

COUNCIL MEMBERS

Suzanne	Nikki	Shawn	Chris	Gregory	Don	Ruth
Hawkins	Boyd	Barigar	Talkington	Lanting	Hall	Pierce
Vice Mayor		Mayor				



AGENDA

**Meeting of the Twin Falls City Council
Monday, February, 29, 2016 - City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho**

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG CALL MEETING TO ORDER CONFIRMATION OF QUORUM CONSIDERATION OF THE AMENDMENTS TO THE AGENDA PROCLAMATIONS: None GENERAL PUBLIC INPUT		
AGENDA ITEMS	<u>Purpose:</u>	<u>By:</u>
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the Accounts Payable for February 23 – February 29, 2016. 2. Consideration of a request to approve the February 22, 2016, City Council Minutes. 3. Consideration of a request to accept the Improvement Agreement for the purpose of developing Morning Sun Subdivision #9. 4. Consideration of a request to approve the Findings of Fact, Conclusions of Law, and Decision for the Final Plat for Morning Sun Subdivision No. 9.	Action Action Action Action	Sharon Bryan Sharon Bryan Troy Vitek Rene’e V. Carraway-Johnson
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to confirm the appointments of Gerardo “Tato” Munoz, Ed Musser and Danielle Dawson to the Planning & Zoning Commission; and, to present Certificates of Appreciation to Nikki Boyd and Jason Derricott for their service on the Planning & Zoning Commission. 2. Consideration of a request to award a Contract to Record Steel and Construction, Inc., dba RSCI in the amount of \$4,436,360 for the Twin Falls Waste Water Treatment Plant Headworks Improvement Project. 3. Consideration of a request to approve an updated Water Systems Facilities Plan. 4. Public input and/or items from the City Manager and City Council.	Action/ Presentation Action Action	Shawn Barigar Rene’e V. Carraway-Johnson Troy Vitek Jon Caton
III. <u>ADVISORY BOARD REPORT/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - NONE		
V. <u>ADJOURNMENT:</u> 1. Executive Session 74-206(1)(c) To acquire an interest in real property which is not owned by a public agency.		

Any person(s) needing special accommodations to participate in the above noticed meeting 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.

COUNCIL MEMBERS:

Suzanne Hawkins	Nikki Boyd	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Ruth Pierce
Vice Mayor		Mayor				



MINUTES
Meeting of the Twin Falls City Council
Monday, February 22, 2016 - City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CALL MEETING TO ORDER
 CONFIRMATION OF QUORUM
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
 PROCLAMATIONS: None
GENERAL PUBLIC INPUT

AGENDA ITEMS	Purpose:	By:
I. <u>CONSENT CALENDAR:</u>		
1. Consideration of a request to approve the Accounts Payable for February 17, 2016 through February 22, 2016.	Action	Sharon Bryan
2. Consideration of a request to approve the February 16, 2016, City Council Minutes.	Action	Sharon Bryan
3. Consideration of a request to approve a Beer and Wine License for Mi Tierra Mexican Restaurant, LLC, 164 Main Avenue North, subject to receiving their State License.	Action	Sharon Bryan
II. <u>ITEMS FOR CONSIDERATION:</u>		
1. Presentation on Gateways for Growth Challenge by Erika Willsey and Rick Naerebout.	Presentation/ Possible Action	Erika Willsey/ Rick Naerebout
2. Presentation demonstrating the Text-To-911 system. "Call if you can, text if you must."	Presentation	Craig Stotts/ Kathy Markus
3. Consideration of a request to vacate an existing sewer easement (SE-738) and grant a new public utilities easement to replace it.	Action	Josh Baird
4. Consideration of a request to approve an updated Water Systems Facilities Plan.	Action	Jon Caton
5. 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. Request for a Zoning Title Amendment to add "Theater - Outdoor" in the Old Town Zoning District; Title 10, Chapter 4, Section 13.2(B)6, as allowed by Special Use Permit and to modify Title 10, Chapter 2, Section 1, the definition of "Theater, Outdoor Drive-in". <u>c/o Mark Gallegos</u> (app. 2765)	Action/ Public Hearing	Mark Gallegos Jonathon Spendlove
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: Shawn Barigar, Suzanne Hawkins, Nikki Boyd, Chris Talkington, Greg Lanting, Don Hall, Ruth Pierce

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Staff Engineer Josh Baird, Lieutenant Craig Stotts, Public Information Officer Josh Palmer, Planner 1 Jonathon Spendlove, Network Technician Level II Dee Davidson, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Barigar 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.

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

City Manager Rothweiler said that Item #4 will be postponed until next week.

PROCLAMATIONS: None

GENERAL PUBLIC INPUT - None

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for February 17, 2016 through February 22, 2016.
2. Consideration of a request to approve the February 16, 2016, City Council Minutes.
3. Consideration of a request to approve a Beer and Wine License for Mi Tierra Mexican Restaurant, LLC, 164 Main Avenue North, subject to receiving their State License.

MOTION:

Councilmember Boyd moved to approve the Consent Calendar as presented. The motion was seconded by Councilmember Pierce. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

II. ITEMS FOR CONSIDERATION:

1. Presentation on Gateways for Growth Challenge by Erika Willsey and Rick Naerebout.

Erika Willsey, 1242 Silver Creek gave a presentation on Gateways for Growth Challenge.

Council discussion ensued on the following:

- What is City's role to be on the Committee?
- What does Gateways for Growth Challenge committee envision?

- Concerns with the letter that listed City of Twin Falls as a supporter without City Council consent.
- Emigration concerns addressed in letter but not refugees.
- Need to reach out to all government agencies
- This meeting is not about the refugee center.
- The Mini-Cassia area needs to be involved.
- Gateways for Growth Challenge needs to be open to all stake holders in our Community.
- Gateways for Growth Challenge is trying to develop a more formal organized meeting.
- Concerns with a grant document that does not have accurate information.
- Grant is wrong direction to go to bring healing to our community.
- Need to send a City Staff person rather than a City Councilmember.
- Needs to be a City Councilmember and a City Staff person.

The following are those speaking against the refugee program and the Gateways for Growth Challenge.

