However, due to similar events in the past, Staff does not foresee any Police-related issues arising.

MOTION:

Councilmember Barigar moved to approve the first Farm Bureau Customer Appreciation Dinner at the Twin Falls City Park on Sunday, September 27, 2015, from 3:00 p.m. to 9:00 p.m. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion.

Approved 4 to 0

3. Consideration of a request to shift capital improvement dollars to fund improvements to the CSI tennis courts.

Mayor Hall excused himself due to conflict of interest

Councilperson Barigar excused himself due to conflict of interest.

Vice Mayor Hawkins conducted the meeting.

Parks and Recreation Director Davis explained that several projects in the Parks and Recreation Department capital improvement fund have come in over budget. The fund cannot support the completion of all identified projects as budgeted. The two main projects remaining are the Baxter Park Curb Gutter and Sidewalk with a budget of \$55,000 and repaving the CSI tennis courts with a budget of \$80,000 to be split with CSI. The engineer estimate for the curb/gutter/sidewalk at Baxter Park came in \$69,950, \$14,950 over budget. The estimate for the CSI tennis court overlay and resurface is \$125,019.73, \$45,019.73 over budget.

The CSI tennis courts are maintained in a partnership between the College of Southern Idaho and Twin Falls Parks and Recreation. The College of Southern Idaho is committed to this project and their half of the expense, including the increase, as well as to completing the project for the benefit of their students and the community.

Approval of this request will shift some budgeted dollars from other projects to the proposed CSI tennis court resurfacing project. That means that securing funding to complete the curb/gutter/sidewalk project must remain a priority in order to comply with city code.

Staff recommends that the City Council authorize staff to delay the Baxter Park Curb Gutter and Sidewalk project and shift those funds to overlay and resurface of the CSI tennis courts.

A discussion ensued on the following:

- Curb, gutter and sidewalk at Baxter Park
- Amount needed to do tennis courts.
- Time frame when curb, gutter and sidewalk for Baxter Park.
- Curb, gutter and sidewalk for Baxter Park on project list for 2017.

MOTION:

Councilmember Talkington moved to shift \$23,000 capital improvement dollars to fund improvements to the CSI tennis courts. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Mayor Hall and Councilmember Barigar returned to their seats.

4. Presentation on City Works and GIS.

Public Works Director Caton gave a presentation on City Works and GIS.

Council discussed the following:

- Savings on mileage.
- Making substantial progress.
- Streamline work orders.
- Other Cities using City Works and GIS.

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

Vice Mayor Hawkins reported that on Monday, Sept 14, 2015, 4:00 p.m. the Youth Council Meetings start up.

Councilmember Talkington –From the weekly manager report he wanted to share information on the following:

- CH2M Hill refund to the city - \$500,000.
- New utility billing preparer - \$16,000.
- Building Permits twice as many from last year. More residential and commercial building going on.
- Strong cash reserves - approximately 9 million

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. – None

V. ADJOURNMENT:

There being no further business the meeting adjourned at 6:15 p.m.

Sharon Bryan, Deputy City Clerk

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
					Vice Mayor	Mayor



MINUTES
Twin Falls City Council
Monday, September 14, 2015
5:00 P.M.
City Council Chambers
305 3rd Avenue East, Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATIONS
Constitution Week 2015
College of Southern Idaho Day

GENERAL PUBLIC INPUT		
AGENDA ITEMS		
	<u>Purpose:</u>	<u>By:</u>
I. <u>CONSENT CALENDAR:</u>		
1. Request to approve the Accounts Payable for September 14, 2015	Action	Sharon Bryan
2. Request to approve a final plat for the Westpark Commercial Subdivision #9, a PUD consisting of 3.86(±) acres with 3 lots and 1 tract for commercial development on property located north of Pole Line Road & west of Canyon West Drive for Westpark Partners, LLC.	Action	Rene'e Carraway-Johnson
3. Request to approve the Improvement Agreement for the purpose of developing Broadmoor Subdivision.	Action	Troy Vitek
4. Request to approve the Improvement Agreement for Golden Eagle Subdivision No. 6.	Action	Troy Vitek
5. Request to approve a Trust Agreement for Golden Eagle Subdivision No. 6.	Action	Troy Vitek
6. Request to approve the Improvement Agreement for Grandview Estates Subdivision.	Action	Troy Vitek
7. Request to approve the Sidewalk Improvement Deferral Agreement for Mary Jo Beckley for property to be developed at 232 Larkspur Drive.	Action	Troy Vitek
8. Request to approve a Sidewalk Improvement Deferral Agreement for Patrick Day for property to be developed at 864 Mountain View Drive East.	Action	Troy Vitek
9. Request to approve a Curb-Gutter & Sidewalk Improvement Deferral Agreement for Lowell Wolters for property to be developed at 912 Grandview Drive.	Action	Troy Vitek
10. Request to approve a customer appreciation "Fall Open House" concert at Snake River-Harley Davidson located at 2404 Addison Avenue East, on September 26, 2015, from 5:00 p.m. to 8:00 p.m.	Action	Dennis Pullin
11. Request to approve the Rim to Rim Race for Habitat for Humanity Magic Valley on September 19, 2015, from 6:00 a.m. 2:00 p.m.	Action	Ron Fustos
<i>CONTINUED ON NEXT PAGE</i>		

II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>
1. Presentation to recognize Firefighters William Blanton, Jeff Miller, and Scott Wyatt for their successful completion of the Twin Falls Fire Department's Driver's Academy.	Presentation	Ron Clark
2. Presentation to recognize recently promoted Firefighter Andrew Stephenson to the rank of Driver/Operator, and Driver/Operator Josh Kliegl to the rank of Captain.	Presentation	Ron Clark
3. Request to award a contract to JUB in the amount of \$468,120 for engineering services related to the Canyon Springs Project.	Action	Troy Vitek
4. Request to accept the Draft Charter for the Canyon Springs Ad Hoc Citizen Advisory Committee.	Action	Troy Vitek
5. Request to approve the bid from Quality Vans for the purchase of a SWAT transportation vehicle at the total bid price of \$109,299.00.	Action	Matt Hicks
6. Request to approve a Resolution of the City Council of the City of Twin Falls authorizing certain city officials to receive informal bids, objections and specifications and procedures and to approve the lowest responsible bid in the informal bidding process.	Action	Travis Rothweiler
7. Request to approve an Ordinance of the City Council of the City of Twin Falls, Idaho modifying Title 1 of the Twin Falls City Municipal Code.	Action	Travis Rothweiler
8. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – None		
V. <u>ADJOURNMENT:</u> 1. Executive Session § 74-206(1)(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.		

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 (208)735-7287.

AGENDA
Monday, September 14, 2015

Present: Suzanne Hawkins, Shawn Barigar, Gregory Lanting, Don Hall, Rebecca Mills Sojka, Chris Talkington

Absent: Jim Munn

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, City Engineer Jacqueline Fields, Assistant City Engineer Troy Vitek, Captain Matt Hicks, Fire Chief Ron Clark, Staff Sergeant Dennis Pullin, Shop Foreman Norm Hatke, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

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

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

City Manager Rothweiler asked that Noodles & Company Alcohol License be added to the Consent Calendar.

MOTION:

Councilmember Lanting moved to approve the addition of Noodles & Company Alcohol License to the Consent Calendar. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

PROCLAMATIONS:

Constitution Week 2015

Mayor Hall read the proclamations and presented it to Diane Green.

Diane Green gave a brief history on Constitution Week 2015.

College of Southern Idaho Day

Mayor Hall read proclamation.

Vice Mayor Hawkins introduced the President of the Youth Council Jesse Stroup.

President Jessie Stroup introduced the Youth Council officers.

Vice Mayor Hawkins said Youth Council has three new members.

Councilmember Lanting mentioned that Code Officer Stanley had emailed a thank you to the Youth Council for their work on cleaning a residence.

GENERAL PUBLIC INPUT - None

I. CONSENT CALENDAR:

1. Request to approve the Accounts Payable for September 14, 2015

AGENDA

Monday, September 14, 2015

2. Request to approve a final plat for the Westpark Commercial Subdivision #9, a PUD consisting of 3.86(±) acres with 3 lots and 1 tract for commercial development on property located north of Pole Line Road & west of Canyon West Drive for Westpark Partners, LLC.
3. Request to approve the Improvement Agreement for the purpose of developing Broadmoor Subdivision.
4. Request to approve the Improvement Agreement for Golden Eagle Subdivision No. 6.
5. Request to approve a Trust Agreement for Golden Eagle Subdivision No. 6.
6. Request to approve the Improvement Agreement for Grandview Estates Subdivision.
7. Request to approve the Sidewalk Improvement Deferral Agreement for Mary Jo Beckley for property to be developed at 232 Larkspur Drive.
8. Request to approve a Sidewalk Improvement Deferral Agreement for Patrick Day for property to be developed at 864 Mountain View Drive East.
9. Request to approve a Curb-Gutter & Sidewalk Improvement Deferral Agreement for Lowell Wolters for property to be developed at 912 Grandview Drive.
10. Request to approve a customer appreciation “Fall Open House” concert at Snake River-Harley Davidson located at 2404 Addison Avenue East, on September 26, 2015, from 5:00 p.m. to 8:00 p.m.
11. Request to approve the Rim to Rim Race for Habitat for Humanity Magic Valley on September 19, 2015, from 6:00 a.m. 2:00 p.m.

MOTION:

Councilmember Lanting moved to approve the Consent Calendar as amended. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Councilmember Mills Sojka asked what designation in the West Park Commercial Subdivision #9 is Avenida Del Rio.

Assistant City Engineer Vitek explained that the developer has chosen to make that a private roadway.

II. ITEMS FOR CONSIDERATION:

1. Presentation to recognize Firefighters William Blanton, Jeff Miller, and Scott Wyatt for their successful completion of the Twin Falls Fire Department’s Driver’s Academy.

Fire Chief Clark gave the presentation and Mayor Hall presented certificates.
2. Presentation to recognize recently promoted Firefighter Andrew Stephenson to the rank of Driver/Operator, and Driver/Operator Josh Kliegl to the rank of Captain.

Fire Chief Clark welcomed Driver/Operator Andrew Stephenson, and newly promoted Captain Josh Kliegl. Mayor Hall presented them with helmets.
3. Request to award a contract to JUB in the amount of \$468,120 for engineering services related to the Canyon Springs Project.

Assistant City Engineer Vitek gave an update of the Canyon Springs Road Project. He explained that through the RFQ process as required by State Code for hiring of professional engineers JUB had highest score for this particular project. JUB and Brian Smith, the area manager, out of Boise will be the project manager in charge of this job. A scope has been developed with JUB. The total value of the services is \$745,145 but includes costs for construction management in the amount of \$277,025 which should be negotiated at a later time when the project is being bid.

Staff recommends that the Council authorize staff to sign the contract with JUB.

Councilmember Talkington said he is concerned that JUB is getting several bids and wants to make sure that they can complete all the projects in a timely manner.

Brian Smith, JUB explained that JUB has several engineers that will be working on the different projects. He said that each engineer specializes on the different jobs.

Councilmember Talkington wants to make sure that awarding this contract would still involve the City's Consultant Phil Kushlan and that all the responsible and affected parties including the Breckenridge property be included in the foundation of the project.

Assistant City Engineer Vitek explained Phil Kushlan's job will be to work with the affected parties and developing what JUB should be focusing on.

Councilmember Mills Sojka asked if the committee will have some sort of cost estimate from JUB at the time they are deliberating.

Assistant City Engineer Vitek explained that while they are in deliberation, if JUB has an idea of where they are heading, they will be checking the costs.

City Manager Rothweiler said that when the City defines the term realistic it is incredibly subjective because one of the challenges the City have is realistic may be what is the project going to look like and is it going to be able to have in host pedestrian it may involve costs. When you start looking at what that becomes it is important that the committee not be too narrowly defined but that there is a periodically check in with the City Council about the different levels of support for different ideas. There is going to be a whole host of different options and the committee are going to cover the entire spectrum of possibilities and cost will also cover those same levels of possibilities. It is going to need a balance between what is achievable and what is affordable.

City Manager Rothweiler will encourage Phil Kushlan and JUB to periodically check in with the City Council on the committee's progress, allowing for Council input and guidance.

MOTION:

Councilmember Talkington moved to award a contract to JUB in the amount of \$468,120 for engineering services related to the Canyon Springs Project. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

4. Request to accept the Draft Charter for the Canyon Springs Ad Hoc Citizen Advisory Committee.

Assistant City Engineer Vitek explained that on May 4, 2015, it was determined that the roadway would need a public process on how it should be developed in the future. With that direction staff hired a Public Liaison consultant and brought that contract before the Council on June 22, 2015. Moving forward the committee will need a charter that codifies the project objectives, citizen involvement, membership and roles of the members. Once the charter has been adopted, staff will work with the Mayor for determining members. Council will be asked to approve appointments.

Councilmember Talkington suggested limiting the ad hoc committee to 9 members and the Magic Valley Trail Enhancement Committee be limited to one representative.

Assistant City Engineer Vitek said they will be limited to one representative.

Councilmember Mills Sojka recommended that the committee include Canyon Springs Golf Course, Zip Line and the YMCA Walking Club, choosing people that haven't served on a committee.

Councilmember Talkington asked if the Council has a deadline that needs to get this focused to its final form.

City Manager Rothweiler said that Staff hopes to have a recommendation to City Council in less than a year, but will know more after the committee meets.

Councilmember Talkington made the comment of what could the City possibly learn in two years that we couldn't learn in one year or possibly 6 months.

City Manager Rothweiler concerned about funding and costs.

MOTION:

Councilmember Lanting moved to accept the Draft Charter for the Canyon Springs Ad Hoc Citizen Advisory Committee. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

5. Request to approve the bid from Quality Vans for the purchase of a SWAT transportation vehicle at the total bid price of \$109,299.00.

Captain Hicks explained that Strategic Plan Focus Area #3 Secure Community Goals were to maintain public safety at the highest practical level. The City will maintain fire apparatus, equipment and facilities to the highest standards.

Captain Hicks explained that the Police Department was approved to purchase a transportation vehicle for ~~our~~ Special Weapons and Tactics (SWAT) Team in the FY 2015 budget in the amount of \$95,000.

The lowest responsive bidder was Quality Vans based out of Tempe, Arizona, with a quote of \$109,299 for the vehicle. Based on staff review committee's assessment, the bid received from Quality Vans is the lowest bid received and is compliant with the conditions and specifications set forward in the bid documents.

The purchase of this vehicle was approved in the FY 2015, budget in the amount of \$95,000. Because the lowest bid amount received was \$109,299 Police Department is requesting that the City Council amend the current Capital Improvement Fund budget to accommodate the purchase of this vehicle.

The Twin Falls Police Department would like to recommend that Quality Vans, based out of Tempe, Arizona, be awarded the contract in the amount of \$109,299.

Mayor Hall asked if this company has built like vehicles.

Captain Hicks said the company is a reputable company.

Councilmember Mills Sojka asked if the City applied for grants.

Captain Hicks said that staff looked but were unable to find any grants to fund this project.

MOTION:

Councilmember Barigar moved to approve the bid from Quality Vans for the purchase of a SWAT transportation vehicle at the total bid price of \$109,299. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

6. Request to approve a Resolution of the City Council of the City of Twin Falls authorizing certain city officials to receive informal bids, objections and specifications and procedures and to approve the lowest responsible bid in the informal bidding process.

City Manager Rothweiler explained that Idaho Code sections 67-2805 and 67-2806 provide the process and the guidance on how local government units procure services and capital assets. The estimated dollar value of the service or asset is used to determine the type of bidding process used by the local government. Public works construction projects between \$25,000 - \$100,000 and procurement of services or personal property \$25,000 - \$50,000 follow a process referred to as the informal bidding process.

