

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, June 27, 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 June 21 through June 27, 2016. 2. Consideration of a request to approve the June 20, 2016, City Council Minutes. 3. Consideration of a request to approve Findings of Fact, Conclusions of Law and Decision for: City of Twin Falls Community Development Department – Vacation, Lobo Villa Subdivision – Final Plat, North Haven Business Park, LLC – PUD Amendment, Shafer Subdivision – Conveyance Plat, Temple View Properties – Special Use Permit, Twin Falls School District – Vacation. 4. Consideration of a request to grant two utility easements through City owned parking lots. 5. Consideration of a request to accept right-of-way being dedicated as part of development of Cheney Drive West.	Action Action Action Action Action	Sharon Bryan Sharon Bryan Mitchel Humble Jesse Schuerman Troy Vitek
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of Peace Officer Standards and Training Council Certificates to Officer Matthew Gealta, Officer Simon Rodriguez, Detective Javier Paredez, and Detective Jon R. Wilson. 2. Consideration of a request from Brady D. Dickenson of the Twin Falls School District to waive the building permit fees for a new equipment storage shelter located at 1155 Highland Avenue East. 3. Consideration of a request to approve the purchase of real property located at the northeast corner of Addison Avenue West and Monroe Street. 4. Consideration of a request to use contingency funds to make necessary improvements to the City Pool to meet current ADA requirements. 5. Consideration of a request to enact a new Chapter 13 of Title 6 of the Twin Falls City Code; prohibiting graffiti, requiring removal and abatement, and providing for a penalty for violation of this code. 6. Presentation to Council on the results of the 2016 National Citizen Survey 7. Public input and/or items from the City Manager and City Council.	Presentation Action Action Action Action Presentation	Craig Kingsbury/ Craig Stotts Jarrod Bordi/ Brady D. Dickinson Jon Caton Wendy Davis Craig Kingsbury Mandi Thompson Travis Rothweiler
III. <u>ADVISORY BOARD REPORT/ANNOUNCEMENTS:</u> <p style="text-align: center;">6:00 P.M.</p>		
IV. <u>PUBLIC HEARINGS:</u> None		
V. <u>ADJOURNMENT:</u> 1. Executive Session 74-206(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	Nikki	Shawn	Chris	Gregory	Don	Ruth
Hawkins	Boyd	Barigar	Talkington	Lanting	Hall	Pierce
Vice Mayor		Mayor				



MINUTES

**Meeting of the Twin Falls City Council
Monday, June 20, 2016 - City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho**

PLEDGE OF ALLEGIANCE TO THE FLAG 5:00 P.M.
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 June 14 through June 20, 2016. 2. Consideration of a request to approve the June 13 City Council Minutes. 3. Consideration of a request to approve Liquor, Wine and Beer License renewals for the 2016/2017 year, on the condition that the applicant receive their State alcohol license. 4. Consideration of a request from the “Magic Valley Citizens’ 4 th of July” to approve the annual fireworks display held at the College of Southern Idaho on Monday, July 4, 2016.	Action Action Action Action	Sharon Bryan Sharon Bryan Sharon Bryan Ron Fustos
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to confirm the re-appointments of Gary Garnand to the Twin Falls Urban Renewal Agency board. 2. Presentation regarding Code Enforcement practices and policies 3. Presentation regarding the results of the 2016 National Citizen Survey. 4. Presentation regarding the City’s progress on the FY 2017 budget preparation, followed by citizen input. 5. Public input and/or items from the City Manager and City Council.	Presentation Presentation Presentation Presentation	Mitchel Humble Sean Standley Mandi Thompson Travis Rothweiler Travis Rothweiler
III. <u>ADVISORY BOARD REPORT/ANNOUNCEMENTS:</u>		
6:00 P.M.		
IV. <u>PUBLIC HEARINGS:</u> None		
V. <u>ADJOURNMENT:</u> 1. Executive Session 74-206(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.		

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, Nikki Boyd, Chris Talkington, Greg Lanting, Don Hall, Ruth Pierce

Absent: Shawn Barigar

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Code Enforcement Coordinator Sean Standley, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

Vice Mayor Hawkins called the meeting to order at 5:00 P.M. She then asked 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 Agenda Item #3 under Items for Consideration will be postponed until next week.

Police Chief Kingsbury reviewed the incident that happened at the Fawnbrook Apartments on June 3, 2016.

PROCLAMATIONS: None

GENERAL PUBLIC INPUT

Citizens spoke on concerns they had on the following:

Growing together - diversity

Refugees not a good fit in community.

Safety in the community

Religion in schools

Second amendment violations

Not having good communications with government agencies

Local media not reporting the facts right

Nation of Islam self-contained country.

Concerns with tax dollars being spent on refugee programs.

Co-existence does not exist in our community.

City Council being disrespectful.

Inaccuracy of social media.

Concerned with the way City Council treated Citizens at last Council meeting.

Questions on why it took two weeks to make an arrest.

Need for transparency.

Recall of Prosecuting Attorney Grant Loeb

Kids need to be held accountable and Community needs to be informed.

Question on why only two were arrested.

Thanked Twin Falls Police Department for the hard work they do.

The following is a list of citizens that spoke:

J Suzie Kapeleris, Twin Falls

Terrence Edwards, Twin Falls
Charles Welch, Twin Falls
Vicky Davis, Twin Falls
Savanah Henderson, Twin Falls
Julie Ruf, Twin Falls
Jessie Stroup, Twin Falls
Lisa Koopman, Twin Falls
Sara Coleman, Twin Falls
Davis O'Dell, Twin Falls
Jeanett Sawyers, Twin Falls
Eric O'Dell, Twin Falls
Kober, Twin Falls
Linda Rasmussen, Twin Falls

*There were a few citizens that spoke that their names were not legible.

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for June 14 through June 20, 2016.
2. Consideration of a request to approve the June 13 City Council Minutes.
3. Consideration of a request to approve Liquor, Wine and Beer License renewals for the 2016/2017 year, on the condition that the applicant receive their State alcohol license.
4. Consideration of a request from the "Magic Valley Citizens' 4th of July" to approve the annual fireworks display held at the College of Southern Idaho on Monday, July 4, 2016.

MOTION:

Councilmember Lanting moved to approve the Consent Calendar as presented. The motion was seconded by Councilmember Hall. 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 confirm the re-appointments of Gary Garnand to the Twin Falls Urban Renewal Agency board.

Deputy City Manager Humble reviewed request.

City Council discussion ensued on the following:

Gary Garnand is actively involved with the community.

Gary Garnand is very knowledgeable and will be a good fit on the Urban Renewal Board.

MOTION:

Councilmember Hall moved to confirm the re-appointment of Gary Garnand to the Twin Falls Urban Renewal Agency board. The motion was seconded by Councilmember Boyd. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Gary Garnand thanked City Council for giving him the opportunity to serve.

2. Presentation regarding Code Enforcement practices and policies.

Code Enforcement Coordinator Standley reviewed the Code Enforcement practices and policies using visuals.

Council discussion ensued on the following:

General reminder to Citizens regarding watering days.
Charges for pressurized irrigation.
Gated communities, homeowner association regulations
Certain times to spray weeds.
Water conservation review.

City Manager Rothweiler explained that the Water Department is reviewing water conservation and will report to City Council with their findings.

3. Presentation regarding the results of the 2016 National Citizen Survey. POSTPONED

Five-minute break.

4. Presentation regarding the City's progress on the FY 2017 budget preparation, followed by citizen input.

City Manager Rothweiler reviewed the FY 2017 budget preparation using visuals.

City Council discussion ensued on the following:

Property tax increase concerns.
Need citizen input regarding the sidewalk match program
State water master total water consumption.

Public Input - None

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

Winnie Christenson – Would like to know how she can get a speed bump in her neighborhood.

Liyah Babayan – Thanked City Council for allowing public to speak. She said no one should be profiled and don't victimize refugees.

III. ADVISORY BOARD REPORT/ANNOUNCEMENTS:

Councilmember Talkington reported on the North 5 Points Project Committee.

City Manager Rothweiler reported that Cheney Drive is now open.