- Adrian Arp sent a letter.
- Bryd Golay, 2140 Eldridge, Twin Falls, Idaho
- Vicki Davis, 145 Avenida Del Rio, Twin Falls, Idaho
- Julie Ruff, 2849 Rock Creek Road, Hansen, Idaho
- Liz Niccum, 846 Grace Drive West, Twin Falls, Idaho
- Max Newlan, 328 7th Avenue East, Twin Falls, Idaho
- Stephanie Clark, 1163 Knoll Ridge Road, Twin Falls, Idaho
- Mareen Osborn, 213 Addison Avenue, Twin Falls, Idaho
- Nolan Strupe, 3161 E 3100 N, Twin Falls, Idaho
- Jean Sanoa, 279 Ramage Street, Twin Falls, Idaho

The following spoke in favor of the grant request:

- Rick Naerebout 195 River Vista Place, Idaho Dairymen Association.

City Council discussion ensued on following:

- Gate Ways to Growth is requesting City participation.
- City Council want more information on what the intent of the group is.
- City Council has no control of the refugee program.
- Liaison needs to be City Staff person rather than a City Councilmember
- Liaison needs to be a City Councilmember and a City Staff person on the steering committee.
- City of Twin Falls name be taken off the application.

MOTION:

Councilmember Hall moved to have Councilmember Lanting and a City Staff member serve as a liaison on the planning process to the Gate Ways to Growth Committee. The motion was seconded by Councilmember Pierce. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Break at 6:18 P.M.

Mayor Barigar reopened meeting and said that the public hearing will be the next item.

2. Presentation demonstrating the Text-To-911 system. “Call if you can, text if you must.”

Lieutenant Stotts and Network Technician Level II Davidson demonstrated the Text to 911 system using visuals.

City Council discussion ensued on the following:

- Accuracy in location
- Limit to how many words citizen can type in.
- Too many texts clogging the system.
- Dispatchers handle multiple calls.
- Prank calls

Public Information Officer Palmer passed out a flyer for the Call if you can, text if you must and said we will notify citizens through the Public Schools, Media – TV and Newspaper and First Federal will put message on their reader board.

3. Consideration of a request to vacate an existing sewer easement (SE-738) and grant a new public utilities easement to replace it.

Staff Engineer Baird explained request.

City Council discussion ensued on the following:

- Funding
- Utilities easement
- The good working relationship between the City and the Urban Renewal Agency.

MOTION:

Councilmember Hall moved to accept the vacation of the existing sewer easement (SE-738) and accept the new public utilities easement. The motion was seconded by Councilmember Pierce. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Councilmember Hall asked for an update on the sewer line improvements and odor in Rock Creek Canyon.

City Manager Rothweiler said he will schedule to have staff come and give an update on the improvements being made to the sewer line and odor in the Rock Creek Canyon.

4. Consideration of a request to approve an updated Water Systems Facilities Plan. **POSTPONED**
5. Public input and/or items from the City Manager and City Council.

City Manager Rothweiler said staff will be meeting with College of Southern Idaho regarding the Cheney Drive Project.

City Manager Rothweiler said that he was notified that the City of Twin Falls received the GFOA Budget Award.

Councilmember Talkington asked if the Building Permit Process on Website has expanded to areas outside of the downtown area.

Deputy City Manager Humble said that it is limited to the downtown area.

Councilmember Lanting asked about the additional expenses for the Cheney Drive project.

City Manager Rothweiler and Deputy City Manager Humble explained.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None

IV. PUBLIC HEARINGS: 6:28 P.M.

1. Request for a Zoning Title Amendment to add “Theater - Outdoor” in the Old Town Zoning District; Title 10, Chapter 4, Section 13.2(B)6, as allowed by Special Use Permit and to modify Title 10, Chapter 2, Section 1, the definition of “Theater, Outdoor Drive-in”. c/o Mark Gallegos (app. 2765)

Mark Gallegos, 2587 Patriot Drive, Utah asked City Council for the Zoning Title Amendment.

PLANNER I Spendlove explained Zoning Title Amendment using visuals.

City Council discussion ensued on the following:

- Citizen complaint process
- Public safety
- Clean up after events
- Noise
- Historic Preservation input

Public Hearing open: 6:37 P.M.

Public Hearing closed: 6:38 P.M.

MOTION:

Councilmember Talkington moved to approve a Zoning Title Amendment to add “Theater - Outdoor” in the Old Town Zoning District; Title 10, Chapter 4, Section 13.2(B)6, as allowed by Special Use Permit and to modify Title 10, Chapter 2, Section 1, the definition of “Theater, Outdoor Drive-in”. The motion was seconded by Councilmember Hall. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

V. ADJOURNMENT:

Meeting adjourned at 7:07 PM

Sharon Bryan, Deputy City Clerk

http://twinfalls.granicus.com/MediaPlayer.php?view_id=2&clip_id=489

REASONS TO TERMINATE THE REFUGEE RESETTLEMENT PROGRAM AT THE COLLEGE OF SOUTHERN IDAHO

COMMUNITY SECURITY, SAFETY AND HEALTH CONCERNS

Islam is a political theology and not just a religion. Islam's goal is world domination and they are entering into the total war phase. ISLAM'S BATTLE CRY IS, "DEATH TO AMERICA & ISRAEL." Two parts of the war are Islamic Jihad terrorism and immigration or population Jihad where they dominate a city, a country or an area. The Koran has 106 verses that command Muslim followers to KILL infidels if they do not convert. Sharia Law is Islam's Constitutional Law.

In Congressional testimony (2/11/2015), Michael Steinbach of the FBI said that vetting of Syrian Muslim refugees is impossible. Syria is a failed state. There are no records to use to vet refugees. 65,000 mostly Muslim refugees will be brought in to over 190 cities including Boise, St. Maries & Twin Falls. Almost no heavily persecuted Christians. Why?

ISIS terrorists have indicated they will use the refugee program to bring in their Jihadists. (World Net Daily, *Terrorist Posing As 'Refugee' Nabbed by Cops 5/21/2015*).

ISIS is recruiting on the internet and we see that happening in Idaho and around the country. There are 15 other Islamic Jihad terrorist groups also recruiting in America.