The informal bidding process requires receipt of bids by the “clerk, secretary or other *authorized official*.” In an effort to clarify who is authorized to approve the lowest responsive bid by the governing board or *board-authorized official*, the City Council approved Resolution 1920 on March 10, 2014. This resolution authorized the City Manager, Chief Financial Officer (City Clerk/Treasurer), Chief of Police, Fire Chief, City Engineer, Public Works Director, Streets Superintendent, Water Superintendent, Community Development Director, Human Resource Director, Information Services Director, Parks and Recreation Director, and Airport Manager to receive informal bids, objections to specifications and procedures, and to approve the lowest responsive bid, for informal bidding of public works construction projects (\$25,000 - \$100,000) and procurement of services or personal property (\$25,000 - \$50,000).

The proposed Resolution adds the Deputy City Managers to the approved list of individuals allowed to accept informal bids. It also removes the Community Development Director position.

Councilmember Talkington asked if City meets all requirements of all codes.

City Attorney Wonderlich answered in the affirmative.

MOTION:

Councilmember Talkington moved to approve Resolution #1950, authorizing certain city officials to receive informal bids, objections and specifications and procedures and to approve the lowest responsible bid in the informal bidding process. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

7. Request to approve an Ordinance of the City Council of the City of Twin Falls, Idaho modifying Title 1 of the Twin Falls City Municipal Code.

City Manager Rothweiler explained that the primary purpose of the proposed Ordinance is to update Title 1 of the Twin Falls Municipal Code. Many of the recommended changes are contained in several sections of the Idaho Code, specifically 50-902, 50-903, 18-101, 50811, 50-808, and 34-1801. In addition, the proposed Ordinance removes several outdated sections.

Additionally, the Ordinance defines the term “Department Heads.” Historically, the term has been used to reflect those who are a part of the City’s executive team. As a result of the City’s reorganization, the members of the City’s executive team include the Deputy City Managers, Chief Financial Officer, Police Chief, Fire Chief, City Engineer, Public Works Director, and Human Resource Director. The Ordinance proposes to codify the historical interpretation.

City Attorney Wonderlich explained the changes.

Councilmember Mills Sojka ask if there was a way to change the way the Mayor is selected.

City Attorney Wonderlich explained that the City follows the State Law for appointment of Mayor.

Councilmember Mills Sojka asked who chooses the option of how the Mayor is selected. City Attorney explained how to choose the option.

Councilmember Talkington said he is concerned about the implications the Ordinance may have and would like to study it for another week.

Councilmember Lanting said he feels that he understands and would vote for it.

Councilmember Barigar said he had no problem moving forward.

Vice Mayor Hawkins said she has no problem moving forward.

Councilmember Mills Sojka said she had no problem waiting.

Mayor Hall said he has no problem waiting.

Councilmember Lanting does not have a problem waiting but would like to wait until City Attorney Wonderlich is in attendance.

City Manager Rothweiler would like to do first reading and then bring this back to Council on October 5, 2015.

MOTION:

Councilmember Lanting moved to suspend the rules and place Ordinance 3106 on first reading by title only. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Deputy City Clerk Bryan read Ordinance 3106 by title only;

ORDINANCE NO. 3106

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REPEALING TITLE 1 OF THE TWIN FALLS CITY CODE, AND REPLACING IT WITH A NEW TITLE 1, PROVIDING FOR A CITY CODE, ADMINISTRATION INCLUDING A MAYOR, VICE MAYOR AND CITY MANAGER, AND GENERAL PENALTIES FOR VIOLATION OF THE CITY CODE.

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

On Monday, September 21, 2015 the Council Meeting will start at 3:30 p.m., for the purpose of touring the Waste Water Treatment Plant.

The September 28, 2015, City Council meeting will be cancelled.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

- Councilmember Lanting reported on the Library Foundation Golf Scramble.
- Councilmember Mills Sojka asked for the contact person for the Canyon Springs Citizen Committee. Mayor Hall said they can contact him or Leila Sanchez.

AGENDA
Monday, September 14, 2015

- Councilmember Barigar reported that there will be an Open House Celebration at the Wills Motor Company, Wednesday, September 16, 2015 from 5:30 p.m. to 8:00 p.m.

IV. PUBLIC HEARINGS: 6:00 P.M. – None

V. ADJOURNMENT:

1. Executive Session § 74-206(1)(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

MOTION:

Councilmember Barigar moved to adjourn to Executive Session 74-2006(1)(e). The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion.

Approved 6 to 0

Meeting adjourned at 6:12 P.M.

Sharon Bryan, Deputy City Clerk

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
Vice Mayor					Mayor	



MINUTES
Twin Falls City Council
Monday, October 19, 2015
City Council Chambers
5:00 P.M. - 305 3rd Avenue East -Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM CONSIDERATION OF THE AMENDMENTS TO THE AGENDA PROCLAMATIONS: None		
GENERAL PUBLIC INPUT		
5:00 - AGENDA ITEMS		
I. <u>CONSENT CALENDAR:</u>	<u>Purpose:</u>	<u>By:</u>
1. Consideration of a request to approve the Accounts Payable for October 13 – 19, 2015.	Action	Sharon Bryan
2. Consideration of a request to approve a Beer and Wine License for Wal-Mart Stores, LLC at 1617 Washington Street North.	Action	Sharon Bryan
II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>
1. Presentation of the City Pool Financial Report by John Pauley, Aquatics Director of the YMCA	Presentation	John Pauley Wendy Davis
2. Consideration of a request to repeal the City's Bicycle Code Section 9, Chapter 11 and default to the Idaho State Code for bicyclists, Title 49, Chapter 7.	Action	Wendy Davis
3. Consideration of a request to approve the Auger Falls trail names in accordance with the City of Twin Falls Naming Policy.	Action	Wendy Davis
4. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None		
V. <u>ADJOURNMENT:</u>		

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 (208)735-7287.

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Gregory Lanting, Don Hall, Rebecca Mills Sojka, Chris Talkington, (Shawn Barigar and Suzanne Hawkins via telephone)
Absent: None
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Parks and Recreation Director Wendy Davis, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Hall called the meeting to order at 5:00 P.M. He then invited Boy Scout Garrett Miskin to lead us in the pledge of Allegiance and ask all present, who wished, to recite the pledge of Allegiance to the Flag with him.

Garrett Miskin, Troop 172 introduced himself.

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA - None

PROCLAMATIONS: None

Mayor Hall reported that he went to the home of Beverly Mills and read a proclamation for Beverly Mills, co-founder of the Jubilee House. She was also presented with the Extra Mile Award by the Twin Falls Chamber of Commerce.

GENERAL PUBLIC INPUT

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for October 13 – 19, 2015.
2. Consideration of a request to approve a Beer and Wine License for Wal-Mart Stores, LLC at 1617 Washington Street North.

MOTION:

Councilmember Lanting moved to approve the Consent Calendar as posted. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

II. ITEMS FOR CONSIDERATION:

1. Presentation of the City Pool Financial Report by John Pauley, Aquatics Director of the YMCA
YMCA Aquatics Director, John Pauley gave an annual report on the City Pool financials.

Council discussed the following:

- Increase of 35%
- Warmer weather this year increased Pool usage.
- Administrative cost increase.
- AFFI Organization increase due to being behind.
- Increase in life guards.
- Preventative maintenance to pool
- Bubble replacement – 2018
- Use of cash reserves to replace bubble.
- Outstanding job on budget

- YMCA makes up the difference on budget overage.
- Increase of revenue
- Pool providing programs all day.
- Membership
- Pool deck repairs
- Cost to replace pool deck.
- Charging more for memberships for out of city residents.
- Those that have YMCA memberships but don't use the pool.
- Pool memberships only
- The YMCA to report of data of the pool memberships for outside City residents vs City residents next month.

2. Consideration of a request to repeal the City's Bicycle Code Section 9, Chapter 11 and default to the Idaho State Code for bicyclists, Title 49, Chapter 7.

Parks and Recreation Director Davis said Staff held a meeting with several members of the biking community to discuss potential code changes to the City's code on bicycling. All of the proposed changes that were discussed followed the State of Idaho's Code concerning bicycling. Following the advice from the City's Attorney, it was recommended to adopt the State's Code on bicycling and eliminate the City's Section 9, Chapter 11 section on rules on bicycling.

The Parks and Recreation Commission and the Twin Falls Traffic Safety Commission are in favor of the changes.

A discussion ensued on the following:

- Already using State Code not knowing it was different from City Code.
- Bike citations - none
- Education
- Advertising – social media, bike shops, biking clubs
- Minors wearing bike helmets not in this Ordinance.

Max Newlin spoke in favor of the changes to the bicycle regulations. He is concerned with bicyclists riding against the flow of traffic.

City Manager Rothweiler said that staff is working on education information on bike regulations with local bike shops and bike clubs to help with bike safety and regulations.

MOTION:

Councilmember Munn moved to suspend the rules and place Ordinance 3108, on third and final reading by title only. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Deputy City Clerk Bryan read Ordinance 3109 by title only:

ORDINANCE NO 3108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REPEALING CHAPTER 11 OF TITLE 9 OF THE TWIN FALLS CITY CODE.

MOTION:

Councilmember Talkington moved to approve Ordinance No 3108. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

3. Consideration of a request to approve the Auger Falls trail names in accordance with the City of Twin Falls Naming Policy.

Parks and Recreation Director Davis said that biking and hiking trails at Auger Falls have been created and named by volunteers over the years. As part of the Auger Falls Trails Capital Improvement project, staff has reviewed and identified 17 trails that fall within the environmental and historic preservation criteria. Staff has been working with two eagle scouts wanting to mark the existing trails.

Jim Brennan, Southern Idaho Mountain Biking Association gave history on the trails at Auger Falls. Garrett Miskin gave history on Boy Scout involvement on trails at Auger Falls. Using pictures Garrett Miskin showed the signs that he will be putting in on the different trails. He explained height of posts will be 2 feet tall.

Council discussion ensued on the following:

Self-explanatory markers on trails difficulty

Maps – information on trails

Not name trail – Acid Trail.

Trails are in good condition.

Sign at start of trail head to show the trail difficulty

Council thanked Garrett Miskin and the scouts for their effort to sign the trails.

The following is a list of the existing trail names:

1. Homestead Loop
2. Eagle Trail
3. Auger Falls Trail
4. Blue Bottle
5. Mattie's Trail
6. DRJ Trail
7. Koda's Trail
8. Paleo Channel Trail
9. Sam's Edge
10. Blue Gill Pond Trail
11. Rock Creek Trail
12. Kiddie Loop
13. Keith's Trail
14. Haunted Forest
15. Porcupine Trail
16. Treb's Trail
17. Tristan's Trail

MOTION:

Councilmember Lanting moved to approve the request to approve the Auger Falls trail names in accordance with the City of Twin Falls Naming Policy. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

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

Parks and Recreation Director Davis said that on Saturday, October 23, 2015 at 10:00 a.m. volunteers are needed to help lay surface material down and help with installation of signs at Auger Falls.

Councilmember Talkington said that the ponds at Auger Falls may help with the Federal Government tightening of prosperous levels in the water.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS

Wednesday, October 21, 2015, a City Fair will be held at the Historic Ball Room at 6:30PM Otak will be informing public of what will be happening in downtown Twin Falls including the new City Hall building.

Councilmember Mills Sojka reminded everyone that the City Election is two weeks away and encouraged Council to have a certain decorum and exhibit leadership skills that are becoming of elected officials, to encourage one another and to lift up our fellow councilmembers and behave in a respectful manner.

Councilmember Mills Sojka thanked Councilmember Talkington for his knowledge he brings and his dedication to the City.

IV. PUBLIC HEARINGS: 6:00 P.M. – None

V. ADJOURNMENT:

There being no further business the meeting was adjourned at 6:15 p.m.

Sharon Bryan, Deputy City Clerk



MONDAY **October 26, 2015**

To: Honorable Mayor and City Council

From: Jonathan Spendlove, Planner I

CONSENT ITEM

Request: Request for approval of the final plat of the Quail Ridge Estates Amended, 13.51 (+/-) acres with 7 lots and 1 Tract, located west of 3400 East and south of the Snake River Canyon Rim, c/o EHM Engineers, Inc on behalf of Cornerstone Industries, LLC/Mitchell Soule

Time Estimate:
There is no presentation unless the City Council wishes to discuss this item.

Background:

Applicant: Cornerstone Industries, LLC Mitchell Soule 16434 246 th Ave NE Woodinville, WA 98077 425-893-4300 ext 101 Engineer: EHM Engineers, Inc. 621 North College Rd Suite 100 Twin Falls, Idaho 83301 208-734-4888	Status: Owner/Developer	Size: 13.51 (+/-) acres
	Zoning: SUI CRO PUD in Area of Impact	Requested Zoning: approval of the final plat for Quail Ridge Estates Amended
	Comprehensive Plan: Rural Residential	Lot Count: 7 Lots + 1 Tract
	Existing Land Use: Developing residential subdivision/natural open space, vacant land	Proposed Land Use: Single Family Residential
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-2, 10-4-19, 10-6-1, 10-8-4, 10-12-2.4	

Zoning Designation & Surrounding Land Uses:	North: OS CRO Aol; Open space, Snake River Canyon	East: Twin Falls County, Hidden Lakes Subdivision & Blue Mountain Ridge Estates Subdivision (Twin Falls County)
	South: SUI Aol; unplatted	West: SUI CRO Aol; unplatted land

History:

In spring of 2006 a Preliminary Plat for Quail Ridge Estates Subdivision was submitted. On May 15, 2006, a Parks In-Lieu request for the residential subdivision was approved by the City Council that included some Canyon Rim trails and amenities being accepted in-lieu of parks land.

As the subdivision included land within the Canyon Rim Overlay zoning district it was required to be rezoned under a planned unit development. A PUD presentation was made to the Planning and Zoning Commission and a recommendation of an SUI CRO PUD zoning with additional development recommendations was made to the City Council on November 28, 2006. The City Council heard the request on January 8, 2007, and also recommended the zoning and conditions to the Board of County Commissioners.

The County approved the request for a rezone of the property from SUI CRO to SUI CRO PUD on February 21, 2007, subject to the following conditions:

1. Subject to conditions attached to the approval of the In-Lieu Contribution for Park Land associated with Quail Ridge Estates on May 15, 2006 by the City Council, to include: **payment received 03-26-08**
2. Development of the canyon rim trail along the north face of the developer's property, which includes the developer building the path with stairs from the rim to Hidden Lakes. **Land Swap Agreement, approved/recorded 04-05-2010**
3. The developer to provide parking along or near 3400 East for trail access and a path to the Hidden Lakes stairway. **Twin Falls Highway District Bond and site plan, 09-04-2015**
4. 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.

On March 27, 2007, a new preliminary plat was submitted with the property under the new zoning designation and Planned Unit Development Agreement. On July 24, 2007 the Planning and Zoning Commission approved the preliminary plat as presented subject to three (3) conditions. The Council recommended approval, as presented, on January 14, 2008 and the County approved the final plat, as presented and subject to the three conditions.

Budget Impact:

Approval of this request will not impact the City budget.

Regulatory Impact:

The City Council's recommendation on the request for approval of the amended final plat will allow the request to proceed to the Board of County Commissioners for a decision. If the Board of County Commissioner's approves this request it will allow the applicant to proceed to recordation and develop the residential subdivision in conformance with approvals and any conditions placed on those approvals.