IV. PUBLIC HEARINGS: None

V. ADJOURNMENT:

Executive Session 74-206(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 Hall moved to adjourn into Executive Session 74-206(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. The motion was seconded by Councilmember Boyd. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Meeting adjourned at 7:26 P.M.

Sharon Bryan, Deputy City Clerk

http://twinfalls.granicus.com/MediaPlayer.php?view_id=2&clip_id=541



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Vacation Application,

City of Twin Falls

Community Development Department

Applicant(s)

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

This matter having come before the City Council of the City of Twin Falls, Idaho on June 6, 2016 for public hearing pursuant to public notice as required by law for Vacation of approximately 2500 sq. ft. of right –of-way along the 100 block of Hansen Street East and the City Council of the City of Twin Falls having heard testimony from interested parties and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Vacation of approximately 2500 sq. ft. of right –of-way along the 100 block of Hansen Street East
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: April 21, 2016, April 28, 2016, May 19, 2016 and May 29, 2016
3. The property in question is zoned CB P-1 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Townsite in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Commercial Business; to the south, Commercial Business; to the east, Vacant Building/Future City Hall to the west, Commercial Business

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

CONCLUSIONS OF LAW

1. The application for Vacation of approximately 2500 sq. ft. of right –of-way along the 100 block of Hansen Street East is consistent with the purpose of the C-B P-1 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.
2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1 & 2, Twin Falls City Code.
3. The proposed use is proper use in the CB P-1 Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.
4. The application for Vacation of approximately 2500 sq. ft. of right –of-way along the 100 block of Hansen Street East should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

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

DECISION

1. The application Vacation of approximately 2500 sq. ft. of right –of-way along the 100 block of Hansen Street East is hereby granted.
2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

Exhibit No. A

1. Subject to the retention of a pedestrian easement along Hansen Street East
2. Subject to a technically correct legal description being provided prior to the City Council public hearing.
3. Subject to complying with requirements placed by applicable utility companies for relocation of assets.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)
))
Final Plat Application,) FINDINGS OF FACT,
))
Lobo Villa Subdivision))
c/o JUB Engineers) CONCLUSIONS OF LAW,
Applicant(s).))
)) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on June 6, 2016 for consideration of the final plat of the Lobo Villa Subdivision, approximately 4.79 (+/-) acres consisting of 2 lots located at 2050 Eldridge Avenue, 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 Lobo Villa Subdivision, approximately 4.79 (+/-) acres consisting of 2 lots located at 2050 Eldridge Avenue.
2. The property in question is zoned M-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Industrial 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, Eldridge Avenue/Undeveloped; to the south, Industrial Business; to the east, Industrial Business; to the west, Industrial Business.
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 Lobo Villa Subdivision, approximately 4.79 (+/-) acres consisting of 2 lots located at 2050 Eldridge Avenue 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 Lobo Villa Subdivision, approximately 4.79 (+/-) acres consisting of 2 lots located at 2050 Eldridge Avenue 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.



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)	
)	
<u>PUD Amendment, Application,</u>)	FINDINGS OF FACT,
)	
)	CONCLUSIONS OF LAW,
<u>North Haven Business Park, LLC</u>)	
<u>c/o Gerald Martens</u>)	AND DECISION

Applicant(s)

This matter having come before the City Council of the City of Twin Falls, Idaho on **June 13, 2016** for public hearing pursuant to public notice as required by law for a PUD Agreement Modification for the purpose of **amending PUD #235 to allow additional building heights within the North Haven Business Park Subdivision No. 2 as per City Code and Ordinance 3077 for property** located at **northwest of the Cheney Drive West and Billiar Street Intersection**, and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a PUD Agreement Modification n for the purpose of **amending PUD #235 to allow additional building heights within the North Haven Business Park Subdivision No. 2 as per City Code and Ordinance 3077 for property** located at **northwest of the Cheney Drive West and Billiar Street Intersection**.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: **May 4, 2016 & May 26, 2016**.

3. The property in question is zoned **C-1 PUD** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Commercial/Retail** in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, **Canyon Properties PUD/Commercial**; to the south, **Cheney Drive West/Canyon Ridge High School**; to the east, **Walmart**; to the west, **Park View Drive/North Pointe Park PUD/Commercial**

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

CONCLUSIONS OF LAW

1. The application for a PUD Agreement Modification n for the purpose of **amending PUD #235 to allow additional building heights within the North Haven Business Park Subdivision No. 2 as per City Code and Ordinance 3077 for property** located at **northwest of the Cheney Drive West and Billiar Street Intersection**, is consistent with the purpose of the **C-1 PUD** Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections **10-1-4, 10-1-5, 10-4-8, 10-6-1.6, 10-7-3, North Haven PUD #235** of the Twin Falls City Code and the PUD Agreement.

3. The proposed use is proper use in the **C-1 PUD** Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. The application for a PUD Agreement Modification n for the purpose of **amending PUD #235 to allow additional building heights within the North Haven Business Park Subdivision No. 2 as per City Code and Ordinance 3077 for property** located at **northwest of the Cheney Drive West and Billiar Street Intersection** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings

and City code of the City of Twin Falls and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

DECISION

1. The application for a PUD Agreement Modification n for the purpose of **amending PUD #235 to allow additional building heights within the North Haven Business Park Subdivision No. 2 as per City Code and Ordinance 3077 for property** located at **northwest of the Cheney Drive West and Billiar Street Intersection**, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though full set forth herein.

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

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"Exhibit No. A"

1. **Subject to the amendments being applicable only for the undeveloped lots within the North Haven Business Park Subdivision No. 2-A PUD.**

APPLICATION #2790



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)	
)	
<u>Conveyance Plat Application,</u>)	FINDINGS OF FACT,
)	
<u>Shafer Subdivision-Conveyance Plat</u>)	CONCLUSIONS OF LAW,
Applicant(s).)	
)	AND DECISION

This matter having come before the Twin Falls City Council Twin Falls, Idaho on **June 13, 2016** for hearing of approval of the Conveyance Plat for the **Shafer Subdivision-Conveyance Plat, 3.72 (+/-)** acres consisting of **2** lots located at **1047 Morningside Drive**, and with the City Council having heard testimony from interested parties, and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has request approval of the conveyance plat for the **Shafer Subdivision-Conveyance Plat, 3.72 (+/-)** acres consisting of **2** lots located at **1047 Morningside Drive**
2. The property is designated as **Medium Density Residential** by the Comprehensive Plan, and is zoned **R-4**. The proposed lot sizes and development are in conformance with the **R-4** zone.
3. The existing neighboring land uses in the immediate area of this property are: to the north, **Commercial**; to the south, **Spring Lane Subdivision/Residential Subdivision**; to the east, **Morningside Drive/Residential**; to the west, **Residential**.
4. The City Engineering Office has reviewed the conveyance plat and has approved the proposed dedications. The proposed subdivision includes dedication of additional right-of-way in compliance with the Master Street Plan.

5. Specifically, the following conditions exist: The proposed subdivision does not exceed two (2) lots; no part of the land will be used for land development; the purpose of the plat is to record the remainder of a tract created by the final platting of a portion of the property provided that the remainder is not intended for immediate development; The purpose of the plat is to record the subdivision of property into parcels not intended for immediate development, but providing for the dedication of all public right of way and easements, with all abutting streets and utilities to be installed and accepted by the City at the time of building permitting or development stage, whichever comes first; and if either parcel develops or is built on, the street and utility improvements will be required on both parcels; all as required by Twin Falls City Code §10-12-2.5(B).

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

CONCLUSIONS OF LAW

1. The conveyance plat of the **Shafer Subdivision-Conveyance Plat, 3.72 (+/-)** acres consisting of **2** lots located at **1047 Morningside Drive** is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Council Code §10-1-4.
2. The approval of the conveyance plat does not constitute approval for development of the property and is not intended for immediate development as provided in Twin Falls City Code §10-12-2.5.

