

COUNCIL MEMBERS:

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



AMENDEDED Minutes
Meeting of the Twin Falls City Council
Monday, October 12, 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. Request to approve the Accounts Payable for October 6 – 12, 2015.	Action	Sharon Bryan
II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>
1. Consideration and approval to negotiate a contract with C.R. Peterson Consulting, LLC to develop a Transit Development Plan for the City of Twin Falls.	Action	Mandi Thompson/ Mitchel Humble
2. Consideration and approval of an agreement for waste water services between the City of Twin Falls, the Twin Falls Urban Renewal Agency and Chobani Idaho, LLC, with an effective date of September 1, 2015.	Action	Travis Rothweiler
3. 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): (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.

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Gregory Lanting, Don Hall, Rebecca Mills Sojka
Absent: Chris Talkington
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, Grant Writer Mandi Thompson, City Engineer Jacqueline Fields, Deputy City Clerk Sharon Bryan

Mayor Hall asked for a moment of silence for the Harald Gerber Family.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Hall called the meeting to order at 5:00 P.M. He asked Girl Scout Troop 6 to lead the Pledge of Allegiance. He then invited all present, who wished, to recite the pledge of Allegiance to the Flag.

Girl Scouts Troop 6 introduced themselves.

CONFIRMATION OF QUORUM- A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA : None

PROCLAMATIONS: None

Public Input:

Max Newlan, 7th Ave East, – said that on Saturday October 17, 2015, 6:30 PM at KMVT Television Station he will give a presentation on cross country cycling.

I. CONSENT CALENDAR:

Request to approve the Accounts Payable for October 6 – 12, 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 6 to 0

II. ITEMS FOR CONSIDERATION:

1. Consideration and approval to negotiate a contract with C.R. Peterson Consulting, LLC to develop a Transit Development Plan for the City of Twin Falls.

Grant Writer Thompson explained the City solicited requests for qualifications (RFQ) from qualified consulting firms to provide professional services to the City to develop a Transit Development Plan. Proposals were due on Monday, August 24th, 2015. Staff received two submittals in response to the RFQ.

A Committee consisting of Mandi Thompson (Grant Manager), Greg Lanting (Transportation Council Liaison), Josh Baird (Staff Engineer), Rene'e V. Carraway-Johnson (Zoning & Development Manager) and Mitch Humble (Deputy City Manager) reviewed the two proposals. They ranked the two proposals based on criteria outlined in the RFQ and a Skype interview.

Staff is recommending negotiations with C.R. Peterson.

Council discussion ensued on the following:

- CR Peterson office location and how accessible will they be when the City needs their assistance.

- Communities they have worked with.
- Recommendations from other communities that have worked with C.R. Peterson.

MOTION:

Councilmember Lanting moved approval to negotiate a contract with C.R. Peterson Consulting, LLC to develop a Transit Development Plan for the City of Twin Falls and staff start the negotiation process. 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 and approval of an agreement for waste water services between the City of Twin Falls, the Twin Falls Urban Renewal Agency and Chobani Idaho, LLC, with an effective date of September 1, 2015.

City Manager Rothweiler said that today the Urban Renewal Agency approved the agreement and Chobani approved the agreement.

City Manager Rothweiler explained that on November 3, 2011, the City of Twin Falls, Twin Falls URA and Chobani (formally known as AgroFarma, LLC), entered into a Development Agreement that allowed for the construction of the yogurt facility, which spans nearly 1 million square feet, employs over 800 Magic Valley residents, and has a total taxable value of approximately \$400 million.

As a part of the initial Development Agreement, the City, the URA and Chobani constructed a new pretreatment facility with a discharge capacity of 800,000 gallons per day (GPD) with a one MGD maximum capacity to pretreat Chobani's wastewater flows prior to entering into the City's collection system. The City of Twin Falls used a \$2.75 million of its reserves from the capital fund to fund its share of the pretreatment facility.

As stated in the initial Development Agreement and reiterated in Section 2.2 of this Agreement, Chobani agreed to repay the City the amount it provided toward the initial improvements to the pretreatment facility over time. The amount that was repaid was based on an agreed to amount for each 1,000 gallons of waste water flow that entered into the City's collection and treatment systems. This amount to be repaid was a part of the flat rate for wastewater discharge of \$2.84/1,000 gallons of flow. The balance of the initial pretreatment facility costs was paid for with the initial development bonds and tax increment (property taxes) captured from Chobani's investment.

After reviewing the current tax increment financing available, it was determined that there was more than sufficient TIF funds current available to repay the initial improvements cost in full. As provided for in this Agreement, the Twin Falls URA will provide the City \$2.75 million of TIF to repay the City's share of the initial improvements cost in full. The City will reimburse Chobani the amount that it has contributed toward repayment as of the effective date of September 1st in the amount of \$353,445.

The September 1st billing date aligns with our billing process. Because the city bills all of its industrial users based on the actual flows and loadings sent from their respective facilities to the billing process usually lags about 45 days from the billing period.

As a part of the Agreement, the flat rate will no longer be in effect and Chobani will pay the City's standard industrial rate as provided for the City's recently adopted utility rate Resolution.

Because the pretreatment facility is an important part of their production process and as stated in this Agreement, Chobani will operate the pretreatment facility for as long as it is needed. Additionally, Chobani will maintain the facility and preform all capital replacement of all equipment.

Chobani will purchase and maintain property insurance for the PTF on a replacement cost basis and shall purchase and maintain a commercial general liability insurance policy on a broad form basis with bodily

injury and property damage combined single limits of at least One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) annual aggregate. City and URA shall be additional insureds on such policy.

City Attorney explained the legal issues of the agreement.

MOTION:

Councilmember Barigar moved approval of an agreement for waste water services between the City of Twin Falls, the Twin Falls Urban Renewal Agency and Chobani Idaho, LLC, with an effective date of September 1, 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

3. Public input and/or items from the City Manager and City Council.
City Manager Rothweiler said that Wednesday, October 14, 2015 is the Activate Magic Valley Breakfast, 7:30 a.m. at the Stonehouse.
Mayor Hall said that he is in 2nd place right now in the Walktober Challenge.
Vice Mayor Hawkins asked the Council to vote on a Representative to the ICRMP Board.
Council verbally agreed to support **Brian Blad, Mayor of Pocatello**, for the ICRMP Board Representative.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

IV. PUBLIC HEARINGS: 6:00 P.M. – None

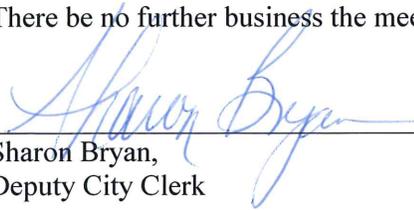
V. ADJOURNMENT:

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.

MOTION:

Councilmember Lanting made the motion to approve to adjourn to 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. The motion was seconded by Vice Mayor Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

There be no further business the meeting adjourned at 5:24 PM.



Sharon Bryan,
Deputy City Clerk