Analysis:

This request is for approval of the Quail Ridge Estates Amended-A PUD final plat, consisting of the 13.51 (+/-) acres with 7 lots and 1 Tract, located west of 3400 East and south of the Snake River Canyon Rim. This amended final plat allows for the boundaries of the 7 lots to be amended to allow for the city and the developer/property owners to exchange land as per the Land Swap Agreement, approved/recorded on 04-05-2010.

On February 21, 2007, the County approved the request for a rezone of the property from SUI CRO to SUI CRO PUD, subject to the following conditions:

1. Subject to conditions attached to the approval of the In-Lieu Contribution for Park Land associated with Quail Ridge Estates on May 15, 2006 by the City Council, to include: **payment received 03-26-08**
2. Development of the canyon rim trail along the north face of the developer's property, which includes the developer building the path with stairs from the rim to Hidden Lakes. **Land Swap Agreement, approved/recorded 04-05-2010**
3. The developer to provide parking along or near 3400 East for trail access and a path to the Hidden Lakes stairway. **Twin Falls Highway District Bond and site plan for development of the parking area along 3400 East Road, 09-04-2015**
4. 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.

A Parks in Lieu request was made for the subdivision and the City Council approved the request May 15, 2006, to accept trail system improvements including parking area on 3400 N Road, internal access path to the trail, development of canyon rim trail, stairway/path to Hidden Lakes as a park land contribution.

In January 2008 the final plat of Quail Ridge Estates – A PUD was approved and recorded. The city and developer decided to exchange ownership of some land along the north rim to allow for better community access and trail. To modify the boundaries of a recorded plat requires an amendment to the Quail Ridge Estates final plat. To exchange ownership of properties the developer/property owner(s) and the city are required to record a land swap agreement. This has been a very long process and many steps to accomplish. The request this evening is one of the final steps prior to implementing the land exchange and ultimate development of the park amenities.

As per Twin Falls City Code 10-8-4(D) which states, ".....All applications for final plats of subdivisions, for vacations and for the rezoning of property within the area of city impact shall be submitted to the city council for their recommendation, prior to submission to the board of county commissioners. This site is located within the Area of Impact therefore, upon a recommendation by the Twin Falls City Council the Board of County Commissioners is presented with the amended final plat. The Board of County Commissioners may approve the final plat, as recommended by the City Council, deny the final plat or remand the final plat back to the City for further proceedings. If the final plat is approved only then may the plat be recorded and lots sold for future development.

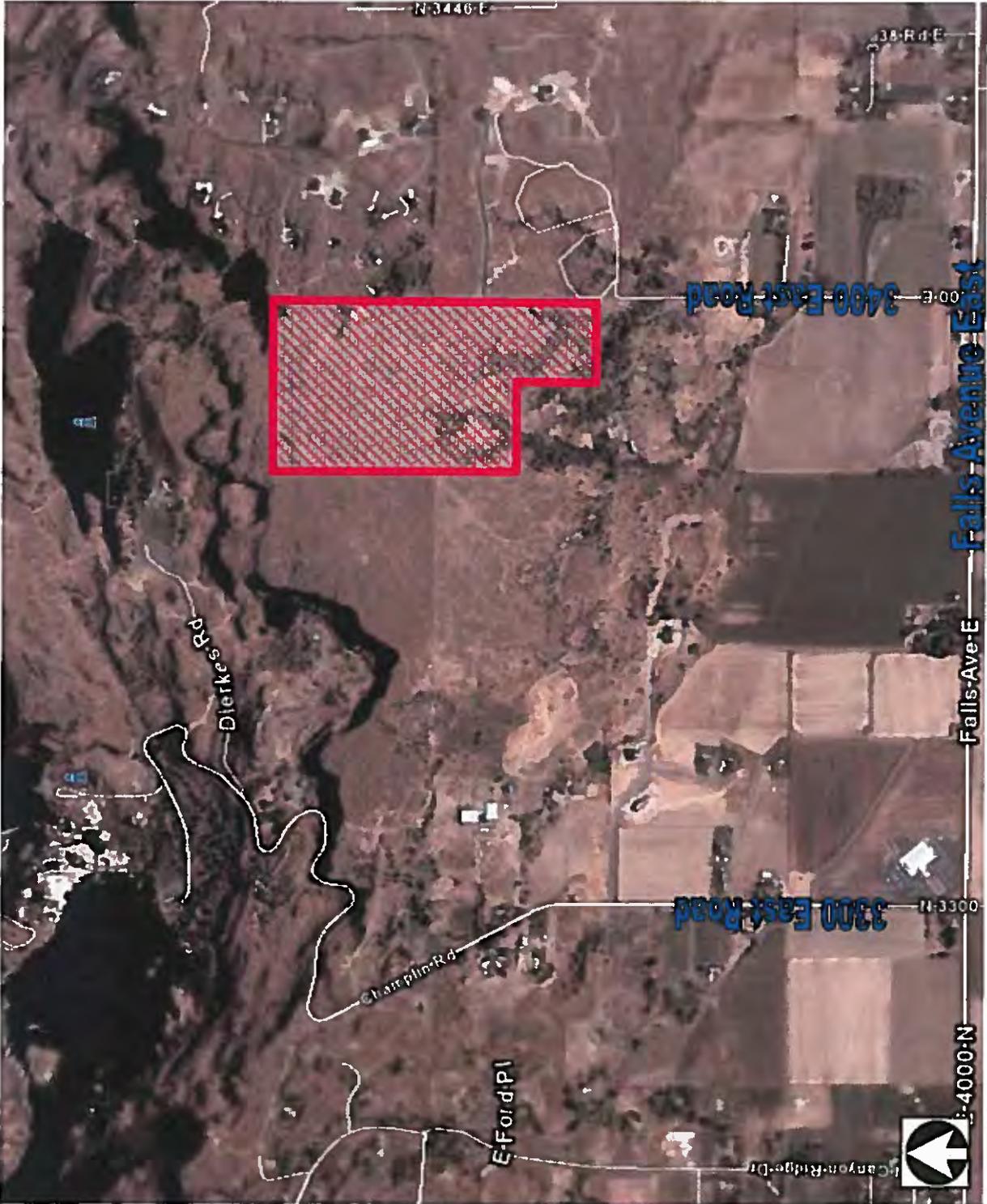
Conclusion:

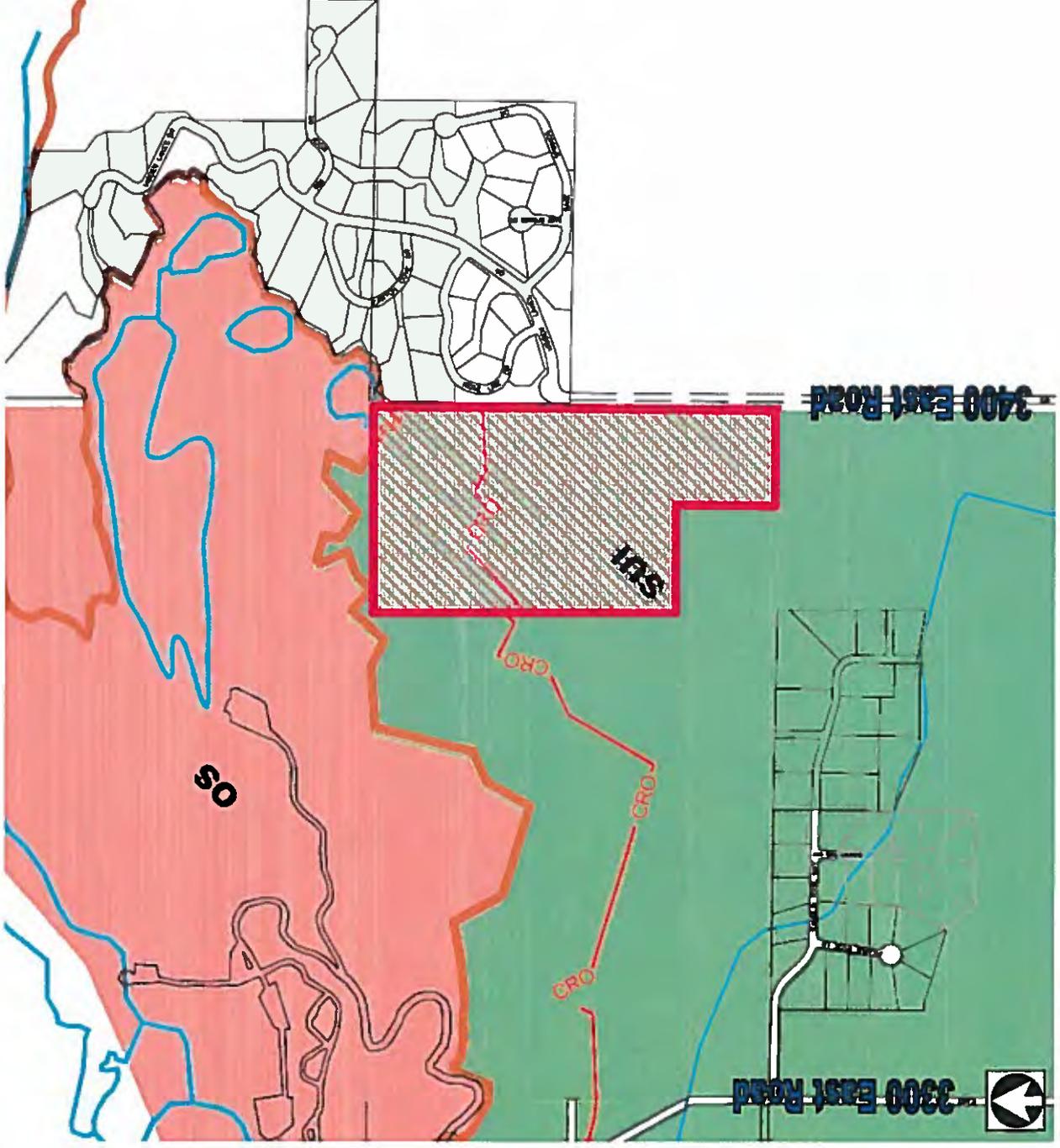
Staff recommends the City Council recommend approval of the final plat of the Quail Ridge Estates Amended – A PUD to the Board of County Commissioners, as presented, and subject to the following:

1. **Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable city code requirements and standards.**
2. **Subject to full compliance with the parks in-lieu approval by the City Council dated May 15, 2006.**
3. **Subject to full compliance with the Quail Ridge PUD Agreement #264.**

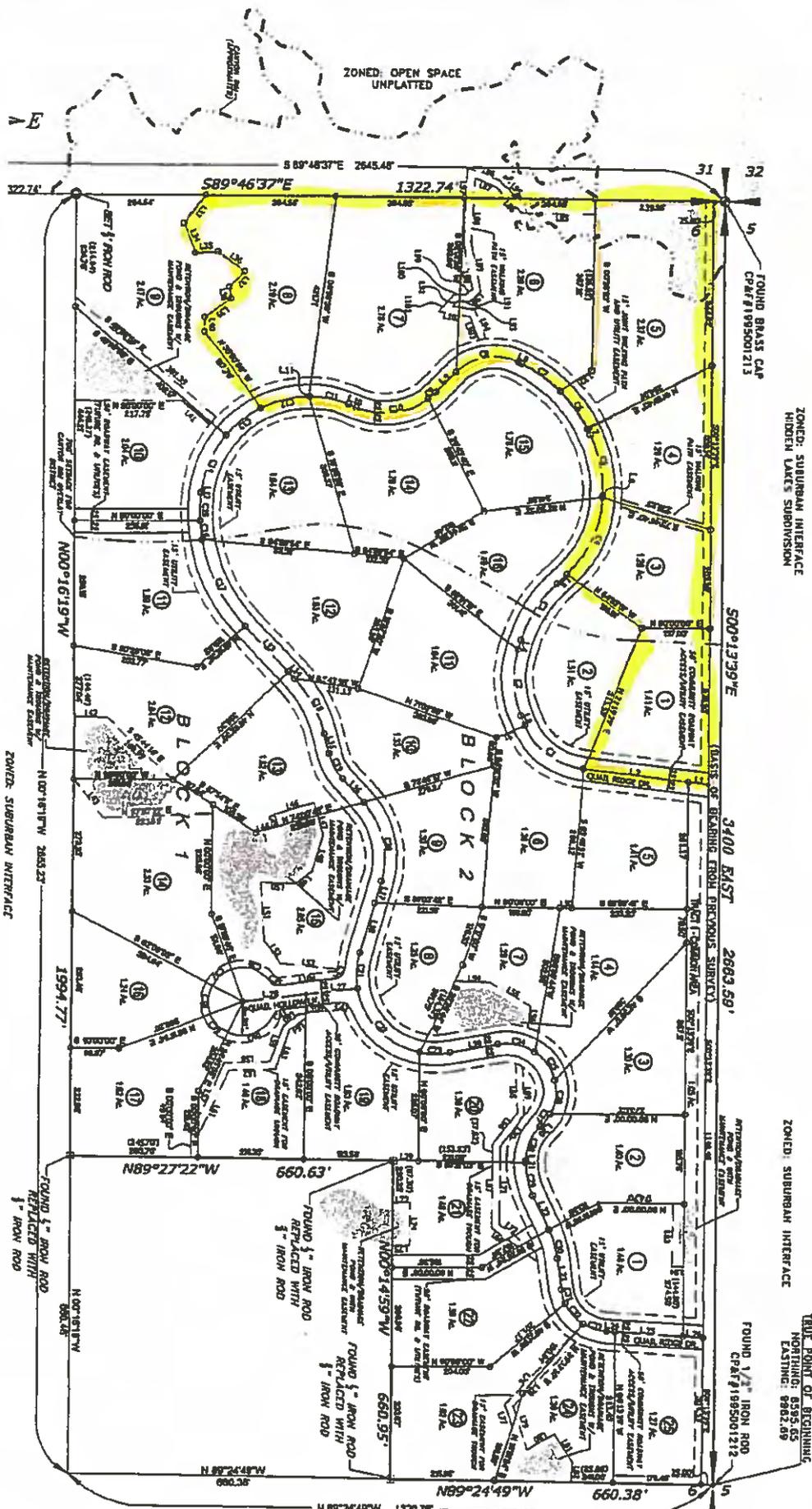
Attachments:

1. Aerial Map / Zoning of the Project Area
2. Approved Quail Ridge Estates Final Plat
3. Proposed Quail Ridge Estates Amended final plat
4. Portion of May 15, 2006 Council minutes
5. Portion of March 8, 2010 Council minutes
6. Land Trade Agreement, C-4115
7. TF Hwy Dist Bond for Improvements









VE

ZONED: OPEN SPACE UNPLATTED

FOUND BRASS CAP
CP#271955001213

ZONED: SUBURBAN INTERFACE
HIDDEN LAKES SUBDIVISION

ZONED: SUBURBAN INTERFACE

FOUND POINT OF BEGINNING
NORTHING: 6585.65
EASTING: 8982.89
FOUND 1" IRON ROD
CP#271955001212

ZONED: SUBURBAN INTERFACE
UNPLATTED

2-1-0

Line Table			Line Table			Line Table		
LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L1	S89°47'34"W	23.51'	L21	N89°47'38"E	25.00'	L41	N70°47'01"W	32.59'
L2	N25°40'43"W	12.96'	L22	N89°47'34"E	25.00'	L42	N70°47'01"W	1.43'
L3	N83°58'42"W	7.30'	L23	N89°47'34"E	23.00'	L43	N89°44'07"W	18.48'
L4	S44°23'31"W	56.46'	L24	N33°48'26"E	19.14'	L44	N1°49'18"E	4.48'
L5	N67°40'26"W	17.90'	L25	N17°22'02"E	47.09'	L45	S55°37'25"E	19.04'
L6	S89°09'01"W	2.13'	L26	N53°43'23"E	34.19'	L46	N51°34'55"E	3.04'
L7	N0°00'00"E	29.86'	L27	S63°33'04"E	65.86'			
L8	N33°20'50"E	65.93'	L28	S4°30'32"W	66.84'			
L9	N67°59'09"W	24.12'	L29	S51°36'21"E	45.71'			
L10	N43°20'28"E	44.82'	L30	N63°34'39"E	38.23'			
L11	N53°19'58"W	68.33'	L31	N79°15'55"E	25.61'			
L12	S46°05'32"W	45.48'	L32	N47°09'25"E	17.55'			
L13	N21°13'50"W	86.93'	L33	S70°47'01"E	34.02'			
L14	N37°33'57"E	72.26'	L34	S67°38'15"E	84.86'			
L15	N45°17'51"E	116.75' (N45°18'09"E 116.28')	L35	S56°38'01"E	14.89'			
L16	S89°44'07"E	124.44'	L36	S63°24'51"E	21.20'			
L17	S75°34'21"E	48.15'	L37	S51°33'55"E	25.95'			
L18	N81°10'57"E	70.04'	L38	S26°39'22"E	14.07'			
L19	S66°43'53"E	99.96'	L39	S36°53'46"E	23.76' (23.96')			
L20	S29°20'44"E	88.12' (S29°19'10"E 87.93')	L40	S53°27'02"W	75.92'			