A 2007 Pew Research Survey found that 26% of young Muslims already in America support suicide bombings in support of Jihad. (Martyrdom is their ticket to heaven). Only one or two ISIS terrorists in the 300 scheduled Syrian Muslim refugees could kill many Magic Valley residents.

The United Nation's High Commissioner for Refugees (UNHCR) was the Vice President and President of the Socialist International between 1992 and 2005 before becoming High Commissioner. (UNHCR bio on Antonio Guterres.) The name International Socialists is just a new name for communists. They do want to destroy America!

Muslim refugees do not assimilate like other non-Muslim refugees. They will be friendly until they get in control and then they will be violent and destructive unless we convert.

Medical screening of refugees is inadequate! Many diseases including drug resistant tuberculosis, leprosy and other diseases have been brought in with legal immigration & illegal aliens.

REFUGEE SETTLEMENT FUNDING

Taxpayer money (state and federal) is being used to fund the resettlement center. How much money does the College of Southern Idaho (CSI) receive for the refugee program? How is the money distributed?

Why does the CSI Board of Trustees refuse to disclose financial information since it is taxpayer money? They claim that their secrecy is because of 'trade secrets.' Where is the trade involved? Do they have something to hide?

Who authorized the use of taxpayer funds (state or federal agency) for paying for the cost of bringing in the refugees and paying for the administration costs of the center at CSI? Does the CSI Charter allow for the use of taxpayer funds for the refugee center?

What is the ratio of women to men coming locally in the refugee program? Where do the excess women go? Note: Muslim men usually have several "wives."
If one Muslim male arrives and then several women are attached or subscribed to that male as concubines, then that is human trafficking. That is unlawful!

AMERICAN JOBS

Millions of Americans are unemployed or underemployed! Immigrants compete with American citizen workers and will generally work for less money. All immigrants drive down American wages. From 2001-13, 1,628,854 green cards issued mostly to Muslim immigrants. (Source: Conservative Review, May 11, 2015)

Not counting illegal aliens, there is only one new US job for each two immigrants. Over 48 million people are on food stamps. 91% of refugee immigrants get food stamps.

COMMUNITY COSTS

More housing and school facilities must be built.

Cost of rent is increased due to greater demand.

Taxpayers are obligated to pay for subsidized housing units and school levies are added to the annual property tax bill for local residents.

More demand for health services is necessary which is also paid for by taxpayers.

THE BOTTOM LINE IS THAT THE CSI REFUGEE PROGRAM MUST BE TERMINATED TO PREVENT POTENTIAL ISLAMIC JIHAD TERRORISM AND IMMIGRATION JIHAD WITH INCREASING NUMBERS OF MUSLIMS.

WE NEED TO PUT AMERICAN WORKERS FIRST. AMERICAN TAXPAYERS CAN NOT AFFORD THE COSTS OF REFUGEES SUBSIDIES AND ASSOCIATED COSTS. WITH A FEDERAL BUDGET DEFICIT OF \$1.4 TRILLION WE CAN NOT AFFORD THE COSTS OF THE REFUGEE PROGRAM.

Adrian Aup 734-2255

SIGN THE PETITION, LET THE VOTERS DECIDE

- The **City of Twin Falls** spent **\$6,523,445** to upgrade its wastewater treatment facility for **Chobani**. It also waived approximately \$8 million in sewer, building and impact fees. **WHY????? What would motivate a city to WAVE 8 MILLION?** What a **STUPID** business decision. **BUT THEY SPEND YOUR TAX DOLLARS**
- Back in Nov. 2011, **Chobani** said it planned to use about **\$25 million** in **business grants, federal grants, and state and local tax dollars** to open its state-of-the-art manufacturing facility. **That number has grown to more than \$54 million**, including worker training reimbursements and waived fees. **WHY???**

YOUR TAX DOLLARS>>>> Federal, State, Local Spending for Chobani <<<<<<<YOUR TAX DOLLARS

	November 2011	December 2012
Business Plus Grant	\$150,000	\$150,000.
URA-TIF	\$17,148,747	\$36,260,927.
State	\$1,050,000	\$945,548.
Worker Training (State)	\$0	\$3,300,000.
City	\$6,750,000	\$14,290,899.
Total	\$25,098,747	\$54,947,974 <<<YOUR TAX DOLLARS

BUT WAIT, THERE'S MORE!

Total 6 Month Cost to Resettle 300 refugees at CSI

\$4,588,356.00 <<<<<YOUR TAX DOLLARS

(Rick Martin of Buhl, Idaho is responsible for the content of above information)

Our own Governor Otter has called for a HALT on the refugee program.

- **Idaho Senators Mike Crapo and Jim Risch, and Idaho Representatives Mike Simpson and Raul Labrador, called for suspending bringing Syrian refugees to Idaho through the U.S. Refugee Resettlement Program** until better assurances of security can be obtained.
- It does not appear that Chobani CEO has any intention of honoring Idaho's elected officials. Recently **Hamdi has given interviews stating his commitment to the refugee program and his intention to bring still more refugees to be employed at his yogurt plant.** Unless a person is **FINANCIALLY BENEFITING FROM CHOBANI** I cannot imagine why this wouldn't raise eyebrows.
- If Hamdi (Chobani CEO) holds more **SWAY** in Idaho than our elected officials I guess we can say that Hamdi is running Idaho. I find his boldness to be arrogant unless, of course, he is right and **REALLY DOES** control our state **REFUGEE PROGRAM.**

I SAY WE PUT THE PROGRAM ON THE BALLOT IN NOVEMBER AND LET THE CITIZENS OF IDAHO DECIDE.

Costs for the Refugee Resettlement at CSI

Federal Tax Funds - \$1,330,000.00

300 Refugee's planned for FY2016

South Central Health District Medical Screening

Federal Tax Funds - \$ 110,000.00

State Of Idaho Tax Funds - \$19,000.00

"health screening provided for newly arriving refugees"

Twin Falls School District Costs

Based on 235 refugee students speaking over 19 languages
Federal Tax Funds - \$1,880,000.00 (\$8,000.00 per refugee student)
Local Tax Funds - \$249,356.00 (ESL Staff)

Welfare/ Medical Programs

Food Stamps/ WIC/ Section 8 Housing/ Medicaid/ Medicare/ et al

Every refugee is enrolled in some form of welfare and medical programs for a time. A small amount of refugees are enrolled for life into the SSI/ Medicare Program. We currently do not have the costs for this but for the first 6 months for 300 refugees it is estimated at about over \$1,000,000.