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

DECISION

The request for approval of the conveyance plat of **Shafer Subdivision-Conveyance Plat, 3.72 (+/-)** acres consisting of **2** lots located at **1047 Morningside Drive** is hereby granted, 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 by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.**



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:)
)
Special Use Permit, Application,) FINDINGS OF FACT,
)
) CONCLUSIONS OF LAW,
Temple View Properties)
c/o EHM Engineers, Inc.-Martens) AND DECISION
 Applicant(s))

This matter having come before the City Council of the City of Twin Falls, Idaho on **June 13, 2016** for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of **constructing and operating a professional office on property located on the south side of the 1500 block of Bridgeview Boulevard**, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of **constructing and operating a professional office on property located on the south side of the 1500 block of Bridgeview Boulevard**
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **May 26, 2016**
3. The property in question is zoned **R-2 PRO PUD** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Urban Village/Urban Infill** in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, **Bridgeview Boulevard/Home Depot-portion of Eastpark PUD**; to the south, **Cheney Drive/Residential**; to the east; **Undeveloped portion of Eastpark PUD**; and to the west, **Locust Street North/Undeveloped Property**.

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

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of **constructing and operating a professional office on property located on the south side of the 1500 block of Bridgeview Boulevard** is consistent with the purpose of the **R-2 PRO PUD** Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.

3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2

4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.

5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.

6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.

7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.

8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.

9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.

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

11. The application for a Special Use Permit for the purpose of **constructing and operating a professional office on property located on the south side of the 1500 block of Bridgeview Boulevard** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

1. The application for a Special Use Permit for the purpose of **constructing and operating a professional office on property located on the south side of the 1500 block of Bridgeview Boulevard** is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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

3. The Special Use Permit shall be issued, as presented.

MAYOR-TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

1. **Subject to the site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with applicable City Code requirements and standards and compliance with the Eastpark PUD Agreement #213**
2. **Subject to all lighting being downward facing and the light source being shielded from nearby residential properties.**

APPLICATION #2788
SUP# 1398



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Vacation Application,

Twin Falls School District

c/o City of Twin Falls

Applicant(s)

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

This matter having come before the City Council of the City of Twin Falls, Idaho on June 6, 2016 for public hearing pursuant to public notice as required by law for Vacation of an irrigation easement on the North side of 3600 North Road approximately 850 ft. west of Harrison Street South and the City Council of the City of Twin Falls having heard testimony from interested parties and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Vacation of an irrigation easement on the North side of 3600 North Road approximately 850 ft. west of Harrison Street South
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following dates: April 21, 2016, April 28, 2016, May 19, 2016 and May 29, 2016
3. The property in question is zoned R-4 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Medium Density Residential in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, South Hills Middle School; to the south, Residential; to the east, Residential to the west, Vacant Undeveloped

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

CONCLUSIONS OF LAW

1. The application for Vacation of an irrigation easement on the North side of 3600 North Road approximately 850 ft. west of Harrison Street South is consistent with the purpose of the R-4 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.
2. The proposed use is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-16-1 & 2, Twin Falls City Code.
3. The proposed use is proper use in the R-4 Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.
4. The application for Vacation of an irrigation easement on the North side of 3600 North Road approximately 850 ft. west of Harrison Street South should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls.

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

DECISION

1. The application Vacation of an irrigation easement on the North side of 3600 North Road approximately 850 ft. west of Harrison Street South is hereby granted.
2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

Exhibit No. A

1. Subject to the new easement language receiving City Engineer approval, and be recorded, prior to the City Council signing the ordinance granting the vacation.



Date: Monday, June 27, 2016
To: Honorable Mayor and City Council
From: Jesse Schuerman, URA Staff Engineer

Consent Item Request:

Consideration of a request to grant two utility easements, and through City Owned parking lots.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

The easements are located within parking lots to the northeast and adjacent to the alleyway behind 100 and 200 block of Main Avenue East.

The design of the 2016 Downtown Utility Improvement Upgrades project is close to completion. Within this design the existing utility easement needs to be created to allow for the upgraded dry utility facilities.

JUB Engineers, Inc. has worked with the City Attorney, the Engineering Department, and the Utility companies to determine the terms and location of this easement to best serve the project.

Conditions of the easement include, for the City not to build or permit any obstruction or building over, on, or around said easement that would interfere with maintenance of the facilities.

Approval Process:

Majority vote of the council is required for acceptance of the easement and to give the City Engineer authority to sign it.

Budget Impact:

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

Regulatory Impact:

Approval of this request will allow the City lawful permission to use the area within the dedicated easement boundaries with purpose to place and maintain utilities.

Conclusion:

Staff recommends that the Council authorize the City Engineer to sign the easement as presented.

Attachments:

1. Public Utility and Access Easement
2. Exhibit

UTILITY AND ACCESS EASEMENT

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the CITY OF TWIN FALLS, IDAHO, a municipal corporation, hereafter referred to as "Grantor" does hereby irrevocably grant and convey unto the UTILITY COMPANIES (Idaho Power Company, Intermountain Gas Company, Cable One, PMT and CenturyLink), and their successors and assigns, hereafter referred to as "Grantee(s)", a utility and access easement to be located upon, pass through, and across lands owned by Grantor, in the City of Twin Falls, Idaho in a portion of Lots 6, 7, 8, 9, 10 and 11 of Block 88 in the Final and Amended Plat of the Twin Falls Townsite. This easement shall be subject to the relocation and other provisions applicable to public rights-of-way of relevant franchise ordinances/agreements. Said easement rights-of-way are particularly described as:

SEE ATTACHED
"UTILITY EASEMENT"

Grantor agrees not to build or permit any obstruction, building or other structure, over, on, around or about said easement rights-of-way that would interfere with Grantee's right hereunder including Grantee's right of ingress and egress for maintenance and upkeep.

This easement agreement, together with the attached Utility Easement legal description, covers all of the agreements by the parties hereto. This grant of easement shall bind the parties, their heirs, personal representatives, lawful assigns and successors in interest.

TO HAVE AND HOLD, said easements unto Grantee, its successors and assigns this _____ day of _____, 20____.

GRANTOR

City of Twin Falls, Idaho, a municipal corporation

By:

Title:

UTILITY EASEMENT

A parcel of land being part of Lots 6, 7, 8, 9, 10 & 11 of Block 88 in the Final and Amended Plat of the Twin Falls Townsite all lying in the Northwest Quarter of the Southeast Quarter Section 16, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho and being more particularly described as follows:

BEGINNING at the northwest corner of said Lot 6;
THENCE North 44°57'12" East along the northwesterly boundary of said Lot 6 for a distance of 13.00 feet;
THENCE South 45°02'09" East parallel with the southwesterly boundary of said Lots 6 -11 for a distance of 150.05 feet to a point on the southeasterly boundary of said Lot 11;
THENCE South 44°57'26" West along said southeasterly boundary for a distance of 13.00 feet to the southwest corner of said Lot 11;
THENCE North 45°02'09" West along the southwesterly boundary of said Lots 6 - 11 for a distance of 150.05 feet to the POINT OF BEGINNING.

Said Easement Parcel contains an area of 1951 square feet, more or less.



UTILITY AND ACCESS EASEMENT

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the CITY OF TWIN FALLS, IDAHO, a municipal corporation, hereafter referred to as "Grantor" does hereby irrevocably grant and convey unto the UTILITY COMPANIES (Idaho Power Company, Intermountain Gas Company, Cable One, PMT and CenturyLink), and their successors and assigns, hereafter referred to as "Grantee(s)", a utility and access easement to be located upon, pass through, and across lands owned by Grantor, in the City of Twin Falls, Idaho, in a portion of Lot F in Eldridge's Subdivision and a portion of Lots 7, 8 and 9 of Block 87 in the Final and Amended Plat of the Twin Falls Townsite. This easement shall be subject to the relocation and other provisions applicable to public rights-of-way of relevant franchise ordinances/agreements. Said easement rights-of-way are particularly described as:

SEE ATTACHED
"UTILITY EASEMENT"

Grantor agrees not to build or permit any obstruction, building or other structure, over, on, around or about said easement rights-of-way that would interfere with Grantee's right hereunder including Grantee's right of ingress and egress for maintenance and upkeep.

This easement agreement, together with the attached Utility Easement legal description, covers all of the agreements by the parties hereto. This grant of easement shall bind the parties, their heirs, personal representatives, lawful assigns and successors in interest.