Tie is from Found Platted Monument to Platted Corner

LINE #	BEARING	DISTANCE
TE 101	N50°29'12"W	0.18'
TE 102	S43°05'12"W	0.28'
TE 103	N38°03'58"W	0.16'
TE 104	N33°45'31"W	0.16'
TE 105	S20°11'09"W	0.24'
TE 106	S39°54'46"W	0.29'
TE 107	N47°07'53"W	0.18'
TE 108	S34°07'05"W	0.28'
TE 109	S47°55'14"W	0.23'
TE 110	S43°28'02"W	0.24'
TE 111	S27°37'04"W	0.25'
TE 112	N30°28'54"W	0.22'
TE 113	N40°33'12"W	0.17'
TE 114	N55°51'38"E	0.19'
TE 115	N68°48'42"E	0.20'
TE 116	N73°19'14"E	0.16'
TE 117	N89°41'15"E	0.21'
TE 118	N83°34'41"E	0.18'
TE 119	S26°50'55"W	0.71'

Curve Table

CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
C1	44°06'50"	236.00'	177.06'	172.74'	83.19'	N23°32'43"E
C2	27°30'01"	270.00'	129.56'	128.35'	66.07'	N11°55'43"W
C3	19°09'00"	290.00'	96.93'	96.48'	48.92'	N35°15'13"W
C4	19°09'59"	290.00'	98.83'	96.46'	48.92'	N54°24'12"W
C5	71°37'47"	110.00'	137.52'	128.74'	78.38'	S80°12'25"W
C6	67°56'01"	150.00'	177.85'	167.81'	101.05'	S78°21'32"W
C7	23°10'31"	200.00'	80.90'	80.35'	41.01'	N79°15'43"W
C8	26°13'21"	222.00'	101.60'	100.72'	51.71'	S76°02'23"W
C9	38°17'59"	290.00'	193.85'	190.26'	100.70'	N44°49'43"W



CERTIFICATE OF OWNERS

THIS IS TO CERTIFY THAT THE UNDERSIGNED ARE THE OWNERS OR REPRESENTATIVE OF THE OWNERS IN FEE SIMPLE OF THE FOLLOWING DESCRIBED PROPERTY, LOCATED IN A PORTION OF E2 NE4, SECTION 8, TOWNSHIP 10 SOUTH, RANGE 18 COUNTY, IDAHO, SAID PROPERTY BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 8 AND BEING THE REAL POINT OF BEGINNING;

THENCE, SOUTH 00°12'28" EAST 121.22 FEET ALONG THE EAST BOUNDARY OF SAID SECTION 8;

THENCE, LEAVING SAID EAST BOUNDARY, SOUTH 89°47'54" WEST 25.51 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, AS SAID LOT 1, BLOCK 1 IS SHOWN ON THAT CERTAIN PLAT ENTITLED "DUAL RIDGE ESTATES", RECORDED MAY 19, 2008, AS INSTRUMENT NO. 2008-011427, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF TWIN FALLS COUNTY;

THENCE, NORTH 82°57'10" WEST 254.97 FEET ALONG THE SOUTH BOUNDARY OF SAID LOT 1, BLOCK 1 TO THE SOUTHWEST CORNER THEREOF;

THENCE, NORTH 21°19'29" EAST 315.95 FEET ALONG THE WEST BOUNDARY OF SAID LOT 1, BLOCK 1 TO THE NORTHEAST CORNER THEREOF;

THENCE, NORTH 54°33'51" WEST 198.81 FEET ALONG THE SOUTHWEST BOUNDARY OF LOT 3, BLOCK 1, AS SAID LOT 3, BLOCK 1 IS SHOWN ON SAID PLAT; TO THE WEST CORNER THEREOF, SAID CORNER ALSO BEING A POINT ON THE CENTERLINE OF DUAL RIDGE DRIVE AS SHOWN ON SAID PLAT;

THENCE, ON AN ARC OF 177.08 FEET OF A CURVE TO THE LEFT, WITH A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 44°09'50" AND A CHORD OF 172.74 FEET THAT BEARS NORTH 23°52'43" EAST ALONG SAID CENTERLINE;

THENCE, NORTH 01°49'18" EAST 4.48 FEET ALONG SAID CENTERLINE;

THENCE, ON AN ARC OF 129.59 FEET OF A CURVE TO THE LEFT, WITH A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 27°30'01" AND A CHORD OF 120.35 FEET THAT BEARS NORTH 11°55'43" WEST ALONG SAID CENTERLINE;

THENCE, NORTH 29°40'43" WEST 12.96 FEET ALONG SAID CENTERLINE;

THENCE, ON AN ARC OF 63.85 FEET OF A CURVE TO THE LEFT, WITH A RADIUS OF 290.00 FEET, A CENTRAL ANGLE OF 38°17'59" AND A CHORD OF 198.28 FEET THAT BEARS NORTH 44°49'43" WEST ALONG SAID CENTERLINE;

THENCE, NORTH 63°58'42" WEST 7.30 FEET ALONG SAID CENTERLINE;

THENCE, ON AN ARC OF 137.52 FEET OF A CURVE TO THE LEFT, WITH A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 71°37'47" AND A CHORD OF 128.74 FEET THAT BEARS SOUTH 60°12'29" WEST ALONG SAID CENTERLINE;

THENCE, SOUTH 44°23'31" WEST 58.48 FEET ALONG SAID CENTERLINE;

THENCE, ON AN ARC OF 177.65 FEET OF A CURVE TO THE RIGHT, WITH A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 87°58'01" AND A CHORD OF 167.61 FEET THAT BEARS SOUTH 78°21'32" WEST ALONG SAID CENTERLINE;

THENCE, NORTH 87°40'28" WEST 17.90 FEET ALONG SAID CENTERLINE;

THENCE, ON AN ARC OF 50.90 FEET OF A CURVE TO THE LEFT, WITH A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 23°10'31" AND A CHORD OF 80.35 FEET THAT BEARS NORTH 79°19'43" WEST ALONG SAID CENTERLINE;

THENCE, SOUTH 89°08'01" WEST 2.13 FEET ALONG SAID CENTERLINE;

THENCE, ON AN ARC OF 101.60 FEET OF A CURVE TO THE LEFT, WITH A RADIUS OF 222.00 FEET, A CENTRAL ANGLE OF 28°13'21" AND A CHORD OF 100.72 FEET THAT BEARS SOUTH 78°02'23" WEST ALONG SAID CENTERLINE TO THE SOUTH CORNER OF LOT B, BLOCK 1, AS SAID LOT B, BLOCK 1 IS SHOWN ON SAID PLAT;

THENCE, NORTH 35°50'56" WEST 197.78 FEET ALONG THE BOUNDARY OF SAID LOT B, BLOCK 1;

THENCE, NORTH 00°00'00" EAST 29.88 FEET ALONG THE BOUNDARY OF SAID LOT B, BLOCK 1;

THENCE, NORTH 53°20'50" EAST 63.95 FEET ALONG THE BOUNDARY OF SAID LOT B, BLOCK 1;

THENCE, NORTH 08°58'09" WEST 24.12 FEET ALONG THE BOUNDARY OF SAID LOT B, BLOCK 1;

THENCE, NORTH 43°20'28" EAST 44.82 FEET ALONG THE BOUNDARY OF SAID LOT B, BLOCK 1;

THENCE, NORTH 53°19'58" WEST 68.33 FEET ALONG THE BOUNDARY OF SAID LOT B, BLOCK 1;

THENCE, SOUTH 86°03'32" WEST 43.48 FEET ALONG THE BOUNDARY OF SAID LOT B, BLOCK 1;

THENCE, NORTH 21°13'50" WEST 66.93 FEET ALONG THE BOUNDARY OF SAID LOT B, BLOCK 1;

THENCE, NORTH 37°33'57" EAST 72.28 FEET TO A POINT ON THE SOUTH BOUNDARY OF SAID SECTION 31, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "EXHIBIT A" IN DEED RECORDED AT TWIN FALLS COUNTY, IDAHO, AS INSTRUMENT NO. 2010-007492, OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF TWIN FALLS COUNTY;

THENCE, NORTH 45°17'31" EAST 116.75 FEET ALONG THE BOUNDARY OF SAID "EXHIBIT A";

THENCE, SOUTH 86°44'07" EAST 124.44 FEET ALONG THE BOUNDARY OF SAID "EXHIBIT A";

THENCE, SOUTH 75°54'21" EAST 48.15 FEET ALONG THE BOUNDARY OF SAID "EXHIBIT A";
THENCE, SOUTH 86°44'07" EAST 172.80 FEET ALONG THE BOUNDARY OF SAID "EXHIBIT A";
THENCE, NORTH 81°10'57" EAST 70.04 FEET ALONG THE BOUNDARY OF SAID "EXHIBIT A";
THENCE, SOUTH 86°53'53" EAST 98.98 FEET ALONG THE BOUNDARY OF SAID "EXHIBIT A";
THENCE, SOUTH 28°20'44" EAST 88.12 FEET ALONG THE BOUNDARY OF SAID "EXHIBIT A" TO A POINT ON THE NORTH BOUNDARY OF SAID SECTION 6;

THENCE, SOUTH 89°45'22" EAST 420.52 FEET TO SAID REAL POINT OF BEGINNING.

THE GROSS AREA CONTAINED IN THIS PLATTED LAND AS DESCRIBED IS 15.12 ACRES.

IT IS THE INTENTION OF THE UNDERSIGNED TO, AND THEY DO HEREBY INCLUDE SAID LAND IN THIS PLAT, ALL ROADS SHOWN ON THIS PLAT ARE PRIVATE. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES DESIGNATED ON THIS PLAT. NO STRUCTURE OTHER THAN FOR SUCH UTILITY AND OTHER DESIGNATED PUBLIC USES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

THE INDIVIDUAL LOTS ON THIS PLAT WILL NOT BE SERVED BY ANY WATER SYSTEM COMMON TO ONE (1) OR MORE LOTS, BUT WILL BE SERVED BY INDIVIDUAL WELLS. (I.C. 50-1334).

WE, THE UNDERSIGNED, AS OWNERS, DO HEREBY STATE THAT THERE ARE NO IRRIGATION / SURFACE WATER RIGHTS THAT EXIST IN CONNECTION WITH THIS PROPERTY.

CITY OF TWIN FALLS
A GOVERNMENTAL SUBDIVISION OF THE STATE OF IDAHO, A BODY POLITIC CORPORATE

BY: DON HALL - MAYOR

CORNERSTONE INDUSTRIES, LLC, A WASHINGTON LIMITED LIABILITY COMPANY

BY: MITCHELL SOULE, MANAGER

BY: KEITH HUGHES

BY: LINDSEY HUGHES

BY: BRYAN D. WRIGHT

BY: SHELLY WRIGHT

BY: NOEL SEMCAL

BY: DEBORAH SEMCAL



CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, CHRISTOPHER S. HARRISON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, MADE THE SURVEY OF THE LAND DESCRIBED IN THE CERTIFICATE OF OWNER AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY AS MADE AND STAKED UNDER MY SUPERVISION AND DIRECTION.



APPROVAL OF CITY COUNCIL

THIS PLAT WAS ACCEPTED AND APPROVED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THIS DAY OF , 2015.

MAYOR CITY CLERK

APPROVAL OF CITY ENGINEER

I HAVE REVIEWED THE ACCOMPANYING PLAT AND HEREBY CERTIFY THAT IT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF TWIN FALLS, IDAHO.

CITY ENGINEER ATTEST

HIGHWAY DISTRICT APPROVAL

THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED BY THE TWIN FALLS HIGHWAY DISTRICT BOARD OF COMMISSIONERS, BUT IN NO WAY OBLIGATES THE TWIN FALLS HIGHWAY DISTRICT UNTIL THE TRAVEL WAYS ARE OFFICIALLY APPROVED AND DECLARED OPEN.

DATED THIS DAY OF , 2015 CHAIRMAN CLERK

COUNTY COMMISSIONER'S APPROVAL

THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED BY THE BOARD OF COMMISSIONERS OF TWIN FALLS, IDAHO. THIS DAY OF , 2015.

CHAIRMAN CLERK

COUNTY SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, RICHARD H. CARLSON, HAS CHECKED THE FOREGOING PLAT AND COMPUTATIONS FOR MAKING THE SAME AND HAS DETERMINED THAT THEY COMPLY WITH THE LAWS OF THE STATE OF IDAHO AND THE COUNTY OF TWIN FALLS RELATED THERE TO. DATED THIS DAY OF , 2015.

ACTING COUNTY SURVEYOR RICHARD H. CARLSON

ACKNOWLEDGMENT

STATE OF } ON THIS DAY OF , 2015, AT } PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED RICHARD H. CARLSON, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE 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.

NOTARY PUBLIC RESIDING AT COMMISSION EXPIRES

COUNTY TREASURER'S CERTIFICATE

I, COUNTY TREASURER IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO PER THE REQUIREMENTS OF IDAHO CODE 50-1309, DO HEREBY CERTIFY THAT ALL COUNTY PROPERTY TAXES DUE FOR THE PROPERTY INCLUDED IN THIS PLAT HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY DAYS ONLY.

COUNTY TREASURER DATE

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NO. STATE OF IDAHO COUNTY OF TWIN FALLS } ON THIS DAY OF , 2015, AT } M., THE FOREGOING PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF TWIN FALLS COUNTY, IDAHO AND DULY RECORDED IN PLAT BOOK , ON PAGE .

DEPUTY EX-OFFICIO RECORDER



EHM Engineers, Inc.

3. Consideration of an In Lieu Contribution to satisfy the provisions of City Code Section 10-12-3-11 for Quail Ridge Estates.

Community Development Director Humble reviewed the request using overhead projections. He stated that Quail Ridge Estates is a 70.67 acre parcel that is planned for a 41 lot subdivision. The parcel is located at 3400 East 4000 North and is zoned SUI.

The City owns canyon rim property across the northern face of this parcel. The developer has agreed to place the canyon rim trail on City property across the north face of his property, and volunteered to build the path, possibly with stairs, from the rim to the Hidden Lakes parcel owned by the City of Twin Falls. The developer will also provide parking along or near 3400 East for trail access and a path to the Hidden Lakes.

The Council can accept trail system improvements including parking area, access path, canyon rim trail and path to Hidden Lakes as a park land contribution, not to exceed 50% of the total requirements.

