

COUNCIL MEMBERS:

LANCE CLOW	TRIP CRAIG	DON HALL	DAVID E. JOHNSON	WILLIAM A. KEZELE	GREG LANTING	REBECCA MILLS SOJKA
<i>Mayor</i>				<i>Vice Mayor</i>		



AGENDA
 Meeting of the Twin Falls City Council
Monday, October 24, 2011, 2011
 City Council Chambers
 305 3rd Avenue East - Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: **Military Family Month**

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for October 17 – 24, 2011. 2. Consideration of the October 17, 2011, City Council Minutes. 3. Consideration of a request to approve the 21 st Annual Christmas in the Night Time Sky event sponsored by Kimberly Nurseries to be held at 2862 Addison Avenue East on November 25, 2011. 4. Consideration of a request for approval of the Annual Festival of Lights Parade, sponsored by the Times News, to be held on Friday, December 2, 2011.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Dennis Pullin Dennis Pullin
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of hiring Region IV Development Corporation to serve as a Grant Administrator for the City of Twin Falls on Idaho Community Development Block Grant and Federal Grants. 2. Consideration of an ordinance amending City Code 6-3-8(B) by requiring circulation of a petition for an animal permit to all households within 300 feet of the applicant's property. 3. Consideration of an Inspection Services Agreement between the City and the Idaho Division of Building Safety. 4. Discussion of possible action regarding redistricting commission proposals. 5. Public input and/or items from the City Manager and City Council.	Action Action Action Discussion	Travis Rothweiler Mitch Humble Mitch Humble Lance Clow
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 – None.		
V. <u>ADJOURNMENT:</u>		

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

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council shall wait to be recognized by the Mayor, approach the microphone/podium, state their name and address, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the City Clerk. The City Clerk shall make an audio recording of the Public Hearing.
 3. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor.
 4. A City Staff Report shall summarize the application and history of the request.
 - The City Council may ask questions of staff or the applicant pertaining to the request.
 5. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor may limit public testimony to no less than two minutes per person.
 - Five or more individuals, having received personal public notice of the application under consideration, may select by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the mayor. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
 - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
 6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
 7. The Mayor shall close the Public Hearing. The City Council shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- * Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor.

Office of the Mayor
City of Twin Falls, Idaho
Proclamation

Military Family Month

WHEREAS, Military Family Month highlights all members of our Armed Forces and their families and the sacrifices they have made to secure the freedom of the citizens of the United States; and

These sacrifices have helped to preserve the liberties that have enriched this nation, making it unique in the world community; and

Military families may spend weeks and sometimes months apart from each other, these sacrifices, although difficult, are made willingly so that the men and women of the Armed Forces can perform their duties at home and abroad; and

The United States Congress passed a resolution proclaiming the month of November as National Military Family Month, calling all Americans to remember those who gave their lives in defense of freedom and to honor the men and women of our Armed Forces who have served and are now serving our Country, as well as honoring their families and the sacrifices they have made;

NOW, THEREFORE, I, Don Hall, Mayor of the City of Twin Falls, do hereby proclaim the month of November as a special time to show appreciation for our Military and their families and proclaim it as **MILITARY FAMILY MONTH**.

The City of Twin Falls encourages all citizens to join us in showing our gratitude by the appropriate display of flags and ribbons during the designated period.

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

Mayor Don Hall

Attest: _____

Date: _____

COUNCIL MEMBERS:

LANCE	TRIP	DON	DAVID E.	WILLIAM A.	GREG	REBECCA
CLOW	CRAIG	HALL	JOHNSON	KEZELE	LANTING	MILLS SOJKA
<i>Mayor</i>					<i>Vice Mayor</i>	



MINUTES
 Meeting of the Twin Falls City Council
 Monday, October 17, 2011
 City Council Chambers
 305 3rd Avenue East - Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for October 11 - 17, 2011. 2. Consideration of the October 3, and October 10, 2011, City Council Minutes. 3. Consideration of a request to acquire of right-of-way at 1288 Eastland Drive North. 4. Consideration of a request to acquire of right-of-way at 1208 Eastland Drive North. 5. Consideration of a request to create a storm water public utility easement through ConAgra Foods Lamb Weston, Inc property. 6. Consideration of the Final Plat of Platinum Trio Subdivision, 0.195 (+/-) acres consisting of two (2) residential lots and located on the west side of the 300 block of Tyler Street, c/o Riedesel Engineering, Inc., on behalf of Habitat For Humanity of the Magic Valley, Inc.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Jacqueline Fields Jacqueline Fields Jacqueline Fields Mitch Humble
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to approve the 2012 Certified Local Government application to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission. 2. Public input and/or items from the City Manager and City Council.	Action	Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 – 1. Public hearing to consider adopting a resolution establishing fees for applications for improvement reimbursement. Proposed Resolution #1873.	Action	Troy Vitek
V. <u>ADJOURNMENT:</u> to 67-2345 Executive Sessions: 1. (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending, litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.		

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

Present: Lance Clow, Trip Craig, Don Hall, David E. Johnson, William A. Kezele, Greg Lanting, Rebecca Mills Sojka

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jaqueline Fields, Assistant City Engineer Troy Vitek, Staff Engineer Mike Trabert, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Hall called the meeting to order at 5:00 P.M. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him. A quorum was present. Mayor Hall introduced staff.

The following Boy Scouts attended the meeting:

Josh Sorenson, Citizenship in the Community, LDS Church on Elizabeth Street, Troop 200

Nate West, Communications, LDS Church on Elizabeth Street, Troop 200

Don McJohnston, Communications, LDS Church on Elizabeth Street, Troop 200

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

Staff requested to hear Agenda Item V.1.(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending, litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement, after the Items for Consideration.