TO HAVE AND HOLD, said easements unto Grantee, its successors and assigns this _____ day of _____, 20____.

GRANTOR

City of Twin Falls, Idaho, a municipal corporation

By:

Title:

UTILITY EASEMENT

A parcel of land being part of Lot F in Eldridge's Subdivision and part of Lots 7, 8 & 9 of Block 87 in the Final and Amended Plat of the Twin Falls Townsite all lying in the Northwest Quarter of the Southeast Quarter Section 16, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho and being more particularly described as follows:

BEGINNING at the northwest corner of said Lot F in Eldridge's Subdivision;
THENCE North 44°58'35" East along the northwesterly boundary of said Lot F for a distance of 20.00 feet;
THENCE South 45°01'59" East parallel with the southwesterly boundary of said Lot F for a distance of 13.00 feet;
THENCE South 44°58'35" West parallel with the northwesterly boundary of said Lot F for a distance of 7.00 feet;
THENCE South 45°01'59" East for a distance of 80.00 feet to a point on the southeasterly boundary of said Lot 9 of Block 87;
THENCE South 44°57'51" West along said southeasterly boundary for a distance of 13.00 feet to the southwest corner of said Lot 9;
THENCE North 45°01'59" West along the southwesterly boundary of said Lots 7, 8 & 9 and said Lot F for a distance of 93.00 feet to the POINT OF BEGINNING.

Said Easement Parcel contains an area of 1300 square feet, more or less.





Date: Monday, June 27, 2016
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

Request:

Request the council to accept Right of Way being dedicated as part of development of Cheney Drive West.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

As part of development of Canyons Village PUD Subd. No. 2, the City requires development of a 24' wide public roadway to access the Site. The developers of entered into an agreement with neighboring properties to develop the entire roadway for Cheney Drive West as part of development of Canyons Retirement Community Care Facility. It is the desire of the surrounding property owners to deed the section of right of way that will contain the road so that the facility will be able to utilize a public roadway at this time.

Conclusion:

Staff recommends council accept the right of way and a warrantee deed can be generated and recorded deeding the property to the City of Twin Falls

Attachments:

Warranty Deed with attached legal description and exhibit
Google Map of the Property



Google earth

© 2016 Google

42°35'17.17" N 114°30'12.36" W elev 3654 ft eye alt 8380 ft

1993

68458

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

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

WARRANTY DEED

FOR VALUE RECEIVED **GARY N. NELSON, a married man, as to an undivided 10%;**
BLASS, INC., an Idaho corporation, as to an undivided 10%;
GARY D. SLETTE, a married man, as to an undivided 10%;
GERALD MARTENS, a married man, as to an undivided 10%;
J. EVAN ROBERTSON, a married man, as to an undivided 10%;
DIRK D. GIBSON, a married man, as to an undivided 5%;
DANIEL J. KONEN, a single man, as to an undivided 5%
STEPHEN E. GEORGE, a married man, as to an undivided 13⅓%;
KLD ENTERPRISES, LLC, a Texas Limited Liability Company, as to an undivided 13%%; AND
JAMES J. McCORMICK and ANNA L. McCORMICK, husband and wife, as to an undivided
13⅓%, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
THE CITY OF TWIN FALLS,

hereinafter called grantee, whose address is: P O BOX 1907, TWIN FALLS ID 83303-1907, the following described premises, in **Twin Falls County, Idaho,** to-wit:

SEE ATTACHED LEGAL DESCRIPTION

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 25, 2016

Gary N. Nelson
GARY N. NELSON

BLASS, INC.,

By: R. Todd Blass, President
R. Todd Blass, President

Gary D. Slette
GARY D. SLETTE

Gerald Martens
GERALD MARTENS

J. Evan Robertson
J. EVAN ROBERTSON

Dirk D. Gibson
DIRK D. GIBSON

By: R. Todd Blass, Attorney in Fact
R. Todd Blass, as Attorney in Fact

Daniel J. Konen
DANIEL J. KONEK

By: R. Todd Blass, Attorney in Fact
R. Todd Blass, as Attorney in Fact

Stephen E. George
STEPHEN E. GEORGE

By: R. Todd Blass, Attorney in Fact
R. Todd Blass, as Attorney in Fact

KLD ENTERPRISES, LLC

By: Angelique D. Croll, member Managing Partner
Angelique D. Croll

James J. McCormick
JAMES J. MCCORMICK

By: R. Todd Blass, Attorney in Fact
R. Todd Blass, as Attorney in Fact

Anna L. McCormick
ANNA L. MCCORMICK

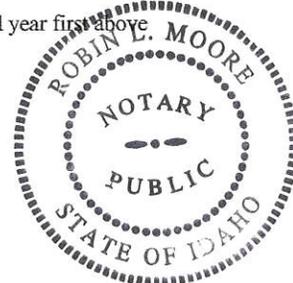
By: R. Todd Blass, Attorney in Fact
R. Todd Blass, as Attorney in Fact

STATE OF IDAHO
County of Twin Falls

On this 27th day of April, 2016, before me, a Notary Public in and for said State, personally appeared **GARY N. NELSON**, known or identified to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Robin L. Moore
Notary Public for Idaho
Residing at Twin Falls
Commission expires: 12-28-18



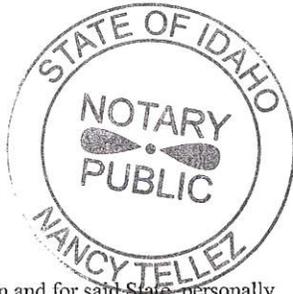
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 26th day of April, 2016, before me, the undersigned, Notary Public in and for said State, personally appeared **R. Todd Blass**, known to me to be the President of **BLASS, INC.**, that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Nancy Tellez
Notary Public for Idaho
Residing at: Jerome
My Commission expires: 12/01/2017



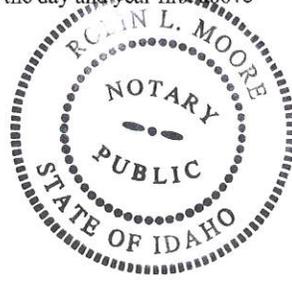
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 27th day of April, 2016, before me, a Notary Public in and for said State, personally appeared **GARY D. SLETTE**, known or identified to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Robin L. Moore
Notary Public for Idaho
Residing at Twin Falls
Commission expires: 12-28-18



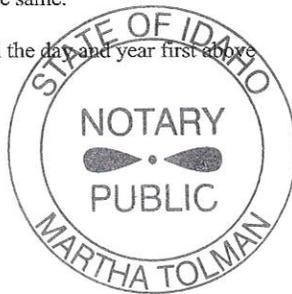
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STATE OF IDAHO
County of Twin Falls

On this 4th day of May, 2016, before me, a Notary Public in and for said State, personally appeared **GERALD MARTENS**, known or identified to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Martha Tolman
Notary Public for Idaho
Residing at Twin Falls
Commission expires: 10/17/18



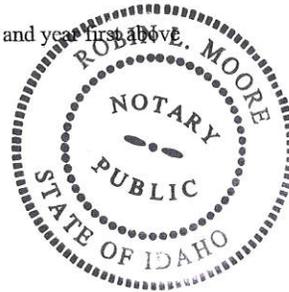
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 27th day of April, 2016, before me, a Notary Public in and for said State, personally appeared **J. EVAN ROBERTSON**, known or identified to me to be the person whose name subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Rob Moore
Notary Public for Idaho
Residing at Twin Falls
Commission expires: 12-28-18



* * * * *

STATE OF IDAHO
County of Twin Falls

On this 26th day of April, 2016 before me, a Notary Public, personally appeared R. Todd Blass, known or identified to me to be the person whose name is subscribed to the within instrument as the **Attorney in Fact of Dirk D. Gibson** and acknowledged to me that he/she subscribed the name of Dirk D. Gibson thereto as principal, and his/her own name as attorney in fact.