Discussion followed:

- The parking lot will have 8 to 9 spaces.
- Trail connection.
- Vacation of Twin Falls Highway District property.
- Roads in the subdivision are private routes and the entrance would be gated.
- Parking lot would not be gated.
- Stairway.
- Overlook.

Mayor Clow stated that the in lieu would be acceptable but he had concerns about providing access to unsupervised routes.

Parks and Recreation Director Bowyer stated that the trail would provide the general public with access in and out of the trial, decreasing unsupervised activity.

Jason Perron, applicant, stated that an electronic fence would allow the public to exit the park after hours and would restrict access after hours.

Vice Mayor Dwight made a motion to approve the request as presented.

Discussion followed:

- Condition of including stairs or overlook.

Vice Mayor Dwight withdrew her motion.

Councilperson Craig made a motion to approve the request as presented with the additional conditions:

1. Stairway to the Hidden Lakes,
2. Pedestrian gate at subdivision entrance with an emergency exit,
3. Overlook on City property.

The motion was seconded by Councilperson Hall and roll call vote showed Councilpersons Craig, Dwight, Hall, and Johnson voted in favor of the motion. Mayor Clow voted against the motion.

The motion passed.

AGENDA ITEM

CONSIDERATION OF AN IN-LIEU CONTRIBUTION FOR PARK LAND ASSOCIATED WITH QUAIL RIDGE ESTATES

The Developer of Quail Ridge Estates is requesting consideration of an in-lieu of contribution for park land required by his subdivision.

Quail Ridge Estates is a 70.67 parcel that is planned for subdivision into 41 lots. The parcel is located at 3400 East 4000N and is zoned SUI.

The City owns canyon rim property across the northern face of this parcel. The Developer has agreed to place the canyon rim trail on City property across the north face of his property and volunteered to build the path, possibly with stairs, from the rim to the Hidden Lakes parcel owned by the City of Twin Falls. The Developer will also provide parking along or near 3400 East for trail access and a path from the parking area to the canyon rim trail along the south and west boundary of the subdivision.

City Code Section 10-12-3-11(B) reads, in part "...the city council may approve up to 50% of (the park land requirement) contribution for development of walking and bicycle trails."

The Council can accept trail system improvements including parking area, access path, canyon rim trail and path to Hidden Lakes as a park land contribution, not to exceed 50% of the total requirements.

City Code Section 10-12-3-11(F) reads:

(F) In Lieu Contributions For Neighborhood Parks: 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. The fee structure for cash contributions for acquisition of park land shall be the appraised value of the required land area at the time of the application. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant. The fee structure for park improvements, including all costs of acquisition, construction and all related costs, shall be based upon the estimated costs of an approved improvement provided by a qualified contractor and/or vendor. (Ord. 2822, 4-11-2005)

The Staff also recommends that the Council accept trail system improvements, not to exceed 50% of the total land required and accept an in-lieu contribution for the remaining parkland requirement.

Mitch Humble
Community Development Director

5-15-06

13) Quail Ridge Estates – On the west side of 3400 East, north of Falls Avenue East, and south of Dierkes Lake.

70.67 acres – 41 household units

Developer will construct trail at this entrance along their road to connect to City's property on top of the canyon rim. Developer will construct stairs from the rim to one of the hidden lakes, construct an overlook on City property, and at the entrance gate, it will be locked up at 10pm every night. Credit up to 50% for trail system and improvements.

Received appraisal, land was valued at \$840,000; land was valued at \$11,886 per acre. Using our formula, the in lieu of payment is \$17,870.26; less 50% credit equals \$8,935.13. \$435.86 per HH unit

Received in lieu of payment of \$8,935.13 was received on 3-26-08

MINUTES

March 8, 2010

Page 3 of 5

MOTION:

Councilperson Johnson made the motion to approve the FAA Grant offer for the amount of \$100,000 and authorize the Mayor to sign. The motion was seconded by Councilperson Heider and roll call vote showed all members present except Councilperson Clow voted in favor of the motion. Approved 5 to 1.

3. Consideration of an Agreement with Ricondo & Associates to conduct an FAA Airport Wildlife Hazard Assessment.

Airport Manager Carberry reviewed the request.

Staff recommends approval of the request as presented.

MOTION:

Councilperson Lanting made the motion to approve an agreement with Ricondo & Associates to conduct an FAA Airport Wildlife Hazard Assessment in the amount of \$92,274.00, contingent upon FAA concurrence and funding. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

- 4. Consideration of a request to approve a property exchange agreement with Cornerstone Industries, LLC to acquire additional park property adjacent to the Dierkes Lake Park.**

Community Development Director Humble reviewed the request.

Staff recommends that the Council approve the land exchange agreement and authorize the Mayor to execute it.

Councilperson Clow asked what stage the plat was in at this time. The plat has been recorded already per Mitch Humble. There would have to be an amended PUD, amended Plat and collected In-Lieu fees.

MOTION:

Councilperson Johnson made the motion to approve a property exchange agreement, Land Trade Agreement, with Cornerstone Industries, LLC to acquire additional park property adjacent to the Dierkes Lake Park and to pave the trail within three years of the re-recording of the final plat. The motion was seconded by Councilperson Heider. A roll call vote showed all members voted in favor of the motion. Approved 6 to 0.

5. Consideration of the re-adoption of an ordinance annexing 37.2 (+/-) acres located on the north side of Falls Avenue East, in an area beginning approximately 1,300 feet east of Eastland Drive North, with a zoning designation of R-2. Proposed Ordinance No. 2980-A.

Community Development Director Humble reviewed the request.

Staff recommends that the Council adopt the attached ordinance as submitted.

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance No. 2980-A, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ANNEXING CERTAIN REAL PROPERTY BELOW DESCRIBED, PROVIDING THE ZONING CLASSIFICATION THEREFOR, AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

On third and final reading by title only. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Recording Secretary Reed read the ordinance title.

C-4115

ROUTING AND FILE KEY SHEET

	RES.	ORDINANCE	LEASE	CONTRACT	DEED	OTHER
DATE PASSED/TAILED				4-5-10		
NUMBER				C-4115		
MAYOR SIGNED				4-5-10		
CITY MANAGER SIGNED						
OTHERS SIGNED						
CITY CLERK SIGNED						
RECORDED? YES/NO						
PUBLISHED DATE						
KIND OF DEED						
EXPIRATION DATE						
CITY ATTORNEY APPROVE						
COPIES TO: _____						

CC - *[Handwritten signature]*

- DEPT'S INVOLVED? COUNCIL CITY MANAGER FINANCE POLICE FIRE
 ENGINEERING COM DEV PLAN & ZONING INSPECTION
 WATER SANITATION WASTE WATER STREETS PARKS
 RECREATION GOLF AIRPORT SHOP PERSONNEL
 ECON DEV LIBRARY LID BID CITY ATTORNEY

OTHER _____

WORDS TO USE TO FILE DOCUMENT: Land Trade Agreement
Cornerstone LLC
Fran Florence
Dusker Lake Park
Quail Ridge Subd.

STARTING DATE OF CONTRACT: _____

ENDING DATE OF CONTRACT: _____

C-4115

LAND TRADE AGREEMENT

THIS AGREEMENT is made the 2 day of April, 2010, between CORNERSTONE INDUSTRIES, LLC, a Washington limited liability company, ("Cornerstone" herein); and the CITY OF TWIN FALLS, IDAHO ("the City" herein).

WHEREAS, Cornerstone is the owner of real property in Twin Falls County, Idaho described on Exhibit "B" attached hereto ("the Cornerstone Property"); which includes both a potential scenic recreation area adjacent to the City of Twin Falls Dierkes Lake Park, and a portion of one of the Hidden Lakes; and

WHEREAS the City desires to obtain the above-mentioned potential scenic recreation area and portion of the Hidden Lake plus access thereto for the purpose of expanding the existing park and a trailhead for the City walking trail; and

WHEREAS, the City owns property adjacent to the North boundary of Quail Ridge Estates Subdivision, which the City and Cornerstone are willing to trade for the Cornerstone Property that includes the scenic canyon view property.

NOW, THEREFORE, in consideration of the mutual promises and conditions contained herein, the parties agree as follows.

Section 1. Conveyance From Cornerstone. Cornerstone agrees to convey to the City, and the City agrees to accept, the Cornerstone Property described on Exhibit "B" attached hereto that consists of 1.01 acres, more or less, and is located adjacent to the South boundary of the City's property.

Section 2. Conveyance From The City. The City agrees to convey to Cornerstone, and Cornerstone agrees to accept, a parcel of land described on Exhibit "A" attached hereto that consists of 1.01 acres, more or less, and is located adjacent to the North boundary of the Quail Ridge Estates Subdivision.

Section 3: Contingencies. The land trade agreed to herein shall not be of any force or effect, and the documents of conveyance for such trade shall not be delivered and recorded, until all of the following contingencies have occurred or have been waived in writing by the City and Cornerstone.

3.1 A revised plat and a written amendment of the P.U.D. Agreement for Quail Ridge Estates Subdivision recorded as Instrument No. 2008-006721 have received final approval from the City and from Twin Falls County, and the revised plat and the amendment to the P.U.D. Agreement have been filed for record with the Twin Falls County Recorder.

3.2 The City has approved a revised Park-in-Lieu Contribution for Park Land associated with Quail Ridge Estates.

Section 4: Additional Provisions. Additional provisions for the development, use and maintenance by the City of the Canyon Rim trail extension and trailhead, together with the City's construction of a new portion of the City walking trail upon City property located North of the land described on Exhibits "A" and "B," shall be contained in an Amendment to said P.U.D. Agreement pertaining to Quail Ridge Estates, as provided in Section 5 below. In addition to such Amendment, the following mutual promises and obligations are included as part of the consideration for this Agreement.

4.1 Cornerstone shall have no obligation to improve or maintain any portion of the property described in Exhibit "B" that Cornerstone is conveying to the City (sometimes referred to as "the Park" herein); except that Cornerstone shall be responsible for the removal, at its cost, of the existing stairway located on said property and portions of the public walking trail no longer needed due to removal of the stairs.

4.2 The uses of the property described on Exhibit "B" shall be limited to (i) a public park, including access to the site; (ii) a canyon overlook platform; and (iii) a trailhead for access to the City walking trail along the Snake River canyon rim.

4.3 The City shall be responsible for the development and maintenance at its cost of all portions of the Park, including the public walking trail, and Snake River canyon overlook and other public facilities, if any, consistent with use of the site as a public park.

4.4 The City shall limit the hours for use of and access to the Park to the same time as the rest of the Dierkes Lake Park; and in addition, shall take affirmative steps to prohibit and control vandalism, loud or illegal behavior, or other nuisances at the Park. The City's obligation to maintain such control shall exist for so long as the described area is used by the public for the intended uses described herein.

4.5 The City agrees to indemnify and hold harmless Cornerstone and Cornerstone's successors in interest, including but not limited to the owners of property in the Quail Ridge Estates Subdivision, from any and all liability of whatever kind or nature incurred on or about the Park or arising from or related to the use thereof; except for those claims, actions or damages caused or contributed to by the negligence or other wrongful acts of Cornerstone or its successors in interest.

4.6 The City and Cornerstone mutually acknowledge and agree that prior to the effective date of this Agreement, Cornerstone has paid the sum of \$32,290.00 to construct a portion of the new public walking trail, which begins at the Northerly end of an existing sidewalk that is located along the common boundary of Lots 6 and 7, Block 1, of Quail Ridge Estates, and meanders in a generally Northerly direction toward the bottom of the Snake River canyon, as provided herein and in the Amended P.U.D. Agreement. That payment shall constitute Cornerstone's total agreed contribution to the cost of the improvements that the City will construct as provided in the Amended P.U.D. Agreement. The parties further acknowledge and agree that payment for such construction was made by Cornerstone conditioned upon the happening of each of the following events: (i) the amended plat for Quail Ridge Estates being approved by the City and the County and being filed for record with the Twin Falls County Recorder; (ii) the Amendment to the P.U.D. Agreement being executed by the appropriate parties and recorded with the Twin Falls County Recorder; and (iii) the land trades described above being accomplished by recorded deeds or other necessary documents of conveyance. If any one or more of the foregoing conditions (i), (ii) or (iii) cannot or does not occur after compliance with the City's notice and hearing requirements applicable to this Agreement; then within thirty (30) days after written demand for payment has been received by the City from Cornerstone, the funds which Cornerstone has advanced as recited herein shall be reimbursed and paid to Cornerstone by the City.

Section 5: Amendment to P.U.D. Agreement. As a material consideration for the execution of this Agreement, the parties agree that the Quail Ridge Estates Planned Unit Development Agreement dated March 21, 2008, and recorded as Instrument No. 2008-006721, records of Twin Falls County Recorder, shall be amended, including but not necessarily limited to the following modifications:

5.1 Cornerstone shall be released from any responsibility to perform the requirements stated in Section 5.B.a. a), b) and c), namely: build the canyon rim trail on City-owned property across the North face of the land located North of the land to be conveyed to Cornerstone; build a stairway down to Hidden Lakes; and build a canyon overlook on City owned property.

5.2 The public parking area provided in Section 5.B.A. d) shall be constructed by Cornerstone at its expense in the area of the 3400 Road right of way to be vacated by the Twin Falls Highway District, or an alternative plan for parking shall be approved by the City, the County and the Highway District.

5.3 Except for that portion of the public walking trail constructed at Cornerstone's expense as noted in paragraph 4.6 above, the City shall

be responsible for the cost of development, and it shall be responsible for all costs of repair and maintenance, of the public walking trail(s) located upon the land described on Exhibit "A" or upon City-owned property which run either into the Snake River Canyon or along the Canyon Rim, and other improvements, if any, installed by the City. In addition, the City shall maintain at its cost the branch of the existing sidewalk that is located along the common boundary of Lots 6 and 7, Block 1, of Quail Ridge Estates which connects with the public walking trail. The improvements located North of Quail Ridge Estates to be installed by the City may consist of a walking/bike path, safety features, landscaping, lookout point and benches; but shall not include restrooms, shelters or other structures that impede the canyon view from any Lot in Quail Ridge Estates. All improvements constructed or installed by the City shall be maintained in a clean and first class condition, at the City's expense.

5.3.1 Cornerstone and its successors in interest shall be responsible, at their cost, for maintenance of the sidewalk located parallel to 3400 Road along the East boundary of Quail Ridge Estates.

5.3.2 The newly-constructed portion of the public walking trail, including that portion installed by Cornerstone, shall be constructed initially with gravel topping. It shall be the City's responsibility to add asphalt topping to the walking trail within three (3) years after the approval of a revised final plat for the Quail Ridge Estates subdivision.

5.4 The assurance bond previously posted to assure construction of the required improvements under Section 5 of the existing P.U.D. Agreement shall be released. In lieu thereof, Cornerstone has paid the costs of construction of the public walking trail as provided in paragraph 4.6 above.

Section 6: Title Insurance. Neither party shall be required to obtain title insurance for the protection of the other party hereto.

Section 7: Warranties and Disclaimer. Each party hereto acknowledges and agrees that except as stated in this Section 7 neither the transferring party nor the transferring party's agents or employees make any warranties, express or implied, with respect to the property being conveyed under this Agreement. Except as stated in this Agreement, (i) neither party makes any representation as to the condition or state of repair of the property being transferred to the other party under this Agreement; (ii) neither party is making or has made any agreement to alter, repair, or improve the property being transferred; and (iii) the sole obligation of each transferring party will be to deliver clear title to and possession of the property being transferred to the other party on the Closing Date. Except as otherwise represented in this Section 7, each party agrees to accept possession of the described property on the Closing Date in an AS IS condition WITH ALL FAULTS.