Local Court and Law Enforcement Costs

Unknown at this time

Total 6 Month Cost to Resettle 300 refugees at CSI

\$4,588,356.00

~~_____~~
~~_____~~

911



CALL IF YOU CAN TEXT IF YOU MUST

LLAMA SI PUEDE, TEXTO SI DEBE



Text your emergency to 911 if it's **not** safe to call.



Date: Monday, February 29, 2016
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Request:

Consideration of a request to accept the Improvement Agreement for the purpose of developing **Morning Sun Subdivision No. 9**.

Time Estimate:

The staff presentation will take approximately 2 minutes.

Background:

Prior to development, an Improvement Agreement is required. The developer is meeting that requirement with this document.

Approval Process:

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

Budget Impact:

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

Regulatory Impact:

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

Conclusion:

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

Attachments:

1. Improvement Agreement.

IMPROVEMENT AGREEMENT

for

DEVELOPMENTS

This Agreement made and entered into this 14 day of Dec, 2015, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City" and Morning Sun Partners, LLC hereinafter called "Developer" for the purpose of constructing certain improvements on property sought to be developed for the following Development Morning Sun Subdivision No. 9.

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

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

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

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

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

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

WITNESSETH

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

I.

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

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

II.

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

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

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

III.

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

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

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

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

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

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

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

IV.

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

V.

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

VI.

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

VII.

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

VIII.

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

IX.

Developer agrees to pay the total extra cost of all additional materials, labor and equipment necessary to construct any streets the City requires to be wider or deeper than a standard street or any water or sewer lines the City requires to be larger than the size required to properly serve the

development. The requirement for wider and deeper streets shall be based on the City Master Street Plan. Requirements for larger water and sewer lines shall be based on the citywide sewer and water system sizing guidelines.

X.

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

XI

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

The issuance or approval of plans, specifications and computations shall not be construed as an approval of any violation of any provisions of City code, specifications, standards, policy, or any other ordinance of the City. Approvals of plans that may violate City code, specifications or departmental policies will not be valid.

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

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

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

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

XII.

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

PUBLIC WAYS

(a) Required Improvements

- (1) Curb, gutter and sidewalk on all public street rights-of-way.
- (2) A standard residential street thirty six feet (36') wide with an eight inch (8") gravel course and two inch (2") asphaltic concrete surface course on all public street rights-of-way serving residential use property.
- (3) Minor residential and private streets as specified in the City of Twin Falls Standard Drawings.
- (4) A standard commercial or collector street forty eight feet (48') wide with an eleven inch (11") gravel course and three inch (3") asphaltic concrete surface course on all public street rights-of-way serving commercial use property or as a collector street. Whenever a street serves an industrial use property the City Engineer will determine the appropriate structural section.
- (5) A service-road twenty four feet (24') wide with an eight inch (8") gravel course and two inch (2") asphaltic concrete surface course and with concrete curb-gutter or curb and valley-gutter on all public service road rights-of-way.
- (6) A sidewalk five feet (5') wide minimum on all public pedestrian rights-of-way. Four foot (4') sidewalks by special permission of the City Council are allowed by City of Twin Falls Standard Drawings for minor residential streets under certain conditions.

- (7) Landscaping and sidewalk placement required adjacent to arterial and collector streets: A tract of land eleven feet (11') in depth behind the curb line will be dedicated as part of any residential development adjacent to arterial and collector streets. Within that tract the developer shall install landscaping six feet (6') in depth with a sprinkler system and with grass and trees behind the curb line and shall also install a five foot (5') sidewalk. The landscaping will be maintained by the city and funded through a fee added to the water bill of each account within the development. Irrevocable restrictive covenants for this development and maintenance shall provide for this funding. TFCC §10-12-4.2(O).
- (8) Street signs and traffic control devices on all public streets.
- (9) Street lights as determined by City policy for street light installation.

(b) City Costs

- (1) The cost of any street signs or traffic control devices installed by the City on new or existing streets.
- (2) The cost of any required street lights (standard luminaires mounted on a wood pole). The Developer shall pay the extra cost of any decorative luminaries or poles. Prior approval will be required, and the cost of maintenance, replacement and power usage will be considered.

(c) Required Inspections and Testing

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

WATER SYSTEM

(a) Required Improvements

- (1) Pursuant to City Code Section 7-8-3, 7-8-10 and 10-12-4.2 water line and fittings six inch (6") minimum diameter that will transport a flow of water, which will satisfy fire, domestic, other water demands of the development, based upon the City water pipe sizing plan and computer water model. Water line extension shall include connection from the existing City Water System to each building site and fire hydrants and then loop back to the City System in a manner that will provide a properly functioning system approved by the City Engineer, Water Superintendent and Fire

Chief. If the development is to be constructed in phases, the water system shall be looped back to the City system during the first phase. No dead-end lines will be allowed during any phase of the project.

- (2) Water lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the City water distribution network in accordance with existing sizing guidelines.
- (3) Water valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users or creating a critical situation in the suppression of fires.
- (4) Fire hydrant connections and fire hydrants spacing to substantially comply with the minimum standards suggested by the Fire Rating Bureau and American Water Works Association. Fire hydrants are required in all developments.
- (5) One water service line shall be constructed to each building site at the time the water lines are installed. Each service line shall not exceed fifty feet (50') in length and shall terminate at the right-of-way.

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

Water meter boxes will not be allowed in driveway approaches. Any cost associated in relocating meters from driveway approaches will be the responsibility of the Developer or Lot Owner. Temporary address or lot number signs shall be staked at the location where the water meter box is to be installed. The City may install multiple water meters in a single water meter box.

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

Developer. The City will make the necessary service line tap after payment of the required water connection general permit fees.

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

(b) City Costs

- (1) None.