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

Nancy Tellez
Notary Public for Idaho
Residing at Jerome
My Commission expires 12/01/2017



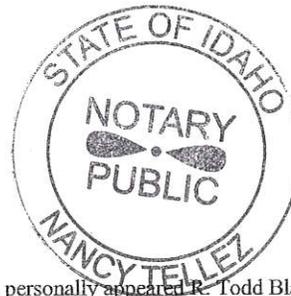
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 26th day of April, 2016 before me, a Notary Public, personally appeared R. Todd Blass, known or identified to me to be the person whose name is subscribed to the within instrument as the **Attorney in Fact of Daniel J. Konen** and acknowledged to me that he/she subscribed the name of Daniel J. Konen thereto as principal, and his/her own name as attorney in fact.

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

Nancy Tellez
Notary Public for Idaho
Residing at Jerome
My Commission expires 12/01/2017



* * * * *

STATE OF IDAHO
County of Twin Falls

On this 26th day of April, 2016 before me, a Notary Public, personally appeared R. Todd Blass, known or identified to me to be the person whose name is subscribed to the within instrument as the **Attorney in Fact of Stephen E. George** and acknowledged to me that he/she subscribed the name of Stephen E. George thereto as principal, and his/her own name as attorney in fact.

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

Nancy Tellez
Notary Public for Idaho
Residing at Jerome
My Commission expires 12/01/2017



* * * * *

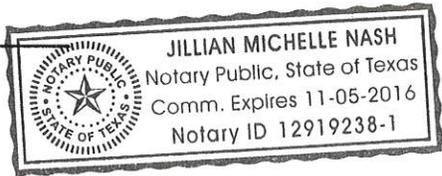
STATE OF TEXAS

County of Brewster

On this 26 day of April, 2016, before me, a Notary Public in and for said State, personally appeared Angelique D Kroll, known or identified to me to be members of the limited liability company of **KLD ENTERPRISES, LLC.**, and the members who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that he/she/they executed the same in said limited liability company name.

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

Jillian Michelle Nash
Notary Public for Texas
Residing in Texas
Commission expires NOV 05 2016



* * * * *

STATE OF IDAHO

County of Twin Falls

On this 26th day of April, 2016 before me, a Notary Public, personally appeared R. Todd Blass, known or identified to me to be the person whose name is subscribed to the within instrument as the **Attorney in Fact of James J. McCormick** and acknowledged to me that he/she subscribed the name of James J. McCormick thereto as principal, and his/her own name as attorney in fact.

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

Nancy Tellez
Notary Public for Idaho
Residing at Jerome
My Commission expires 12/01/2017



* * * * *

STATE OF IDAHO

County of Twin Falls

On this 26th day of April, 2016 before me, a Notary Public, personally appeared R. Todd Blass, known or identified to me to be the person whose name is subscribed to the within instrument as the **Attorney in Fact of Anna L. McCormick** and acknowledged to me that he/she subscribed the name of Anna L. McCormick thereto as principal, and his/her own name as attorney in fact.

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

Nancy Tellez
Notary Public for Idaho
Residing at Jerome
My Commission expires 12/01/2017



Legal Description
Right-of-Way Dedication
A Portion of Gov't Lot 2, Section 6, Township 10 South, Range 17 East, Boise Meridian
Twin Falls County, Idaho

Being a portion of Gov't Lot 2, Section 6, Township 10 South, Range 17 East, Boise Meridian, more particularly described as follows:

Commencing at the North Quarter corner of said Section 6, said corner lies North 89°13'35" West 2,658.79 feet from the Northeast corner of said Section 6;

Thence, South 00°11'08" East 412.16 feet along the West boundary of said Gov't Lot 2 and being THE REAL POINT OF BEGINNING;

Thence, leaving said West boundary, North 89°48'52" East 39.00 feet;

Thence, South 00°11'08" East 673.46 feet along a line thirty-nine (39.00) feet Easterly and parallel with said West boundary of Gov't Lot 2;

Thence, leaving said parallel line, South 43°35'56" East 27.50 feet;

Thence, South 87°00'48" East 1,269.35 feet along a line twenty-five (25.00) feet Northerly and parallel with the South boundary of said Gov't Lot 2 to a point on the East boundary of said Gov't Lot 2;

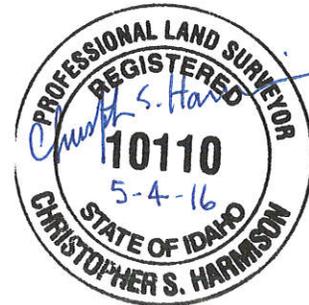
Thence, South 00°00'24" West 25.03 along said East boundary to the Southeast corner of said Gov't Lot 2;

Thence, North 87°00'48" West 1,327.26 feet along said South boundary of Gov't Lot 2 to the Southwest corner of said Gov't Lot 2;

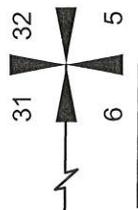
Thence, North 00°11'08" West 715.27 feet along said West boundary of Gov't Lot 2 to said REAL POINT OF BEGINNING.

Containing approximately 1.385 acres.

End of Description



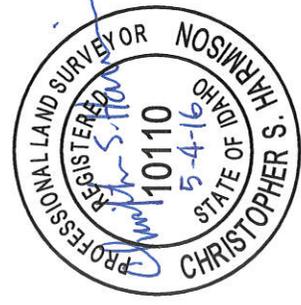
JOB NO.:	039-07
APPROVED	
DESIGN	GSH
DRAWN	GSH
DATE	NOV. 2015
SCALE	SHOWN
DWG	039-07 EXH
Sheet No.:	1 OF 1



N89°13'35"W 2658.79'

POLE LINE ROAD (U.S. 93)

PORTION OF GOV'T LOT 2
 SECTION 6, TOWNSHIP 10 SOUTH, RANGE 17 EAST
 BOISE MERIDIAN



N89°48'52"E
 39.00'

REAL POINT
 OF BEGINNING

S0°11'08"E 673.46'

N0°11'08"W 715.27'

CREEKSIDE WAY

RIGHT-OF-WAY DEDICATION
 1.385± ACRES

S43°35'56"E
 27.50'

S0°00'24"W
 25.03'

S87°00'48"E 1269.35'

N87°00'48"W 1327.26'

CHENEY DRIVE WEST

W 8 AND V SUBDIVISION



SCALE IN FEET



Date: Monday, June 27, 2016, Council Meeting
To: Honorable Mayor and City Council
From: Chief Craig Kingsbury and Lieutenant Craig Stotts,
Twin Falls Police Department

Request:

Presentation of Peace Officer Standards and Training Council Certificates to the following individuals before the Twin Falls City Council: **Officer Matthew Gealta, Officer Simon Rodriguez, Detective Javier Paredes, and Detective Jon R. Wilson.**

Time Estimate:

The presentations will take approximately 15 minutes.

Background:

On March 25, 2016, **Officer Matthew Gealta** was awarded his POST Basic Certification. Officer Gealta successfully completed the Twin Falls Police Department's Field Training Program and has served as a Police Officer in the State of Idaho as required to receive this certification.

On November 18, 2015, **Officer Simon Rodriguez** was awarded his POST Intermediate Certification. To receive this certification, Officer Rodriguez was required to complete hundreds of hours of training, including obtaining several college credits.

On January 5, 2016, and April 20, 2016, **Detective Javier Paredes** and **Detective Jon R. Wilson**, respectively, were awarded their Advanced Certification by the Peace Officer Standards and Training Council. To be eligible for this certification, Detectives Paredes and Wilson received their POST Intermediate Certificates. Detective Paredes has served over eight years and Detective Wilson has served over ten years as Police Officers in the State of Idaho, and both have met the training requirements combined with obtaining college credits.

The personal commitment of these Officers to better themselves through training has helped the Twin Falls Police Department in achieving its goal of being the best Police Department in the State of Idaho.

Approval Process:

None

Budget Impact:

None

Agenda Item for June 27, 2016
From Chief Craig Kingsbury and Lieutenant Craig Stotts
Page Two

Regulatory Impact:

None

Conclusion:

Chief Kingsbury and Lieutenant Stotts will present POST certificates to Officer Matthew Gealta, Officer Simon Rodriguez, Detective Javier Paredez, and Detective Jon R. Wilson before the City Council.