C.4115

7.1 As a material inducement to enter into this Contract, the City hereby represents and covenants to Cornerstone, and Cornerstone hereby represents and covenants to the City as follows:

7.1.1 The execution, delivery, and performance of this Agreement does not violate or breach any material covenant, warranty, or other material provisions of or result in the acceleration of any material obligation under any mortgages, notes, liens, leases, licenses, permits, agreements, instruments, orders, arbitration awards, judgments, or decrees, or in the termination of any license, lease, or permit to which the transferring party is a party or is bound.

7.1.2 The transferring party is and on the Closing Date will be the sole and unconditional owner of the real property described herein, with full power to sell and dispose of the same. At Closing, each party shall convey to the other party good and marketable title to the real property being conveyed herein, free and clear of any liens, charges, encumbrances, claims or conditions thereon.

7.1.3 To the best knowledge of each transferring party, (i) no litigation, action, suit or proceeding, either legal, equitable, administrative, through arbitration, or otherwise, is pending or threatened against or which might adversely affect; (ii) no judgment, decree, injunction, rule, or order of any court, governmental department, commission or agency is outstanding against; and (iii) no event has occurred, which might adversely affect the conveyances agreed to herein, or the consummation of the land trades and release of easements described herein.

7.1.4 To the best knowledge of each transferring party: (i) there are no soil conditions adversely affecting the real property interests being conveyed by that party; (ii) the property being conveyed has not been contaminated with any substance known to be toxic or hazardous, as such terms are defined by federal or state law; (iii) no leak, spill, release, discharge, emission, or disposal of toxic or hazardous substances has occurred on the property being conveyed to date, and the soil, groundwater and soil vapor on or under the property will be free of toxic or hazardous substances as of the Closing Date.

Section 8: Indemnity. The City agrees to indemnify, defend, and hold Cornerstone free and harmless from and against, and Cornerstone agrees to indemnify, defend and hold the City free and harmless from and against, any and all liability, damage, cost and expense (including attorney's fees) related to, arising out of or in connection with any inaccuracy or breach of any representation or warranty by the indemnifying party as set forth above, including but not limited to a breach of the

C-4115

environmental warranties made by each transferring party in Section 7.1.4 above; which indemnity shall include, without limitation, costs incurred in connection with toxic or hazardous substances present or suspected to be present in the soil, groundwater, or soil vapor on or under the property being transferred up to the time of recording each respective deed or other conveyance required herein.

8.1 The foregoing indemnity agreements shall survive the Closing of this Agreement.

Section 9: Possession. Each party shall be entitled to take possession of the property being transferred to it on the Closing Date.

Section 10: Taxes and Assessments. Taxes and assessments on the parcels being transferred shall be prorated between the parties as of the Closing Date.

Section 11: Closing. The following provisions shall govern the closing of this transaction.

11.1 The Closing Date shall be on or before the thirtieth (30th) day following the satisfaction or waiver of the contingencies stated in Section 3 above. At the time of closing, all of the land trade conveyances shall be recorded consecutively.

11.2 The Closing Agent shall be TitleFact, Inc. of Twin Falls, Idaho.

11.3 All costs of closing this transaction, including the escrow agent fee and recording costs shall be paid one-half (½) by each party.

Section 12: Real Estate Commission. There shall be no real estate commissions owed in connection with this transaction.

Section 13: Attorney's Fees. In the event suit or action is instituted to enforce any of the terms of this Agreement, including any and all bankruptcy claims, actions and proceedings deemed necessary or desirable, or to otherwise protect the interest of either party, including the hiring of any attorney in the event of default, then the nondefaulting party or the prevailing party (in the event of suit) shall be entitled to recover reasonable attorney's fees and costs, including fees or costs that may be incurred in any appellate proceeding.

Section 14: Succession. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and the heirs, executors, administrators, successors and assigns of the parties hereto.

Section 15: Expenses. Unless otherwise expressly provided herein, each party hereto shall pay all of its own costs and expenses incurred or to be incurred

in negotiating and preparing this Agreement and in closing and carrying out the transactions contemplated by this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

THE CITY OF TWIN FALLS, IDAHO

CORNERSTONE INDUSTRIES, LLC

By: 

Mayor

By: 

Manager

C-4115

December 23, 2009
Page 1 of 1



THE LAND GROUP, INC.

Project No. 209059
Legal Description
CORNERSTONE INDUSTRIES, LLC.
Parcel A (The City of Twin Falls, Idaho to Cornerstone Industries, LLC.)
1.01 Acres

EXHIBIT A

A tract of land situated in the Southeast One Quarter of the Southeast One Quarter of Section 31, Township 9 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho, described as follows:

Commencing at the Southeast Corner of said Section 31, said point being witnessed by a brass cap which bears South 78°57'06" East a distance of 1.89 feet, from which 1/2-inch steel pin monumenting the East one-sixteenth Corner common to said Section 31 and Section 6, Township 10 South, Range 15 East, B.M. bears North 89°44'07" West a distance of 1,323.68 feet (formerly North 89°46'37" West a distance of 1,322.74 feet);

Thence following the southerly line of said North 89°46'37" West a distance of 420.64 feet to the POINT OF BEGINNING;

Thence continuing North 89°44'07" West a distance of 638.66 feet to a point;
Thence leaving said southerly line, North 45°19'09" East a distance of 116.28 feet to a point;
Thence South 89°44'07" East a distance of 124.44 feet to a point;
Thence South 75°34'21" East a distance of 48.15 feet to a point,
Thence South 89°44'07" East a distance of 172.80 feet to a point,
Thence North 81°10'57" East a distance of 70.04 feet to a point;
Thence South 86°53'53" East a distance of 99.98 feet to a point;
Thence South 29°19'10" East a distance of 87.93 feet to the POINT OF BEGINNING.

The above-described tract of land contains 1.01 acres, more or less, subject to any existing easements or rights-of-way.

Attached hereto is Exhibit "C" and by this reference is made a part hereof.

Prepared By: THE LAND GROUP, INC.
261 CANYON CREST DRIVE
TWIN FALLS, IDAHO 83301
208-733-4041
208-733-4045 (FAX)



Landscape Architecture • Site Planning • Civil Engineering • Golf Course Irrigation & Engineering • Graphic Communication
261 Canyon Crest Drive, Twin Falls, Idaho 83301 P208-733-4041, F208-733-4045 • www.thelandgroupinc.com
O:\CAD\2009\209059\Survey\Legal\11 091227 209058 parcel a.doc

04115



THE LAND GROUP, INC.

Project No. 209059
Legal Description
CORNERSTONE INDUSTRIES, LLC.
Parcel B (Cornerstone Industries, LLC. to the City of Twin Falls, Idaho)
1.01 Acres

EXHIBIT B

A tract of land being a portion of Lots 5 and 6, Block 1 of Quail Ridge Estates (a recorded subdivision on file in Book 22 of Plats at page 22, Instrument No. 2007-011427, records of Twin Falls County, Idaho situated in U.S. Government Lot 1 of Section 6, Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho, described as follows:

BEGINNING at the Northeast Corner of said Section 6, said point being witnessed by a brass cap which bears South 78°57'06" East a distance of 1.89 feet, from which 1/2-inch steel pin monumenting the East One Quarter of said Section 6 bears South 00°12'26" East a distance of 2,662.61 feet (formerly South 00°13'39" East a distance of 2,663.59 feet);

Thence following the easterly line of said Section 6 and the easterly line of said Quail Ridge Subdivision, South 00°12'26" East a distance of 130.94 feet to a point on the southerly rim of the Snake River Canyon;

Thence leaving the easterly line of said Section 6 and the easterly line of said Quail Ridge Estates Subdivision and following the southerly rim of said Snake River Canyon the following courses and distances:

1. South 51°34'55" West a distance of 3.04 feet to a point;
2. South 33°46'26" West a distance of 19.14 feet to a point;
3. South 17°22'02" West a distance of 47.09 feet to a point;
4. South 53°43'23" West a distance of 34.19 feet to a point;
5. North 63°35'04" West a distance of 65.86 feet to a point;
6. North 04°30'32" East a distance of 66.64 feet to a point;
7. North 51°36'21" West a distance of 45.71 feet to a point;
8. North 55°37'35" West a distance of 19.04 feet to a point;
9. South 83°34'39" West a distance of 38.23 feet to a point;

C.4115



THE LAND GROUP, INC.

10. South 79°15'55" West a distance of 25.61 feet to a point;
11. South 47°09'25" West a distance of 17.55 feet to a point;
12. North 70°47'01" West a distance of 34.02 feet to a point;
13. North 67°39'15" West a distance of 84.88 feet to a point;
14. North 56°39'01" West a distance of 14.89 feet to a point;
15. North 83°24'51" West a distance of 21.20 feet to a point;
16. North 51°33'55" West a distance of 25.95 feet to a point;
17. North 26°39'22" West a distance of 14.07 feet to a point;
18. North 36°53'46" West a distance of 23.96 feet to a point on the northerly line of said Section 6 and the northerly line of said Quail Ridge Estates Subdivision;

Thence, leaving said southerly line and following the northerly line of said Section 6 and the northerly line of said Quail Ridge Estates Subdivision, South 89°44'07" East (formerly South 89°46'37" East) a distance of 420.64 feet to the POINT OF BEGINNING.

The above-described tract of land contains 1.01 acres, more or less, subject to any existing easements or rights-of-way.

Attached hereto is Exhibit "C" and by this reference is made a part hereof.

Prepared By: THE LAND GROUP, INC.
261 CANYON CREST DRIVE
TWIN FALLS, IDAHO 83301
208-733-4041
208-733-4045 (FAX)



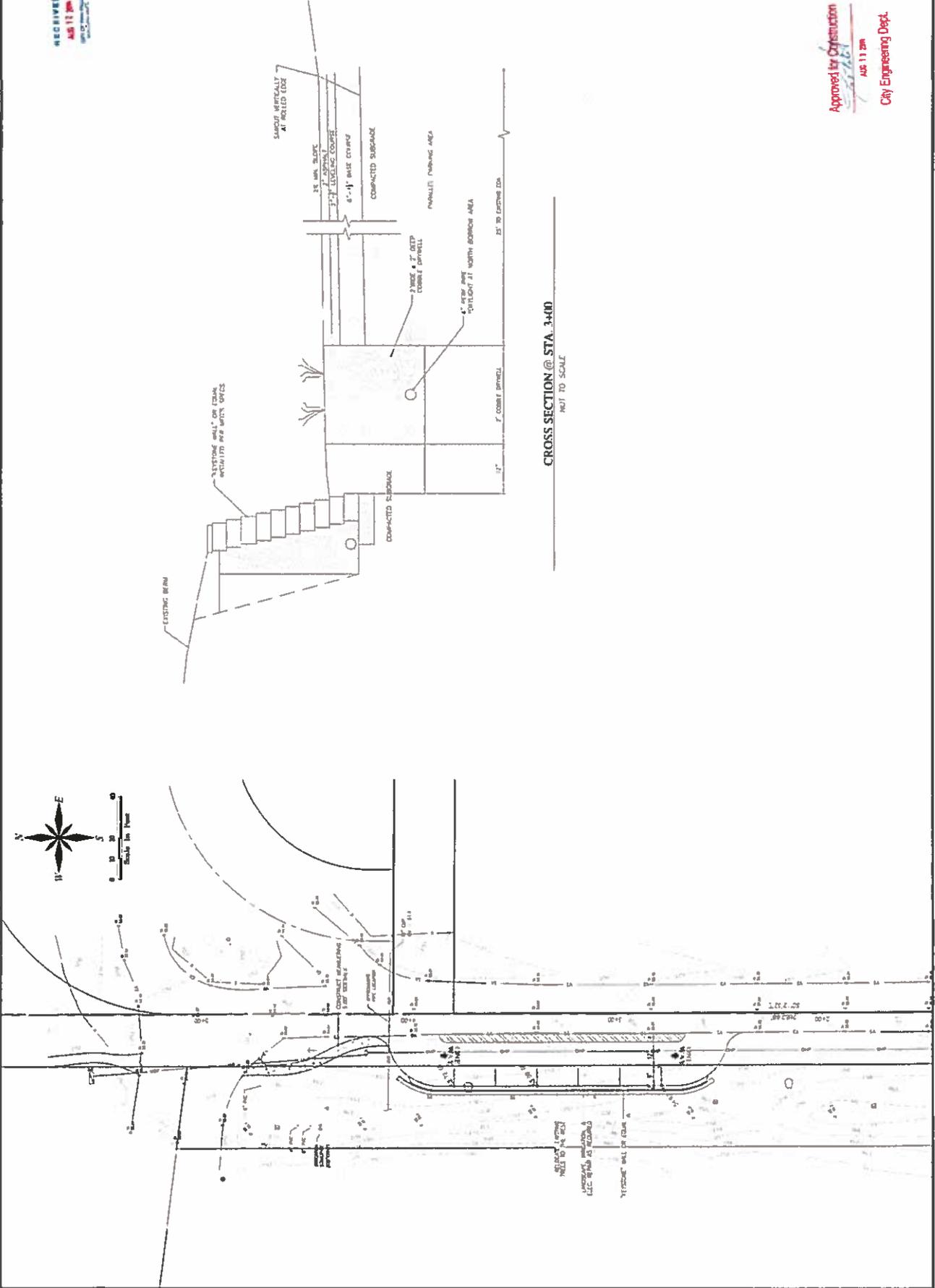


Author	T. Vance
Drawn	C. Miller
Date	March 2014
Checked	A.J. Shreve
Scale	As Shown

C1.0

RECEIVED
 AUG 11 2014
 City Engineering Dept.

Approved for Construction
 AUG 11 2014
 City Engineering Dept.



CROSS SECTION @ STA. 3400
 NOT TO SCALE

Quail Ridge Parking Lot Cost Estimate

Quail Ridge Parking Lot At Entry



				Engineer's Estimate	
Item	Description	Quantity	Units	Unit Price	Total
BASE BID					
1	Excavation & Grading	1	LS	2,500.00	\$2,500.00
2	2" Asphalt Paving	437	SY	13.00	\$5,681.00
3	3/4" Base Gravel	98	CY	45.00	\$4,410.00
4	Drywell w/Perf. Pipe & Wrap	22	CY	80.00	\$1,760.00
5	Retaining Wall	154	LF	30.00	\$4,620.00
6	Tree Replacement / Relocation	1	LS	3,000.00	\$3,000.00
7	Sidewalk	40	SY	50.00	\$2,000.00
8	Striping	1	LS	800.00	\$800.00
BASE BID TOTAL					\$24,771.00



Date: Monday, October 26, 2015
To: Honorable Mayor and City Council
From: Jacqueline D Fields, City Engineer

Presentation:

Presentation of information regarding the City's Specifications for construction and regarding policy on streets.

Time Estimate:

The staff presentation will take approximately 40 minutes with time throughout and following for questions.

Background:

The Engineering Department uses the City standard specifications (spec) and standard drawings in both its public works construction and subdivision/large commercial developments. This provides for uniform development of new and replacement infrastructure. The spec and drawings are out of date and in dire need of modification. Examples of this include use of C900 water pipe, ADA standards for sidewalks and curb cuts, and the plant mix pavement and aggregate for base (the part of the road underneath the "blacktop").

In addition, there have been requests to consider changes to the standards. It is an important element of stewardship to determine whether or not the change is significant, as well as how to mitigate an unacceptably diminished product when compared to the existing standard. When considering these requests for change, it is always good to have a clear understanding of what the request means, specifically considering unintended consequences. As a result, Engineering entered into an agreement with American Geotechnics to evaluate and provide recommendations on several of the commonly recurring requests and questions associated with roadway materials. This presentation will present the information contained in the report.