(c) Required Inspections

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

WASTE WATER COLLECTION SYSTEM

(a) Required Improvements

- (1) Pursuant to City Code Section 7-7-4, 7-7-11 and 10-12-4.2 a waste water collection system (eight-inch (8") minimum diameter) that will transport a flow of waste water, under conditions of maximum and minimum discharge from the development, to the existing City waste water system.
- (2) Waste water sewer lines adjacent to or internal to the development will be sized to continue the orderly expansion of the City Waste Water Collection System in accordance with existing sizing guidelines and computer sewer model.
- (3) Manholes to provide access for maintenance and cleaning of the sewer lines located at any change of grade or alignment of the sewer, at the end of each sewer and spaced not more than four hundred feet (400') apart.
- (4) During construction of the curb the letter S shall be stamped into the top or face of the curb directly in front of the sewer service line location. The impression shall be not less than one and one half inches (1½") high.

(b) City Costs

(1) None.

(c) Required Inspections and Testing

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

DRAINAGE SYSTEM

(a) Required Improvements

(1) Any valley-gutters, ditching, grading or other surface drainage facilities necessary to convey any storm run-off originating from or traversing across the proposed development over the land surface to a point of retention, detention or discharge approved by the City Engineer.

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

(b) City Costs

(1) None.

(c) Required Inspections and Testing

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

GRAVITY IRRIGATION SYSTEM

(a) Required Improvements

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

- (b) City Costs
 - (1) None.
- (c) Required Inspections and Testing
 - (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

PRESSURE IRRIGATION SYSTEM

- (a) Required Improvements
 - (1) Pursuant to Section 7-8-3 of the City Code, the use of the City's potable water supply as the primary source of irrigation water in all new developments shall be prohibited. For purposes of this subsection, the term "new development" means any new subdivision or PUD, or any development of any parcel of land of two (2) acres or larger that is not part of a subdivision or PUD. One (1) share of Twin Falls Canal Company Water for each acre of property within the subdivision shall be deeded to the City of Twin Falls before the filing of the final plat for use in the City's pressurized irrigation system.
 - (2) Pressure irrigations water line and fittings shall be four inch (4") minimum diameter or larger that will transport a flow of water, which will satisfy all irrigation water demands of the development, based upon the computer irrigation water model that the developer's engineer has prepared.
 - (3) Water lines and fittings adjacent to and internal to the development shall be sized to continue the orderly expansion of the City Pressure Irrigation water distribution network in accordance with existing sizing guidelines.
 - (4) Water valves that will allow temporary suspension of water flow for maintenance and repair of portions of water system without causing undue inconvenience to a large number of users. One pressure irrigation water service line shall be constructed to each subdivision

lot site at the time the pressure irrigation water lines are installed. Each service line shall not exceed fifty feet (50') in length and shall terminate at the right-of-way. One Pressure irrigation water service line tap, irrigation box, and service line shall be constructed for each subdivision lot connected to the City pressure irrigation water system.

- (5) The Developer shall be responsible for all costs incurred in designing and installing the pressure irrigation station. This includes the land, pumps, motors, filters, buildings, delivery system to the station from the TFCC head gate, storage pond, Supervisory Control and Data Acquisition (SCADA) system, and power to the station.
 - (6) All pressure irrigation system plans must be prepared by the Developer's engineer shall be according to the City's standard specifications and drawings. Plans submitted to the City shall be signed by a Professional Engineer for review and final approval, before the City Engineer will sign the plat or approve construction plans.
 - (7) The Pressure Irrigation System shall be located with in easements, right of ways and/or property deeded to the City of Twin Falls.
- (b) City Cost.
 - (1) None
 - (c) Required Inspections and Testing
 - (1) All inspections and testing shall be as required by the City of Twin Falls Standard Specifications.

SPECIAL FEATURES

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

a) Required Improvements

b) City Costs

(1) None.

XIII.

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

1. Erosion and sedimentation controls.
2. Stormwater retention and detention facilities.
3. Waste water sewers and service connections.
4. Waste water manholes.
5. Storm sewers and catch basins.
6. Gravity irrigation pipes and boxes.
7. Pressure irrigation lines, service connections, etc.
8. Water lines and service connections.
9. Gas lines, power lines, telephone lines and cablevision lines.
10. Any other underground improvements that are required.
11. Sub-base preparation for public ways.
12. Gravel base course for public ways.
13. Curb-gutter, valley-gutter and sidewalk.
14. Gravel leveling course.
15. Asphalt paving.
16. Special Features.

XIV.

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

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

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

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

XV.

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



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)	
)	
<u>Final Plat Application,</u>)	FINDINGS OF FACT,
)	
<u>Morning Sun Subdivision No. 9</u>)	CONCLUSIONS OF LAW,
<u>c/o Gerald Martins on behalf of</u>)	
<u>Morning Sun Partners, LLC</u>)	AND DECISION
Applicant(s))	

This matter having come before the City Council of the City of Twin Falls, Idaho on February 8, 2016 for consideration of the final plat of the Morning Sun Subdivision No. 9, approximately 8.75 (+/-) acres to develop 27 single family residential lots and 1 tract located at the North East Corner of Hankins Road North/3200 East Road and Stadium Boulevard, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the Morning Sun Subdivision No. 9, approximately 8.75 (+/-) acres to develop 27 single family residential lots and 1 tract located at the North East Corner of Hankins Road North/3200 East Road and Stadium Boulevard.
2. The property in question is zoned R-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as R-2 in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Stadium Boulevard-partially developed/residential/agricultural; to the east, Pillar Falls Elementary School-under construction; to the west, Hankins Road North/Residential

4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of the Morning Sun Subdivision No. 9, approximately 8.75 (+/-) acres to develop 27 single family residential lots and 1 tract located at the North East Corner of Hankins Road North/3200 East Road and Stadium Boulevard is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the Morning Sun Subdivision No. 9, approximately 8.75 (+/-) acres to develop 27 single family residential lots and 1 tract located at the North East Corner of Hankins Road North/3200 East Road and Stadium Boulevard is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to City Council decision on the Parks-In-Lieu Contribution request of Morning Sun Subdivision No. 8 and Morning Sun Subdivision No. 9 prior to the Morning Sun Subdivision No. 9 final plat being scheduled before the City Council.