Attachments:

1. Copy of POST Basic Certificate – Officer Matthew Gealta
2. Copy of POST Intermediate Certificate – Officer Simon Rodriguez
4. Copy of POST Advanced Certificate – Detective Javier Paredez
5. Copy of POST Advanced Certificate – Detective Jon R. Wilson

aed

State of Idaho

The Peace Officer Standards
& Training Council

hereby awards the

Basic Certificate

to

Matthew T. Gealta

Twin Falls Police Department

For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 25th day of March, 2016.

[Signature]

Chairman

[Signature]

Division Administrator

State of Idaho

The Peace Officer Standards
& Training Council

hereby awards the

Intermediate Certificate

to

Simon R. T. Rodriguez

Twin Falls Police Department

For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 18th day of November, 2015.


Chairman


Division Administrator

State of Idaho

The Peace Officer Standards
& Training Council

hereby awards the

Advanced Certificate

to

Javier R. Paredes Jr.

Twin Falls Police Department

For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 5th day of January, 2016.



Chairman



Division Administrator

State of Idaho

The Peace Officer Standards
& Training Council

hereby awards the

Advanced Certificate

to

Jonathan R. Wilson

Twin Falls Police Department

For having fulfilled the requirements of this certificate as set forth by the Idaho Peace
Officer Standards & Training Council on the 20th day of April, 2016.



Chairman



Division Administrator



Date: Monday, June 27th, 2016
To: Honorable Mayor and City Council
From: Jarrod Bordi, Building Official
Brady D. Dickinson, Twin Falls School District

Request:

Consideration of a request from Brady D. Dickinson of the Twin Falls School District to waive the building permit fees for a new equipment storage shelter located at 1155 Highland Ave East.

Time Estimate:

The request should take approximately 10 minutes.

Background:

The Twin Falls School District recently submitted applications for building permit to construct a new equipment storage shelter. The Twin Falls School District has submitted a letter requesting that the building permit fees be waived for these projects. The estimated building permit fees associated with these projects are as follows:

- Permit fee \$675.75
- Plan review fee \$439.24
- **Total** **\$1,114.99**

Approval Process:

Approval of this request requires a simple majority (50%+1) of the members in attendance at this meeting.

Budget Impact:

Approval of this request will allow the applicant to proceed with their building permit without paying the **\$1,114.99** in building permit fees. Please note that Impact fees will be assessed.

Regulatory Impact:

There is no significant regulatory impact associated with approval of this request.

Conclusion:

Staff recommends that the Council consider the request and take whatever action the Council determines is appropriate.

Attachments: Request Letter and copy of building permit application.



Twin Falls School District #411
201 Main Ave. W
Twin Falls, ID 83301

P 208.733.6900
F 208.733.6987
www.tfsd.k12.id.us

Dr. Brady D. Dickinson, Director of Operations and Educational Technology

June 17, 2016

City of Twin Falls
Twin Falls, ID 83301

Dear Twin Falls City Council Members,

On behalf of the Twin Falls School District #411 Board of Trustees I would like to request our permit fee be waived for a small carport we are planning to build at our maintenance yard.

The Twin Falls School District has a long standing partnership with the city of Twin Falls. We are both supported by tax dollars and have limited resources. Our partnership includes a shared use agreement that allows both the city and school district to use each other's facilities. This partnership has worked out well. Last year the city agreed to waive the permit fees on our new school projects. We are extremely thankful for this action as it allows us to maximize the money we do have.

If you have any questions or comments please do not hesitate to contact me at the numbers above. I look forward to continuing to strengthen the partnership we enjoy with the city of Twin Falls.

Sincerely,

Dr. Brady D. Dickinson, PH.D
Director Educational Technology & Operations

Project Type: Commercial Building Permit
Permit Type: Commercial Accessory Building

Applied Date: 06/14/2016



Building Permit Application

Address: 1155 HIGHLAND AVE E

Permit No.: 16-1510

Owner Name: Twin Falls School District #411
201 Main Ave W
Twin Falls ID 83301

Contractor: Owner/Builder

Phone:
Contractor License/Registration #

Permit Information

Description of Work	Storage Shelter For Equipment
Property Location in City Limits	Y
Subdivision Name	Twin Falls Acres Inside
Number of Dwelling Units	1.00
Sq. Ft. First Floor	1300
Building Total Sq. Ft.	1,300.00
Project Value	65,000.00
Impact Fee Type	Industrial

Fee Date	Description	Qty/Hrs	Fee Waived	City Amount	Total
06/14/2016	Permit Fee Commercial City	65,000.00	No	675.75	675.75
06/14/2016	Plan Review Fee Comm. City		No	439.24	439.24
06/14/2016	Impact Fee Fire Non-Residential	1,300.00	No	416.00	416.00
06/14/2016	Impact Fee Police Non-Residential	1,300.00	No	182.00	182.00
06/14/2016	Impact Fee Streets Industrial	1,300.00	No	689.00	689.00
				Total Fees:	2,401.99
				Payment Amount:	0.00
				Amount Due:	2,401.99

Building Permit Application Only - This is not an approved permit

This application is not transferable and becomes null and void if work is not commenced within 180 days.

Property Owners: By signing this form you are certifying that you are the legal owner and will personally perform the work covered by this permit. You recognize that this permit is only valid for the work on a primary or secondary residence and associated outbuildings not used for commercial purposes. By signing this, you accept responsibility for all work being performed, and understand that all work must be inspected by the City of Twin Falls, Building Department.

Signature: _____

Date: _____



DATE June 27, 2016 City Council Meeting

To: Honorable Mayor and City Council

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

Request:

Staff requests council to consider the purchase of real property located at the northeast corner of Addison Ave. W. and Monroe St.

Time Estimate:

The presentation will take approximately 5 minutes plus time for Council Q & A.

Background:

The city was recently contacted by the property owner of 277 & 285 Addison Ave. with the interest of selling the property to the City of Twin Falls. Originally there were 3 lots, E, F and G in the "Twin Falls New School Addition" Subdivision, that were adjusted to two lots and approximately .42 acres.

The property is problematic for typical residential or even commercial development due to the number of underground utilities crisscrossing the lots. Because of this, it has made the property difficult to sell. The city is interested in purchasing the lot for a few reasons:

Lateral 42 is a very large irrigation waterway that diagonally crosses the properties and continues northwesterly along back lot lines and extremely close to several structures. The city has maintenance responsibilities for this lateral and this property would provide an ideal access location for future maintenance activities associated with the lateral.

These lots are prime candidates for a future PI station that could be fed by lateral 42 and potentially convert existing President Street neighborhoods from potable to pressurized irrigation. It should be noted that PI retrofit is extremely challenging and is not yet cost effective.

Currently, the total tax assessed value for all these properties is: \$59,417.00. The seller has been asking \$20,000.

Approval Process:

Property Purchases require Council Approval.

Budget Impact:

This is an unbudgeted expenditure and would could be funded from unspent Water Fund Budget or from Water Fund reserves.

Regulatory Impact: NA

Conclusion:

Staff recommends that council purchase said property.

Attachments:

GIS aerial

Purchase and Sale Agreement

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of June, 2016, by and between, LELAND MUIR AND CAROLINE MUIR, husband and wife, hereinafter referred to as "Sellers," and THE CITY OF TWIN FALLS, hereinafter referred to as "Buyer."

1. **Sale and Purchase.** Seller hereby agrees to grant, bargain, convey and sell to Buyer, and Buyer hereby agrees to purchase certain real property described as Lots E, F and G of the Twin Falls New School Addition Subdivision, consisting of approximately 0.42 acres, and located at 277 and 285 Addison Avenue, Twin Falls, Idaho.

2. **Purchase Price.** As consideration for the property described in Section 1, Buyer agrees to pay Sellers the sum of Twenty Thousand Dollars (\$20,000.00).

3. **Delivery of Documents to Buyer.** At closing, Sellers shall deliver to Buyer the following documents: Title of Seller is to be conveyed by Warranty Deed, and is to be marketable and insurable.

4. **Delivery of Documents to Seller.** At closing, Buyer shall deliver a check payable to the Seller for the purchase price.