There have been requests to use alternate specifications, including the Idaho Specifications for Public Works Construction (ISPWC) and the ITD specifications for roadway. In fact, staff has utilized these alternate specifications on some of the larger infrastructure projects including Washington St. N., the arsenic projects and the North East Sewer projects.

When considering spec and standard drawings changes, staff entered into robust debate on whether to attempt significant revision to the City specs and drawings or to divert to the ISPWC specs and drawings. The conclusion was that, while there was significant effort involved with a transition to ISPWC, the effort was worthwhile because the specification is more commonly used by contractors who do public works throughout the state. There is a larger body of individuals and experience contributing to improvement (revision) of the ISPWC. However, these specifications require a certain amount of local policy which has been embodied in the City of Twin Falls Revisions to the 2015 ISPWC (Revisions). The local policy component allows different agencies to retain uniformity within their jurisdictions. Sadly, as we neared the involvement portion of the project, the ISPWC was substantially revised into the 2015 document and some review (and modifications) were necessary. This delay has put a little pressure on the implementation schedule.

We have begun an involvement process to discuss the proposed migration to the ISPWC and the Revisions with developers, contractors and local Engineers. There has been a substantial amount of involvement with

some of the local paving companies. This has been driven primarily by the imminent need to understand what roadway materials should be produced for next year, as well as the standards by which these products will be evaluated. We believe we are nearly complete with paving materials and will attempt to resume the broader conversation about the ISPWC and the proposed standard drawings for residential and collector roadways with the development community and the general contractors.

Approval Process:

No approval is requested at this time.

The City Engineer is responsible for modifying the specifications and drawings, and for developing policy for the uniform development of infrastructure in the community. In the next few months, after more public involvement, it is likely that I will request that the City Council consider accepting modified standard typical section(s). This is important because it has a direct relationship to how much aggregate is produced. Acceptance or rejection of standard drawings will be appropriately incorporated into the upcoming revision of the Transportation Master Plan. The Transportation Master Plan is subsequently included in the Comprehensive Master Plan, both of which are approved by the City Council.

Budget Impact:

There is no budget impact at this time.

Conclusion:

This presentation is to provide information to the City Council and to provide an opportunity to ask questions.

Attachments:

None



Public Hearing: MONDAY October 26, 2015

To: Honorable Mayor Hall and City Council

From: Jonathan Spendlove, Planner I

ITEM IV-1

Request: A request for a **PUD Amendment** to the Canyon Park West PUD #264 to allow a Panera Bread Restaurant on Lot 7 Block 1 with a drive through facility c/o Canyon Park Development, LLC on behalf of Canyon Park I (app. 2748)

Time Estimate:

The applicant's presentation may take up to ten (10) minutes. Staff's presentation may take up to five (5) minutes. There will likely be additional time for questions from the City Council.

Background:

Applicant:	Status: Owner	Size: 1.0 (+/-) acres
Canyon Park Development, LLC c/o Tina Luper P.O. Box 5478 Twin Falls, ID 83303 208-421-8296 tina.luper@neilsenco.com	Current Zoning: C-1 CRO PUD	Requested Zoning: C-1 CRO PUD
	Comprehensive Plan: Commercial Retail	Lot Count: 1 lot
	Existing Land Use: Commercial	Proposed Land Use: Mixed commercial uses – adding drive thru service for this one lot in the C-1 CRO district
Representative:	Zoning Designations & Surrounding Land Use(s)	
EHM Engineers, Inc. c/o Gerald Martens 621 North College Rd, St 100 Twin Falls, ID 83301 208-734-4888 208-420-2461 (c)	North: Visitor's Center , Snake River Canyon Rim	East: C-1 CRO PUD; Blue Lakes Blvd N, commercial
	South: C-1 PUD; Blue Lakes Blvd N, Magic Valley Mall	West: C-1 CRO PUD; Commercial
	Applicable Regulations: 10-1-4, 10-1-5, 10-4-8, 10-4-19, 10-6-1 through 4, 10-7-6, 10-10-1 through 3, 10-11-1 through 9, 10-14-1 through 6, Canyon Park Amended PUD #264	

Approval Process:

The applicant of a planned unit development sub-district may, after pre-application conferences with the planning staff, submit a preliminary development plan to the Commission for review, which development plan shall include the following:

- a. The proposed site plan, showing building locations and land use areas;
- b. Proposed traffic circulation, parking areas, pedestrian walks and landscaping;
- c. Proposed construction sequence for buildings, streets, spaces and landscaped areas;
- d. Existing zoning district boundaries;
- e. A survey of the property, including topography, buildings, watercourses, trees over six inches (6") in trunk diameter, streets, utility easements, drainage patterns, right of way and land use;
- f. Other requirements that the Planning Department, Planning Commission, or legislative body may request.

1. After Commission review, public hearings shall be held before the Commission for a recommendation and the City Council for a decision.

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.

History:

The final plat for Canyon Park North Subdivision was approved by Council on February 22, 2000. The final plat was recorded on November 29, 2000.

On January 25, 2007 the Citizen Design Review Committee approved a development plan to allow a 10-story hotel/convention center on the rim within the Canyon Park North project.

The Council later approved a Zoning District Change and Zoning Map Amendment combining both Canyon Park North and Canyon Park West developments and plats into one PUD and one plat. The rezone was for the same zoning but with a different development plan. Rezoned from C-1 PUD and SUI PUD to C-1 CRO PUD.

The Council approved ORD #3043 on April 9, 2012 vacating that portion of Fillmore Street within this development. The Planning and Zoning Commission approved the Canyon Park Amended – PUD Subdivision on April 10, 2012. The Council approved the final plat on June 4, 2012. The Canyon Park West (Amended) C-1 PUD Agreement was approved and signed by the Council on August 20, 2012. The Canyon Park Amended final plat was recorded on December 23, 2013.

On September 9, 2015 the Commission reviewed the request at a public meeting and on September 29, 2015 a public hearing was held.

Analysis:

This is a request for an Amendment to the Canyon Park Amended Planned Unit Development Agreement (PUD #264) to allow a Panera Bread Restaurant on Lot 7 Block 1 with a drive through facility. The property is zoned C-1 CRO PUD. Neither the current PUD Agreement nor the underlying Canyon Rim Overlay Zone (City Code Section 10-4-19), allows for a “Drive-Thru Restaurant” within the Canyon Rim Overlay Zone. PUD process allows an applicant to request variations from underlying code sections for properties listed within the boundaries of the planned development.

In this case, the applicant is requesting an amendment to the previously approved PUD Agreement in order to allow a specific restaurant, Panera Bread, to install a “Drive-Thru Window” for their future restaurant on a specific lot within the development boundary. This would be a variation from City Code Section 10-4-19: Canyon Rim Overlay.

Possible Impacts:

The Canyon Rim Overlay Zone was intended to protect the public interests along the canyon rim by limiting certain types of development, and prohibiting other types. A “Drive-Thru Window” along the Snake River Canyon was specifically left off the list of Uses, both Permitted and Special Use, within that code section. This was done in order to limit the typical impacts drive-thru windows have on the public interests along the Snake River Canyon Rim. Typical impacts accompanying drive-thru windows include: increased noise, traffic and light intrusion on neighboring properties and possibly from the canyon floor.

Despite the foregoing analysis written above, one should also look at the request in the context of where this specific property is located. The property immediately to the north is home to the new Visitor’s Center which contains the Twin Falls Chamber of Commerce and other tourist based offices. It also contains free public parking for the trail system and public viewing area of the Perrine Bridge. These amenities draw a fair amount of visitor traffic which contributes to the base noise and light intrusion of the area. It would be safe to accept that the proposed drive-thru window will not greatly increase the typical impacts to the Canyon Rim, in terms of traffic and light intrusion beyond what is currently being witnessed at the Visitor’s Center immediately to the north.

On September 29, 2015 the Planning & Zoning Commission heard this request. Commissioner Woods made a motion to recommend approval for the request to the City Council, as presented. Commissioner Munoz seconded the motion. Commissioners Derricott, Munoz, Woods, & Higley voted in favor of the motion. Commissioners Grey & Reid voted against the motion.

Motion Passed 4-2

Recommended for Approval to the City Council As Presented subject to the following:

1. Subject to operation of a drive-thru window being limited to a Panera Bread Restaurant only.
2. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards and the Canyon Park PUD Agreement #264.

Conclusion: Staff concurs with the Commission's recommendation.

Attachments:

1. Applicants Request
2. Zoning Vicinity Map
3. Proposed PUD Change
4. Overall Development Plan
5. Proposed Site plan
6. Site Photos
7. Minutes from the Sept 9th and Sept 29th P&Z Commission public meetings

REASON FOR AMENDMENT

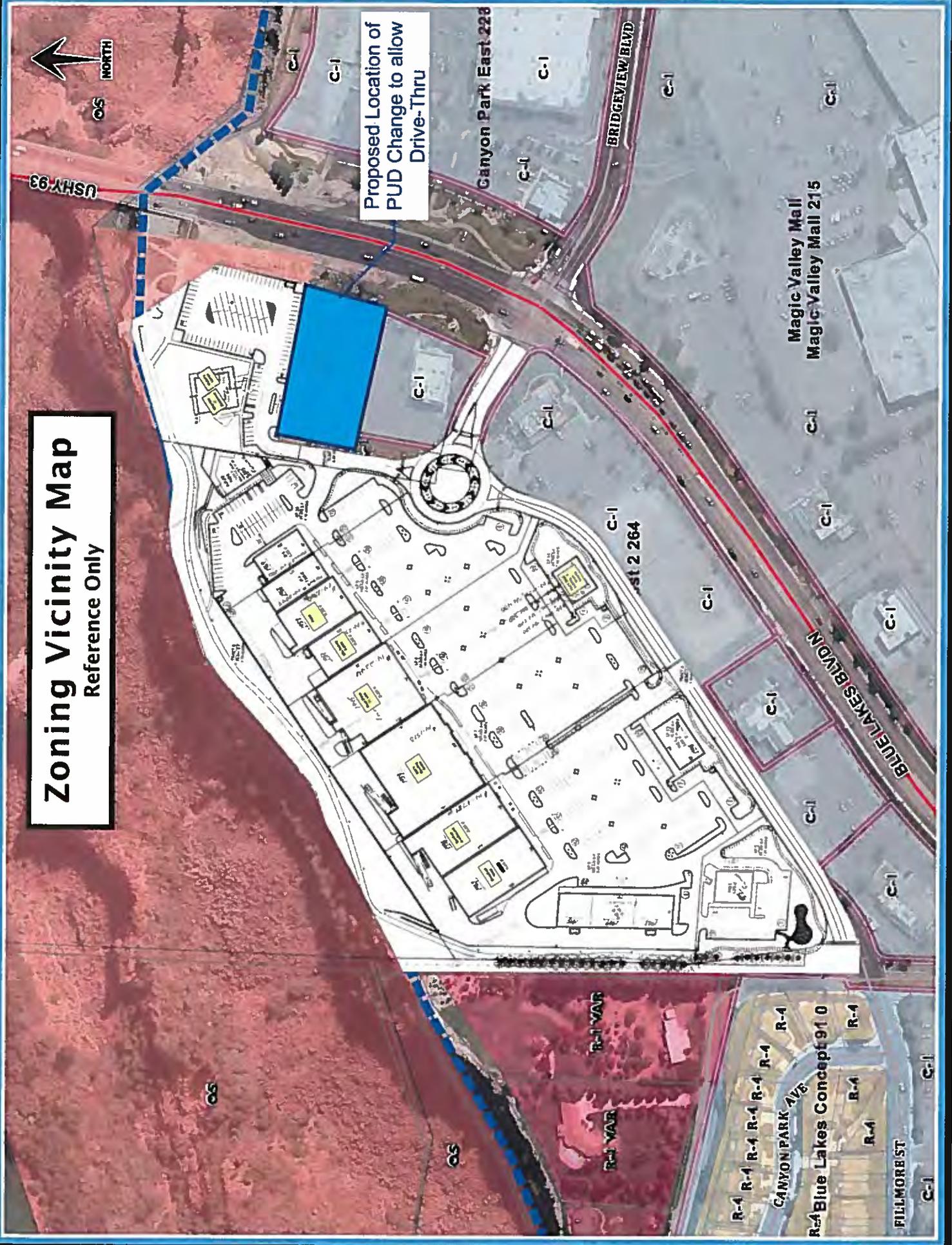
The purpose of the requested amendment will be to allow construction of a Panera Bread Restaurant (bakery) facility on Lot 7, Block 1 with drive thru lane. The current PUD allows for the proposed use but the CRO zone precludes the drive thru. The PUD amended as requested would allow the drive thru as depicted on the attached site development plan for the proposed use with the drive thru.

Zoning Vicinity Map

Reference Only



Proposed Location of
PUD Change to allow
Drive-Thru



RECEIVED

SEP 10 2015

CITY OF TWIN FALLS
PLANNING & ZONING

The following amendment shall be made to the Canyon Park West Amended Planned Unit Development between the City of Twin Falls and Canyon Park I, LLC and Canyon Park Development, LLC dated August 20, 2012.

Paragraph 2B shall be amended to read as follows:

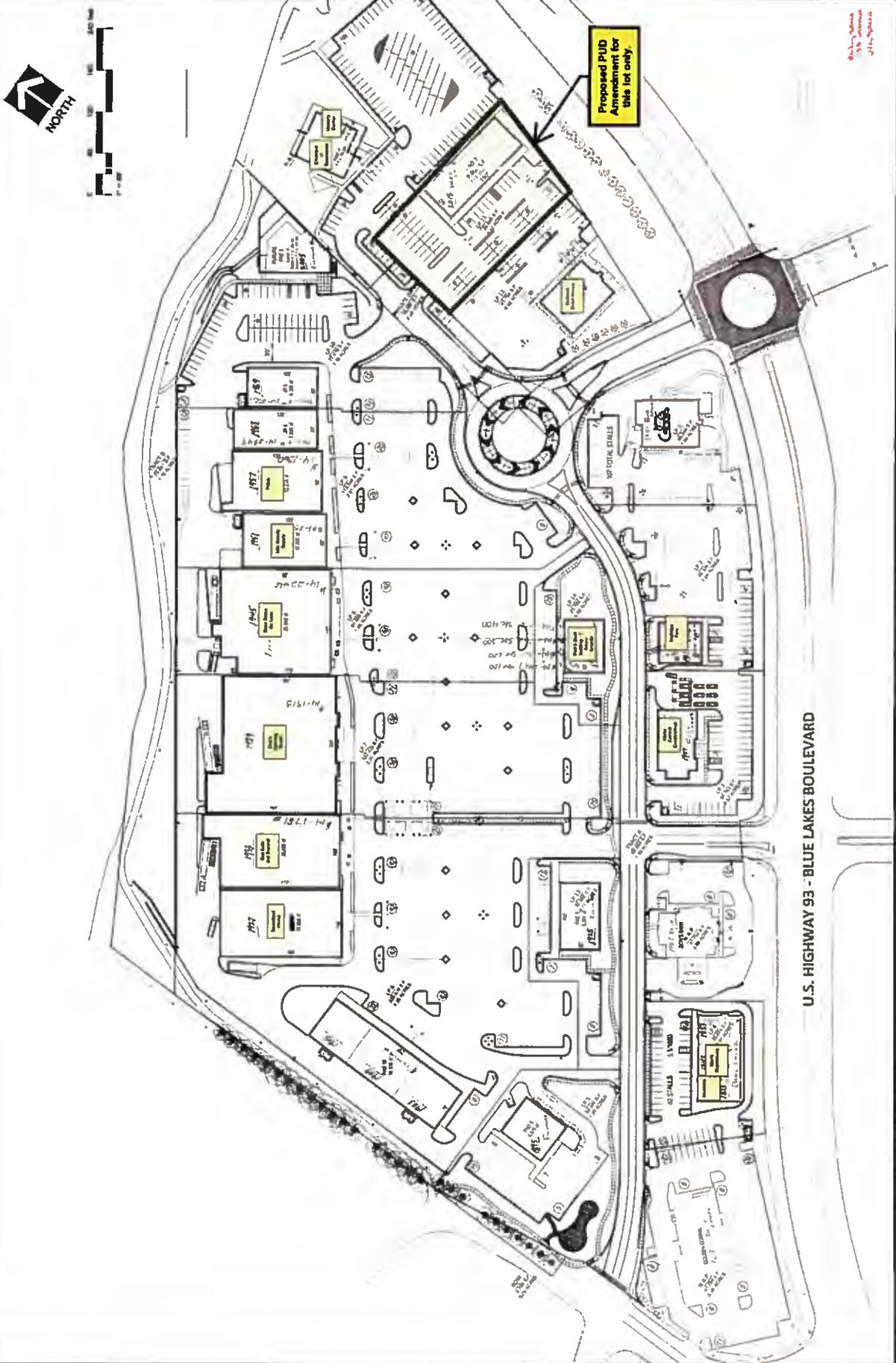
USES: The use language of the underlying "C-1 PUD" and "CRO" zones shall apply with regard to permitted uses, special uses, and prohibited uses on the Property or any portion thereof except as specified hereafter.