MONDAY February 29, 2016
To: City Council
From: Mayor Shawn Barigar and Rene'e V. Carraway-Johnson

Request:

Consideration of a request to fill three (3) vacancies on the Twin Falls Planning & Zoning Commission.

Time Estimate:

The presentation will take approximately 5 minutes.

Background:

As of February 29, 2016 there are three (3) vacancies on the Twin Falls City Planning & Zoning Commission. As per Twin Falls City Code 10-17-3; Article II - The Commission is comprised of 9 members; 7 members representing the area located within the City Limits and 2 members representing the area located within the Area of Impact. Each term is three (3) years. A Commissioner may serve a maximum of two (2) concurrent terms or a total of six (6) years.

All three (3) vacancies are for members who represent the area within the City Limits and are Mayor appointed positions. As of February 29, 2016 Nikki Boyd, Jason Derricott and Gerardo "Tato" Munoz are all at the end of their terms on the Planning & Zoning Commission. Jason has served two (2) consecutive terms and is not eligible for re-appointment. Nikki served one (1) 3-yr term and although is eligible to ask for re-appointment she was elected to serve on the City Council and as such she is not eligible to serve a 2nd term – Congratulations to Nikki -- . **Both Nikki & Jason have served the Commission well and will be missed. Staff and the rest of the Commission want to thank them for their service would like to present them with a "Certificate of Appreciation" for their years of service.**

Tato has served one (1) 3-year term and has asked to be re-appointed to serve a 2nd 3-yr term. Over the past 3 years, Tato has an attendance record of nearly 80% and has been an active participant at the meetings.

Staff published the vacancies in January and received five (8) applications to fill the two (2) vacancies on the Commission. On February 18, 2016 a Selection Committee, consisting of Mayor Shawn Barigar, Councilperson Nikki Boyd, Planning & Zoning Commission Chair Tom Frank and Rene'e V. Carraway-Johnson, Zoning & Development Manager interviewed seven (7) applicants, one applicant had withdrawn due to health reasons. Upon conclusion of the interviews and discussion the Selection Committee submits the following recommendations:

- 1- Gerardo "Tato" Munoz be re-appointed to serve a 2nd 3-year term, and
- 2- Danielle Dawson and Ed Musser be appointed to serve a three (3) year term on the Commission

As per current policy any new commissioner/board member shall have a background check completed. This was done and there were no negative incidents reported for either Ed Musser or Danielle Dawson.

Budget Impact:

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

Regulatory Impact:

Approval of this request will insure that the Planning & Zoning Commission remains at full membership.

Conclusion:

The Selection Committee recommends that the Mayor make the following appointments to the Planning & Zoning Commission:

1. Re-appoint Gerardo "Tato" Munoz to his 2nd three (3) –year term on the Commission.
2. Appoint Ed Musser and Danielle Dawson to a three (3) –year term on the Commission.

Attachments: Application letters from Gerardo "Tato" Munoz, Ed Musser and Danielle Dawson

Renee Carraway
Planning and Zoning manager
City of Twin Falls, Idaho

January 19, 2016

Dear Renee,

This letter is to express my interest in continuing as a member of the Planning and Zoning Commission. I believe that my participation in this committee has had a positive impact not only on the development of our City but also a great impact on my own personal and professional enrichment.

The City of Twin falls has had an enormous influence in my personal life by allowing me to have a safe haven for my family and therefore I feel an obligation to pay back this great gift by serving this community as a commissioner.

Please let the members of City Council responsible for the reappointments know of my positive interest and availability to continue performing as a P&Z commissioner.

Thanks for all the support you have provided all of us during the previous years and for always being a sounding board for the many questions we always have.

Again I want to let you know that I greatly appreciate the attention provided to this letter by you and by the members of City Council.

Gerardo (Tato) Muñoz

IT Director

D. L. Evans Bank

Lisa Strickland

From: Renee Carraway
Sent: Thursday, February 11, 2016 8:28 AM
To: Lisa Strickland
Subject: FW: City of Twin Falls Planning & Zoning Commission

Okey dokey....here is Ed Musser's info.. please attach to the packet and send to the interview board. Thank you. RvcJ

From: EDWARD MUSSER [mailto:EMUSSER53@msn.com]
Sent: Wednesday, February 10, 2016 9:17 PM
To: Renee Carraway
Cc: EDWARD MUSSER
Subject: City of Twin Falls Planning & Zoning Commission

Good afternoon Rene,

This email is to confirm my interest in serving on the City of Twin Falls Planning & Zoning Commission. I have been a resident of Twin Falls since May, 2011 and currently reside at 2221 Selway St. in the northwest quadrant of the City. The following is a brief resume.

Contact Information

Edward L. Musser
2221 Selway St.
Twin Falls, ID 83301

208-733-9376 (Home)
208-732-1055 (Work)

emusser53@msn.com

Employment

SVP - Credit / Idaho
Northwest Farm Credit Services
Twin Falls, ID.

Education

BA - Economics / University of Montana
MS - Industrial & Management Engineering / Montana State University

Relevant Experience

Planning Director - Dawson County, Montana / July 1979 - May 1982
Member - City of Bozeman (Montana) Planning Board / 1997 - 2005

Member - City of Bozeman (Montana) Zoning Commission / 1997 - 2005

Twin Falls Community Involvement

Volunteer - Habitat for Humanity

Member - Chamber Ag Committee

Volunteer - Master Gardener Program

Reason for Interest in Planning & Zoning Board Membership

I have been looking to get more involved in the community and recently read in the Chamber newsletter that there were openings on the Parks & Recreation and Planning & Zoning Boards. I would be interested in serving on either Board, but do have relevant experience in planning & zoning. Twin Falls is a beautiful community with a high quality of life, and I would like to contribute to its future growth and development.

Please let me know if you need additional personal or professional information.

Thanks for your consideration,

Ed Musser

Renee Carraway

From: Danielle Dawson <dldawson33@gmail.com>
Sent: Tuesday, January 12, 2016 1:13 PM
To: Renee Carraway
Subject: Letter of Interest - Planning and Zoning Commission
Attachments: TwinFalls_ChamberofCommerce_LetterOfInterest.pdf;
TwinFalls_ChamberofCommerce_Resume.pdf

Please see my Letter of Interest and Resume attached.