5. **Attorney's Fees.** In any controversy relating to this Agreement, the prevailing party shall be awarded its attorney fees and costs (including, but not limited to, the costs for arbitrator(s), mediator(s) and expert witnesses) in any proceeding brought in a court of law, arbitration, and/or mediation, including any bankruptcy or appeal proceeding.

6. **Partial Invalidity.** In the event any portion of this Agreement or part hereof shall be determined invalid, void or otherwise unenforceable, the remaining provisions hereunder, or part thereof, shall remain in full force and effect, and shall in no way be affected, impaired or invalidated thereby, it being understood that such remaining provisions shall be construed in a manner most

closely approximating the intention of the parties with respect to the invalid, void or unenforceable provision or part thereof.

7. **Paragraph Headings.** The paragraph headings of this Agreement are for clarity in reading and are not intended to limit or expand the contents of the respective paragraphs.

8. **Closing Date.** The closing shall occur on July __, 2016, at TitleFact, Inc.

9. **Amendments.** This Agreement may not be amended, modified, altered or changed in any respect whatsoever, except by further agreement duly executed by the parties hereto.

10. **Survival of Provisions.** Each covenant, condition, warranty and representation herein made shall survive the closing and not merge into the closing documents. If the Warranty Deed and this Agreement conflict in any manner, the terms of the Warranty Deed shall control.

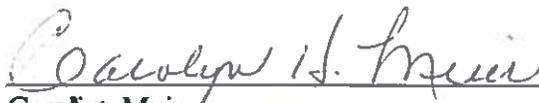
11. **Binding Effect.** This Agreement shall be binding upon the heirs, estates, personal representatives, successors and assigns of the parties hereto.

12. **Parties' Further Assurance.** The parties each for themselves do further covenant to the other to execute any and all other documents which may be necessary to effect the conveyances contemplated by this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

"SELLERS"


Leland Muir


Caroline Muir

"BUYER"

THE CITY OF TWIN FALLS

By _____

MAYOR

STATE OF IDAHO)
):ss.
County of Twin Falls)

On this 20 day of June, 2016, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Leland Muir and Caroline Muir, and acknowledged to me that said they executed the same.

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



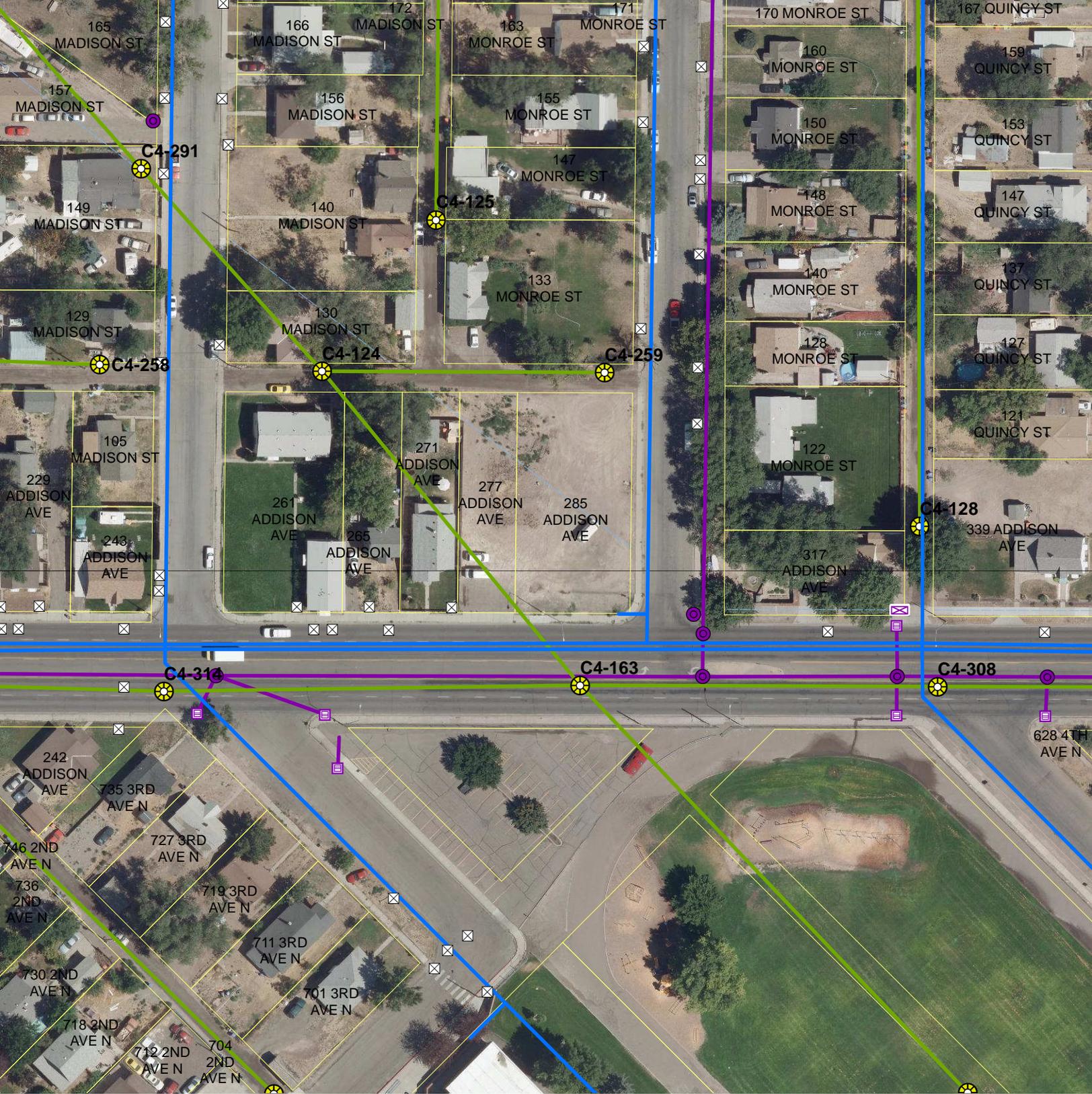
Vicki Wagner
NOTARY PUBLIC
Residing at: Twin Falls
My Commission Expires: 10-26-2020

STATE OF IDAHO,)
):ss.
County of Twin Falls)

On this _____ day of June, 2016, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Don Hall, known to me to be the Mayor of the City of Twin Falls, Idaho that she executed the said instrument, and acknowledged to me that the City of Twin Falls, Idaho executed the same.

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

NOTARY PUBLIC
Residing: _____
My Commission Expires: _____





Date: Monday, June 27, 2016
To: Honorable Mayor and City Council
From: Wendy Davis, Parks and Recreation Director

Request:

Consider a request to use contingency funds to make necessary improvements to the City Pool to meet current ADA requirements.

Time Estimate:

Staff presentation will take approximately 5 minutes, allowing additional time for questions.

Background:

The Twin Falls City Pool opened in 1989. Over the years, ADA requirements have changed, and the pool locker rooms, restrooms and front counter need some improvements made in order to comply with the current standards. This includes widening the wheel chair accessible stalls, lowering the front counter, changing the hardware on the sinks, and adding a hand held shower head in each locker room. A full list of improvements is attached to this report.

Total project cost is estimated to be \$32,350 for all projects and fees.

Approval Process:

A simple majority vote of the Council is needed to approve this request.

Budget Impact:

The facility improvements are estimated to be \$32,350. The FY 2016 budget does not include funds for these improvements. If approved, contingency funds will be used to cover the expense.

Regulatory Impact:

If approved, this expense will be included in the budget amendment at the end of the year.