1. In addition to the foregoing, "Fast Food" uses will be prohibited adjacent to the Canyon Rim Trail. "Fast Food" is defined as those nationally known drive through restaurants such as McDonalds, Burger King and Wendy's.
2. Lot 7 Block 1 may be developed as a restaurant with a drive thru constructed in accordance with the attached site plan attached as Exhibit 1 and specifically limited to the proposed Panera Bread facility.

CANYON PARK
CONCEPT SITE PLAN



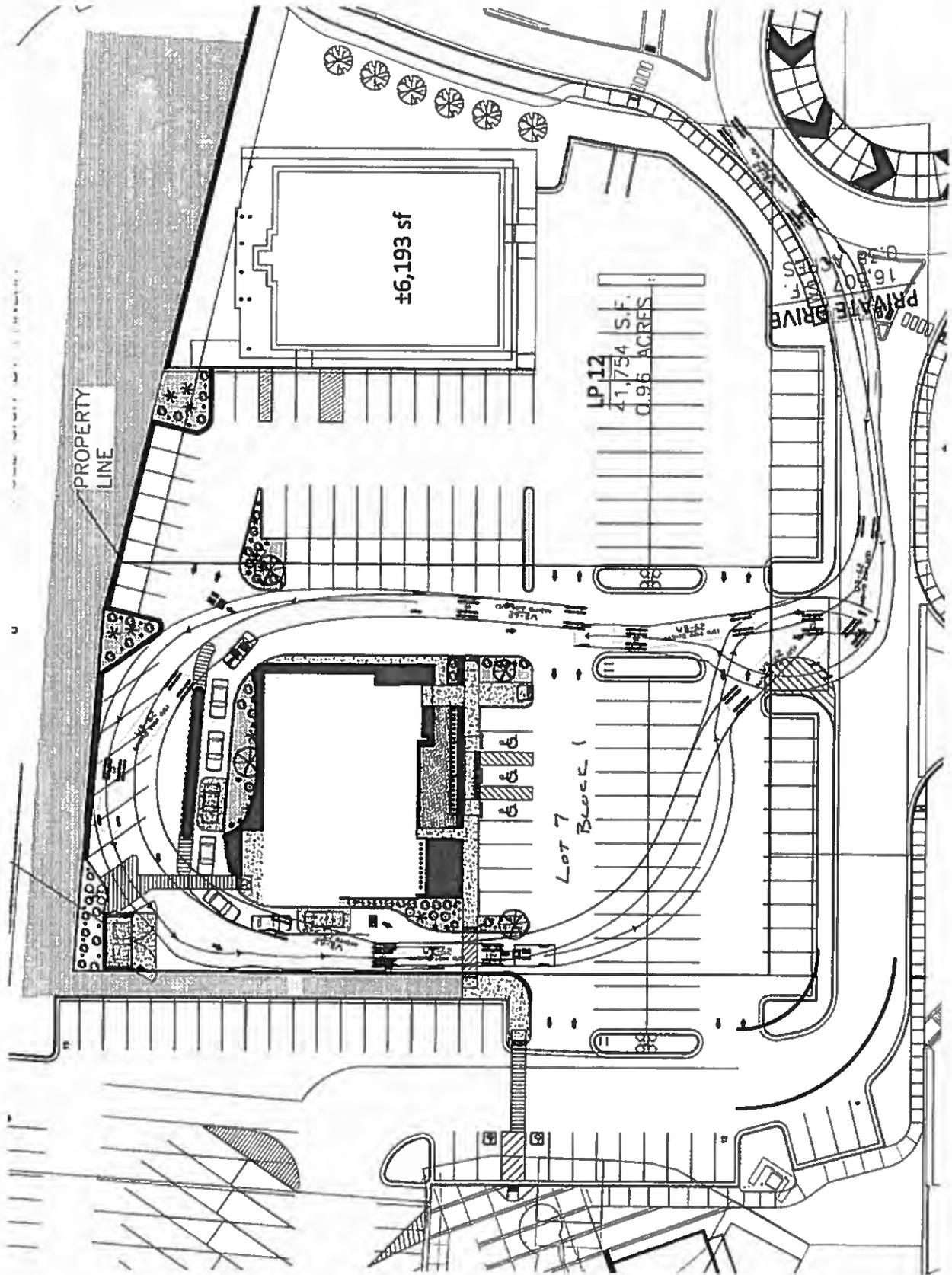
DATE	
CS-50000100	



U.S. HIGHWAY 93 - BLUE LAKES BOULEVARD

Redline
1/16/2010
1/16/2010

EXHIBIT 1





Potential Drive-Thru location. Looking toward Canyon Rim from Blue Lakes Blvd N.



Looking toward Blue Lakes Blvd N. Potential Drive-Thru location in foreground.



MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
September 29, 2015 Special Meeting 6:00PM
 City Council Chambers
 305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Nikki Boyd Jason Derricott Tom Frank Kevin Grey Gerardo "Tato" Muñoz Christopher Reid Jolinda Tatum
 Chairman Vice-Chairman

AREA OF IMPACT:

Ryan Higley Steve Woods

CITY COUNCIL LIAISON

Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS

PRESENT

Derricott
 Grey
 Monoz
 Reid

ABSENT

Boyd
 Frank
 Tatum

AREA OF IMPACT MEMBERS

PRESENT

Higley
 Woods

ABSENT

CITY COUNCIL LIAISON(S):

CITY STAFF: Spendlove, Strickland, Vitek, Nope

I. CALL MEETING TO ORDER:

Vice-Chairman Grey called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

I. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s): **September 2, 2015 WS, September 9, 2015 PH**
2. Approval of Findings of Fact and Conclusions of Law:
 - Westpark Commercial Subd #9 (Pre-plat 09-09-15)

Motion:

Commissioner Reid made a motion to approve the consent calendar, as presented. Commissioner Woods seconded the motion.

Unanimously Approved

II. ITEMS OF CONSIDERATION: *None*

III. PUBLIC HEARINGS:

1. Request for the Commission's Recommendation on a **PUD Amendment** to the Canyon Park West PUD #264 to allow a Panera Bread Restaurant on Lot 7 Block 1 with a drive through facility c/o Canyon Park Development, LLC on behalf of Canyon Park I (app. 2748)

Applicant Presentation:

Gerald Martens, EHM Engineers, Inc. representing the applicant stated he is here to request that a PUD Amendment be made to allow for only Panera bread to construct and operate a drive through window in conjunction with a restaurant. He reviewed on the overhead the elevations for the building and the site plan for the area. He asked that the Commission recommend approval for this change.

**Planning & Zoning Commission Minutes
September 29, 2015-Special Meeting**

Staff Presentation:

Planner I Spendlove reviewed the request on the overhead and stated the Planning and Zoning Commission approved the Canyon Park Amended – PUD Subdivision on April 10, 2012. The Council approved the final plat on June 4, 2012. The Canyon Park West (Amended) C-1 PUD Agreement was approved and signed by the Council on August 20, 2012. The Canyon Park Amended final plat was recorded on December 23, 2013.

This is a request for an Amendment to a previously approved Planned Unit Development Agreement (PUD #264), on property described above. The current PUD, and underlying City Code Section 10-4-19, does not allow for a “Drive-Thru Restaurant” within the Canyon Rim Overlay Zone. PUD’s allow the applicant to request variations from underlying code sections for properties listed within the boundaries of the development.

In this case, the applicant is requesting an amendment to the previously approved PUD Agreement in order to allow a specific restaurant, Panera Bread, to install a “Drive-Thru Window” for their future restaurant on a specific lot within the development boundary. This would be a variation from City Code Section 10-4-19: Canyon Rim Overlay.

The Canyon Rim Overlay Zone was intended to protect the public interests along the canyon rim by limiting certain types of development, and prohibiting other types. A “Drive-Thru Window” along the Snake River Canyon was specifically left off the list of Uses, both Permitted and Special Use, within that code section. This was done in order to limit the typical impacts drive-thru windows have on the public interests along the Snake River Canyon Rim. Typical impacts accompanying drive-thru windows include: increased noise, traffic and light intrusion on neighboring properties and possibly from the canyon floor.

Despite the foregoing analysis written above, one should also look at the request in the context of where this specific property is located. The property immediately to the north is home to the new Visitor’s Center which contains the Twin Falls Chamber of Commerce and other tourist based offices. It also contains free public parking for the trail system and public viewing area of the Perrine Bridge. These amenities draw a fair amount of visitor traffic which contributes to the base noise and light intrusion of the area. It would be safe to accept the proposed drive-thru window will not greatly increase the typical impacts to the Canyon Rim, in terms of traffic and light intrusion beyond what is currently being witnessed at the Visitor’s Center immediately to the north.

Planner I Spendlove stated upon conclusion should the Commission recommend approval of the proposed Amendment to PUD Agreement #264, as presented, staff recommends the following conditions:

1. Subject to operation of a drive-thru window being limited to Panera Bread Restaurant only.
2. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards and the Canyon Park PUD Agreement #264.

**Planning & Zoning Commission Minutes
September 29, 2015-Special Meeting**

P&Z Questions/Comments:

- Commissioner Woods asked if there is any data from the applicant on the length of queue lines.
- Mr. Martens explained his understanding is that the menu consists of food that is already prepared, the cars do not sit in line long waiting for things to be prepared. The drive through does allow for the required stacking.
- Commissioner Woods asked about the feature on the North East corner of the building.
- Mr. Martens explained that is an enclosure for the dumpsters.
- Commissioner Woods asked if there is anything that will prevent car headlights from intruding onto oncoming traffic from the bridge.
- Mr. Martens explained that there will be landscaped along the frontage as part of an agreement that Canyon Park has with the Idaho Department of Transportation, this landscaping has not been completed because they have been working to install the pressurized irrigation system, once that is complete the landscaping will be installed.
- Commissioner Munoz asked about the proposed landscaping and if the pictures presented represent a certain timeframe.
- Mr. Martens explained that the landscaping should be similar to what has been installed in the rest of the development.
- Commissioner Munoz asked about the specialty coffee's that they offer and if this might increase traffic through the drive through.
- Mr. Martens explained he is not aware of the details of the operation and ask the Woodbury representative Jeff Stokes to assist in answering this question.
- Jeff Stokes, representing Woodbury Corporation explained the trees shown on the exhibit should be at mature height within 5-7 years. He also explained that Panera wants to offer take out through the drive through rather than having to come in and wait. This is a newer layout for Panera and will be one of the first to have a drive through, he is not aware of their entire menu with regards to the coffees.
- Commissioner Reid asked if there are elevations of the back of the building that is going to face Blue Lakes Boulevard North.
- Mr. Stokes explained that Woodbury has a strict design criteria they like to maintain and that what is being shown tonight is a draft. Woodbury has asked for additional attempts to add awning over the windows and to try and dress up the building for more appeal.
- Commissioner Grey asked Planner I Spendlove to explain the CRO code section as it applies to this request.
- Planner I Spendlove explained that this property is currently zoned C-1 CRO PUD. When the original PUD Agreement was created the CRO zone did not and still does not allow for a drive through in that zone. Because this is part of a PUD zoned property the applicant can request that the drive-through be allowed.

Public Hearing: Opened & Closed Without Concerns

Closing Comments:

Mr. Martens summarized that the applicant concurs with the staff recommendations and they plan for this project to be a quality project. The last site left for development is going to be a high end restaurant will most likely not have to come through any process for approval except building permits, and it should be a wonderful addition to the development.

**Planning & Zoning Commission Minutes
September 29, 2015-Special Meeting**

Deliberations Followed:

- Commissioner Grey explained that he has several concerns one is that this will allow for a drive through that is not allowed in the CRO and then the drive through is specific to a certain business only, which could leave the area and then we have a building that can't be occupied by another user.
- Commissioner Woods explained that if it is restricted another user would have to come through this process again if they wanted to use the drive-through, which give the Commission the opportunity to review the type of business proposed for the site and the impacts to the area it could present.
- Commissioner Grey stated he is also concerned with the additional traffic leading into virtually a cul-de-sac, he doesn't understand why this business has to have a drive through in this location. He sees that area more conducive to an open outdoor eating area for the visitors coming to the area.
- Commissioner Munoz explained that it sounds like this is a trial run for this business and it may not be as successful or as busy as expected and may become irrelevant.
- Commissioner Woods pointed out on the overhead site plan that the window is on the side of the building not really visible and if this falls through as a drive through it won't leave that much of an impact to the site.

Motion:

Commissioner Woods made a motion to recommend approval for the request to the City Council, as presented. Commissioner Munoz seconded the motion. Commissioners Derricott, Munoz, Woods, & Higley voted in favor of the motion. Commissioners Grey & Reid voted against the motion.

Motion Passed 4-2

Recommended for Approval to the City Council As Presented

1. Subject to operation of a drive-thru window being limited to Panera Bread Restaurant only.
2. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards and the Canyon Park PUD Agreement #264.

Scheduled for City Council October 26, 2019

PZ Comments/Questions:

- Commissioner Woods asked about the elevations and headlight impacts towards traffic coming from the bridge.
- Mr. Martens explained there is approximately 60 ft of landscaping that is reserved for widening the bridge and there is a big landscaping area that should shield the headlights from the highway. Along the north side of the property there will be landscaping to prevent headlights from shining towards the Visitors Center. Elevations will be provided at the public hearing.
- Commissioner Munoz asked about parking in the area and if the parking standards apply to this development with the landscaping endcaps.
- Mr. Martens explained that the landscaping requirements related to the current parking code will be met.
- Commissioner Grey asked about the distance from the Canyon Rim Trail.
- Mr. Martens explained the property is not adjacent to the trail there is a parcel between this property and the Canyon Rim Trail.
- Commissioner Frank asked about traffic flow around the building.
- Mr. Martens explained that what is shown on the exhibit is designed to allow a delivery truck to maneuver around the building.
- Assistant City Engineer Vitek stated the accesses meet current requirements and standards.
- Commissioner Tatum asked about this allowance being specifically only to Panera Bread.
- Mr. Martens confirmed that the change would be only for Panera Bread.
- Commissioner Munoz asked about the design of the order and pick-up areas.
- Mr. Martens explained those areas are shown with concrete pads so that the cars do not move when stopped to give an order or pick up an order.

Public Comment: [Opened & Closed Without Comment](#)

**[Planning & Zoning Public Hearing Scheduled
September 29, 2015](#)**