If you have any additional questions please feel free to contact me directly!

Sincerely,

Danielle Dawson

2548 Ironwood Ave.
Twin Falls, ID 83301
(208) 539-3945
dldawson33@gmail.com

Danielle L. Dawson

2548 Ironwood Ave.
Twin Falls, ID 83301

(208) 539-3945

Dldawson33@gmail.com

City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83301

rcarrawa@tfid.org

To Whom It May Concern,

My name is Danielle Dawson and I am a young professional residing in Twin Falls. I am writing to express my interest in a vacant position on the Planning and Zoning Commission. In the time I have lived here, I have witnessed extensive improvements as the city has experienced a booming growth! I am looking to become more involved in the community and am genuinely interested in the growth and development of Twin Falls.

To ensure a good fit, I have begun to research basic zoning concepts, applications, permits and agreements relevant to the Commission in addition to reviewing past Agendas and Minutes to get a better idea of the types of issues brought to the Planning and Zoning Commission. I am capable of assembling and analyzing information from both written and oral testimony to apply meaningful recommendations based upon established policies. In addition, I can bring an objective and energetic outlook to public interest and am excited to be an active participant in case discussions and deliberations.

After moving to Idaho three years ago, I never expected to come to love the area so much that I now call Twin Falls my Home. Having watched the community evolve thus far in such a short period of time, I am looking forward to having the opportunity to be involved in future development issues in Twin Falls!

Sincerely,



Danielle L. Dawson



Danielle L. Dawson

2548 Ironwood Ave.
Twin Falls, ID 83301
•
(208) 539-3945
Dldawson33@gmail.com

Young professional relocated to Twin Falls in early 2013 with a genuine interest in the growth and development issues in the area looking to get more involved in the community by obtaining the opportunity to serve on the Planning and Zoning Commission for Twin Falls.

QUALIFICATIONS

- 3 Year Resident of Twin Falls, ID
- Objective in decision-making
- Able to visualize special relationships
- Understanding of technical problems
- Civic-Minded
- Energetic and Outgoing

EDUCATION

B.S.: Biological and Food Process Engineering

August 2007 – May 2011

Purdue University – West Lafayette, IN

- Awarded First Place Prize for Senior Design Capstone Project within the Agricultural and Biological Engineering Department
- Clubs/Activities: Biological and Food Process Engineering Club, Women in Engineering Program, Mentors and Mentees Program

EMPLOYMENT HISTORY

Supply Chain and CI Manager

June 2015 – Current

Darigold – Jerome, ID

- Coordinate procurement for a \$2.2 million rotating inventory and manage Engineering and MRO spending
- Improve inventory and shipment management of 8 million lbs. finished goods to provide 68% optimization in 3 months
- Lead continuous improvement projects and mentor team members to establish an understanding of lean principles driving a culture of world-class quality and requisition for Capital Expenditures

Continuous Improvement Supervisor

January 2015 – June 2015

Chobani – Twin Falls, ID

- Responsible for \$0.05 per unit raw material cost reduction through optimization of production efficiencies from waste data collection and loss opportunity analyses to contribute to a \$0.12 per unit reduction goal
- Increased change-over and end-of-run process efficiencies resulting in 48% reduction in raw ingredient loss
- Constructed, maintained and investigated production line boards to manage true and running efficiencies and improvement plans

CMMS Coordinator

August 2013 – January 2015

Chobani – Twin Falls, ID

- Generated core tables, configuration matrices, and process procedures for primary installation of Infor's Enterprise Asset Management system from the ground up
- Constructed business process design documentation including requirements, object coding schemes, preventive maintenance procedures and scheduling, process maps and key performance indicators
- Directed software configuration, implementation and expansion across departments and production sites
- Spearheaded system integration with engineering projects for facility asset management
- Authored customized reports and tested SQL scripts, performed data analysis, published facility metrics, recommended solutions and prepared quotations for software enhancements to present to the upper management team

GLOBAL EXPERIENCE & LEADERSHIP

Soy Innovation Competition

September, 2010 – March, 2011

Purdue University – Indianapolis, IN

- Awarded Second Place prize and "People's Choice" award in competition for final product
- Patent pending and additional research in place for product as a vector for fiber and protein delivery

Global Renewable Energy Education Network (GREEN)

August, 2010 – August, 2010

GREEN – Costa Rica

- Acquired a comprehensive understanding of alternative energy through sustainable plant tours and innovative capstone projects

Globalization, Agriculture and the Environment

May, 2010 – June, 2010

Purdue University - China

- Experienced cultural differences, explored globalization and investigated interactions between nations

Renee Carraway

From: Joshua J. Palmer
Sent: Tuesday, January 12, 2016 1:12 PM
To: Renee Carraway
Subject: Fwd: Online Form Submittal: Board and Commission Application Form

Sent from my iPhone

Begin forwarded message:

From: "noreply@civicplus.com" <noreply@civicplus.com>
Date: January 12, 2016 at 12:06:49 PM MST
To: "Joshua J. Palmer" <jpalmer@tfid.org>
Subject: Online Form Submittal: Board and Commission Application Form

Board and Commission Application Form

Select the Board, Commission, or Committee applying for
Planning and Zoning Commission

Personal Information

First Name Danielle

Last Name Dawson

Sex: Female

Address1 2548 Ironwood Ave.

Address2 *Field not completed.*

City Twin Falls

State id

Zip 83301

Home Phone Number (208) 539-3945

Business Address 1703 S. Buchanan St.