Conclusion:

Staff recommends that Council approve this request as presented

Attachments:

1. List of proposed projects and cost estimate for each

ADA Pool Compliance

Accessible sidewalk landing	\$2,600.00
Architect fees	\$4,000.00
Adjust handicap stalls to meet 60" requirement*	\$7,000.00
Adjust stall hand rails	\$0.00
Install additional grab bars	\$250.00
Reverse flushometer handle	\$0.00
Lower front counter to ADA standard*	\$3,000.00
Caulk cracks around the ADA lift	\$25.00
Move bulkhead or purchase second ADA lift	\$5,000.00
Purchase aluminum ADA picnic table	\$1,000.00
Install ADA compliant seat, handle, and shower head in both locker	\$4,000.00
install cup holder by drinking fountains	\$0.00
relocate mirrors	\$0.00
install lever style handles in at least one sink on each side	\$75.00
pad the trap under the sink	\$0.00
Raise benches in locker rooms*	\$4,200.00
Lower urinal*	\$1,200.00
	<hr/> <hr/>
	\$32,350.00



Date: Monday, June 27, 2016
To: Honorable Mayor and City Council
From: Chief Craig Kingsbury, Twin Falls Police Department

Request:

Consideration of a request to enact a new Chapter 13 of Title 6 of the Twin Falls City Code; prohibiting graffiti, requiring removal and abatement, and providing for a penalty for violation of this code.

Time Estimate:

Staff requests approximately 10 minutes to provide the proposed amendment and to answer any questions the Council may have.

Background:

Currently the City of Twin Falls does not have a city code that addresses this issue.

Approval Process:

Approval by the City Council.

Budget Impact:

There will be no impact to the City budget.

Regulatory Impact:

Approval of this request will amend City Code as proposed.

Conclusion:

Staff recommends that the Council approve the request to enact a new chapter 13 of title 6 of Twin Falls Code.

Attachments:

1. Proposed Ordinance, Title 6; Chapter 13

CSK: aed

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ENACTING A NEW CHAPTER 13 OF TITLE 6 OF THE TWIN FALLS CITY CODE, PROHIBITING GRAFFITI, REQUIRING REMOVAL AND ABATEMENT, AND PROVIDING FOR A PENALTY FOR VIOLATION OF THIS CODE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, THAT THE TWIN FALLS CITY CODE IS AMENDED BY THE ADDITION OF A NEW CHAPTER 13 OF TITLE 6, AS FOLLOWS:

“Chapter 6

GRAFFITI

6-13-1: GRAFFITI PROHIBITED:

It is hereby declared to be a nuisance and to be unlawful for any person to place or put, by any means, any drawing, inscription, figure, symbol, or mark or any type commonly known as graffiti on any public or private property without the permission of the owner of the premises on which the surface is located, or upon any natural surfaces such as rocks or trees, or any other surface whatsoever.

6-13-2: GRAFFITI REMOVAL REQUIRED:

Any person found to be in violation of section 6-13-1 of this chapter ~~shall~~ may be required to remove or cause to be removed the graffiti from the surface on which it was placed. Inasmuch as it is often not possible to determine the identity of the person who applied the graffiti, it ~~shall~~ may be the duty of the owner or person in control of the premises on which the graffiti has been applied to promptly remove the graffiti after notice as hereinafter set forth.

The chief of police or his designated representative shall attempt to enlist partner agencies and organizations to aid in the removal of graffiti from private property, with the consent of the private property owner.

6-13-3: GRAFFITI NOTICE TO REMOVE:

A. Whenever the chief of police or his designated representative discovers graffiti on any public or private property or any surfaces visible to persons utilizing public rights of way within the city, he ~~shall~~ may, whenever seasonal temperatures permit the painting of exterior surfaces, cause a notice to be issued to the owner or person in control of the

premises to abate the nuisance and remove the graffiti or cover it with paint or other suitable substance.

B. Said notice shall be served upon the owner(s) of the affected premises, as shown on the last property tax assessment rolls of Twin Falls County, Idaho, with a copy to the occupant of the premises. If there is no known address for the owner, the notice shall be served at the property address. Service of the notice may be accomplished through personal service on the owner, occupant, or person in charge or control of the property or by certified mail.

C. Notice shall be in writing and shall clearly state that the owner or person in charge or control of the property is required by this chapter to remove from public view or paint over the graffiti within fifteen (15) days of receipt of the notice; that failure to so abate will cause the city to abate the nuisance and ~~to~~ may assess the costs to the owner; that failure to pay said costs within thirty (30) days of receipt of billing shall result in an assessment against the property, collectible with the property taxes; that the owner or person served may, within ten (10) days of receipt of the notice, deliver in writing to the chief of police his objections to the removal requirement and request a hearing before the city council.

6-6-4: CITY ABATEMENT OPTION:

Nuisances which remain unabated after notice, may, at the option of the city, be removed, abated or destroyed by the city or its agents, after the following steps have been taken:

A. If after fifteen (15) calendar days from the date a written notice is personally delivered to the property owner, or mailed to the property owner's address as shown in current official Twin Falls County assessor records, no abatement of the nuisance has occurred, the designated enforcement officer shall provide a second ten (10) day notice to be delivered to the property owner by certified mail or personal service, which shall indicate the following:

1. That if the property owner fails to abate the nuisance, the city shall take steps to abate the same.
2. That the property owner may contract with the city to abate the nuisance and pay costs of the same.
3. That if the city abates the nuisance, all costs and expenses of abatement ~~shall~~ may be billed and assessed against the property owner, and if unpaid, shall become collectable as a special assessment with property taxes.
4. That the property owner has a right to appear before the city council to show cause as to why he or she should not be forced to abate or pay for abatement of the nuisance;

furthermore, that if the property owner desires such a hearing, a request for hearing, in writing, shall be given to the designated enforcement officer prior to expiration of the ten (10) day notice, and that abatement by the city will proceed if the property owner has not exercised this option to request a hearing.

5. If said certified notice is returned as undeliverable, or is unclaimed by the property owner, nothing shall preclude the city from exercising its abatement option as specified herein.

B. When the ten (10) day notice has expired without a request for hearing, the mayor's designated enforcement officer is authorized to remove, abate or destroy the nuisance. The designated enforcement officer is authorized to utilize city personnel to abate the nuisance or to contact the mayor or chief of police in regard to contracting for an outside party to abate the nuisance.

C. If the city abates any nuisance under the provisions of this chapter, a statement of charges billed to the property owner ~~shall~~ may be mailed or personally delivered to the property owner.

D. If payment is not received from the property owner within thirty (30) days, the amount billed shall, in accordance with state law, be assessed as a special assessment collectable against the subject property as other state, county and municipal taxes.

E. If the property owner requests a hearing to show cause before the city council, the hearing shall, if feasible, be placed on the agenda of the next regularly scheduled city council meeting. The decision of the city council shall be final. A ten (10) day period shall be given the property owner after the council decision so that the property owner shall have additional opportunity to abate the nuisance or to pursue any legal remedies or defenses at the district court level.

6-6-5: PENALTY:

A violation of section 6-13-1 shall be a misdemeanor, punishable as provided in section 1-4-1 of this Code. A violation of any other provision of this chapter shall be an infraction, punishable by a fine of \$100, plus court costs.”

PASSED BY THE CITY COUNCIL, _____, 2016.

SIGNED BY THE MAYOR, _____, 2016.

MAYOR

ATTEST:

DEPUTY CITY CLERK



Date: Monday, June 27, 2015
To: Honorable Mayor and City Council
From: Mandi Thompson, Grant and Community Relations Manager

Request: Presentation to Council on the results of the 2016 National Citizen Survey

Time Estimate: 15 minutes for the presentation plus time for questions and comment from City Council.

Background: The National Citizen Survey identifies community strengths and weaknesses, as well as service strengths and weaknesses. This is the fourth survey the City of Twin Falls has participated in through NCS (2009, 2012, 2014 and 2016). The 2016 survey was mailed in two waves – pre-notification postcards and actual survey. The postcards were mailed the week of February 5, and then the surveys were mailed the week of February 12 and February 19. Data collection continued through March 18.

Of the 1,400 surveys mailed, approximately 4% were returned undeliverable. Of the remaining 1,338 households that received the survey, 405 surveys were completed, providing an overall response rate of 30%. This was an increase from 2014 when only 373 surveys were completed.

Overall, ratings in Twin Falls for 2016 generally remained stable. Of the 131 items for which comparisons were available, 86 items were rated similarly in 2014 and 2016, 20 items showed a decrease in ratings and 25 showed an increase in ratings

Approval Process: None

Budget Impact: None

Conclusion: The results of the National Citizen Survey can be used to benchmark areas of success and decline, as well as provide a tool for updating the Strategic Plan.

Attachments: None