Business Phone Number (208) 324-5390

Occupation	Supply Chain and CI Manager
Email Address	dldawson33@gmail.com
Residency Information	
Length of Residency in City of Twin Falls	3 years
Are you a registered voter	Yes
Education and Hobbies	
High School	High School Diploma: Kenston High School - Bainbridge, OH
College	BS. Engineering: Purdue University - West Lafayette, IN
Organization Membership Information	
Are you currently serving on other Boards, Commissions, or Committees?	No
If yes, which	<i>Field not completed.</i>
Have you served on a Board, Commission, or Committee before?	No
If yes, which	<i>Field not completed.</i>
Please list organization memberships and positions held	National Association of Professional Women - Member Women in Engineering Program - Mentor
Please List Areas of Special Interest	Growth and Development Issues
Please Enter Basic Resume Information Below	(Letter of Interest and Resume submitted separately) Young professional with 4 1/2 years cross-functional experience in Dairy Manufacturing B.S.: Biological and Food Process Engineering from Purdue University

Email not displaying correctly? [View it in your browser.](#)



Date: Monday, February 29, 2016
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Request:

Consideration of a request to award a Contract to Record Steel and Construction, Inc dba RSCI in the amount of \$ 4,436,360 for the Twin Falls Waste Water Treatment Plant Headworks Improvement Project.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

The City of Twin Falls pre-qualified five bidders for the WWTP upgrades. On January 14th 2016 the City received 2 bids for the Headworks Project at the WWTP. All the bidders met the requirements of the bid form and Staff recommends awarding the contract to the lowest bidder, RSCI, in the amount of \$4,436,360 for items 5.1 through 5.6.2 listed on the attached bid tabulation.

Approval Process:

City Council authorizes the City to sign the agreement.

Budget Impact:

The Headworks project is part of the WWTP expansion project and is possible due to Capacity fees that have a value of \$3,603,754 as of the December dashboard and the savings realized when bidding the original expansion that came in roughly 5.8 million under the Engineers Estimate.

Conclusion:

Staff recommends that the Council approve the request as presented.

Attachments:

1. Bid Tabulation
2. CH2MHill recommendation of award



CH2M HILL
322 E Front Street
Suite 200
Boise, ID
83702
Tel 208.345.5310
Fax 208.345.5315

January 15, 2016

RE: CITY OF TWIN FALLS – Construction of TWIN FALLS WWTP HEADWORKS IMPROVEMENTS

Dear Troy,

CH2M HILL has reviewed the bids in response to the Invitation to Bid for the Headworks Improvements Project. Bids were received from two of the five prequalified companies as indicated on the attached bid tabulation sheet. Both of the bids appear responsive and responsible.

We have reviewed the bids and recommend award to the apparent low bidder, Record Steel and Construction, Inc. dba RSCI.

Sincerely,

CH2M HILL

A handwritten signature in blue ink that reads "Gregg Vail Thompson".

Gregg Thompson, P.E.
Project Manager

OWNER: City of Twin Falls
 PROJECT: Headworks Improvements
 BID OPENING: January 14, 2016, 3:00 p.m.
 ENGINEER: CH2M

DESCRIPTION	Engineer's Estimate		Bidder		Bidder		Bidder		Bidder		Bidder	
	CH2M		Alder Construction Company		Gerber Construction, Inc.		Record Steel and Construction, Inc. dba RSCI		Slayden Construction Group, Inc.		Sletten Construction Company	
1 Addenda Acknowledged			<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
2 Bid Signed			<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
3 Contractor's License No.			<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
4 Bid Bond			<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
5 Naming of Subcontractors			<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
6 Affidavit of Payment of All Taxes			<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
7 Evidence of Authority to Sign			<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
	Unit Price	Line Total	Unit Price	Line Total	Unit Price	Line Total	Unit Price	Line Total	Unit Price	Line Total	Unit Price	Line Total
5.1. Lump sum work		\$ 4,150,500			\$ 3,854,000		\$ 3,732,000					
5.2. Unit Price Work												
5.2.3 Unit Price Item No. 1	150	\$ 100.00	\$ 15,000		\$ 130.00	\$ 19,500	\$ 120.00	\$ 18,000				
5.2.3 Unit Price Item No. 2	300	\$ 55.00	\$ 16,500		\$ 147.00	\$ 44,100	\$ 110.00	\$ 33,000				
5.3. Major Equipment												
5.3.2 Lowest of Line Item B1 or B2.		\$	153,000		\$	62,000	\$	44,510				
5.3.2 Line Item C1		\$	326,000		\$	449,000	\$	365,450				
5.4. Not used					\$	-	\$	-				
5.5. Allowances		\$	150,000		\$	150,000	\$	150,000				
5.6 Additive Bid Alternates												
5.6.2 Line Item A1		\$	100,000		\$	101,000	\$	93,400				
5.6.2 Line Item B1		\$	45,000		\$	15,000	\$	17,900				
5.6.2 Line Item B2		\$	40,000		\$	14,000	\$	13,300				
5.6.2 Line Item B3		\$	40,000		\$	21,000	\$	16,900				
5.6.2 Line Item B4		\$	40,000		\$	14,000	\$	18,800				
5.6.2 Line Item B5		\$	40,000		\$	14,000	\$	20,300				
5.6.2 Line Item B6		\$	40,000		\$	13,000	\$	11,100				
5.7. Base Bid		\$	5,156,000		\$	4,770,600.00	\$	4,534,660.00				



DATE: February 29, 2016 City Council Meeting

To: Honorable Mayor and City Council

From: Jon Caton, P.E., Public Works Director

Request:

Staff and JUB Engineers will be presenting an updated Water Systems Facilities Plan, which includes an updated description of the existing system, considers future conditions and growth, water supply and demand, considers 5 different water system improvement options, and a recommended Capital Improvement Projects (CIP) List. After the presentation, Staff requests that the Council consider adoption of the Water System Facilities Plan.

Time Estimate:

The presentation will take approximately 30-45 minutes plus time for Council Q & A.

Background:

The last comprehensive water system facilities plan for the City of Twin Falls was completed in 2009. Since the completion of the 2009 report, the city has experienced significant growth and infrastructure improvements and updating master plans every 5-7 years is good practice. The City authorized J-U-B Engineers, Inc. (JUB) to develop a new Water System Facilities Plan.

Approval Process:

Requires Council Approval.

Budget Impact:

After approval of the Water System Facilities Plan, it will be used to guide the financial decisions within the Water Fund over the lifespan of the master plan. Funding options for each of the projects will require Council Approval, including but not limited to: Annual Capital/O&M Budget, Capital Reserves, Judicial Confirmation, Bond Election, State/Federal Grants or Loans, etc.

Regulatory Impact:

Water System Facility Plans are required by IDEQ and plan adoption provides guidance and sets policy for future development.

Conclusion:

Staff recommends adoption of the Wastewater Collection System Master Plan

Attachments: JUB Presentation