MOTION:

Councilperson Craig made the motion to adjourn to Executive Session as presented. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

PROCLAMATIONS: None.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for October 11 - 17, 2011, total: \$272,869.94.
Payroll, October total: \$112,181.37
September payables, total: \$142,354.84.
2. Consideration of the October 3, and October 10, 2011, City Council Minutes.
3. Consideration of a request to acquire of right-of-way at 1288 Eastland Drive North.
4. Consideration of a request to acquire of right-of-way at 1208 Eastland Drive North.
5. Consideration of a request to create a storm water public utility easement through ConAgra Foods Lamb Weston, Inc property.
6. Consideration of the Final Plat of Platinum Trio Subdivision, 0.195 (+/-) acres consisting of two (2) residential lots and located on the west side of the 300 block of Tyler Street, c/o Riedesel Engineering, Inc., on behalf of Habitat For Humanity of the Magic Valley, Inc.

MOTION:

Councilperson Johnson made a motion to approve the Consent Calendar as presented. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve the 2012 Certified Local Government application to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission.

Darrell Buffaloe, Chairman of the Historic Preservation Commission explained the request.

The Historic Preservation Commission recommends that the Council approve and authorize the Mayor to sign the 2012 CLG application.

MOTION:

Vice Mayor Lanting made the motion to approve the 2012 Certified Local Government application to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission. The motion was seconded by Councilperson Mills Sojka.

Discussion followed.
-Guidelines will be presented to the Council.
-Open houses have been held.

Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

City Engineer Fields stated that the Rock Creek Lift Station Project is progressing as scheduled.

Councilperson Craig stated that the Recreation Committee will meet on October 18, 2011, at 11:30 A.M., in the Council Chambers.

Vice Mayor Lanting stated that the 116th Homecoming Celebration will be held on November 5, from 11:00 A.M. to 4:00 P.M. at the College of Southern Idaho.

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

MOTION:

Vice Mayor Lanting made a motion to move to Executive Session as presented. The motion was seconded by Councilperson Clow and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Adjourned at 5:19 P.M.
Reconvened at 6:10 P.M.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 –

1. Public hearing to consider adopting a resolution establishing fees for applications for improvement reimbursement. Proposed Resolution #1873.

Assistant City Engineer Vitek reviewed the request.

The Developer's Council unanimously recommended approval of establishing fees for improvement reimbursement.

City Manager Rothweiler stated that the request was established by the building community.

The public testimony of the hearing was opened and closed with no input.

Discussion followed.
Assistant City Engineer Vitek gave an update on the GIS system. The GIS system is currently being used.

City Manager Rothweiler stated there are plans to maximize the GIS system.

MOTION:

Vice Mayor Lanting made a motion to adopt Resolution 1873, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO ESTABLISHING FEES FOR APPLICATIONS FOR IMPROVEMENT REIMBURSEMENT. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

V. ADJOURNMENT: to 67-2345 Executive Sessions:

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

The meeting adjourned at 6:20 P.M.

Minutes
October 17, 2011
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Leila A. Sanchez
Deputy City Clerk/Recording Clerk



TWIN FALLS POLICE DEPARTMENT

356 3RD AVENUE EAST
P.O. BOX 3027
TWIN FALLS, ID 83303-3027

TELEPHONE: (208) 735-4357
FAX: (208) 733-0876
www.tfid.org

Date: Monday, October 24, 2011
To: Honorable Mayor and City Council
From: Staff Sergeant Dennis Pullin

Request:

Consideration of a request to approve the 21st Annual Christmas in the Night Time Sky event sponsored by Kimberly Nurseries to be held at 2862 Addison Avenue East on November 25, 2011.

Time Estimate:

Staff requests that this agenda item be placed on the consent calendar.

Background:

Dave and Sherry Wright have submitted a Special Events Application requesting to hold the 21st Annual Christmas in the Night Time Sky Event. The festivities will be held at the Kimberly Nurseries location of 2862 Addison Avenue East. This is a non-profit event that will benefit needy children in our community, as it is the Valley's largest toy fundraiser. The festivities begin at 5:00 p.m. The hosts will serve a chili/potato dinner beginning at 5:30 p.m. in exchange for an unwrapped toy. There will be live amplified music played during the event on the property of Kimberly Nurseries, as well as a bon fire. A choreographed fireworks display will follow at approximately 7:30 p.m. The fireworks show will take place north of Kimberly Nurseries in a vacant field located on the north side of Addison Avenue East. The estimated crowd size for this event is 2,500 people, depending on the weather. Event organizers will be responsible for providing advanced notification to all business owners and residents affected by the street closure due to this event. Event organizers will provide transportation by school bus from the K-Mart parking lot to Kimberly Nurseries for the event and will provide transportation back to K-Mart at the conclusion of the event.

In 2010, the Twin Falls Police Department did not receive any calls for service related to the Christmas in the Night Time Sky Event.

Addison Avenue East will be closed from Eastland Drive to Hankins Road from 5:00 p.m. until approximately 9:00 p.m. Carriage Lane and Carriage Lane North will also be closed at the intersections of Addison Avenue East. Road closures will be controlled by

"People Serving People"

traffic cones, barricades, Twin Falls Police Department Officers and employees, officers from other agencies, and volunteers.

The Twin Falls City Street Department will provide the traffic cones and barricades for the event.

The Twin Falls Fire Department will be on scene for the bon fire and for the fireworks display.

Approval Process:

N/A

Budget Impact:

This event will require a total of eleven (11) Twin Falls Police Officers, four (4) non-sworn Police Department employees, Citizens on Patrol volunteers, and officers from other law enforcement agencies. A briefing will be held at 4:30 p.m. and the street closures will take place at 5:00 p.m. The event is estimated to conclude by 9:00 p.m. The total overtime cost for the Twin Falls Police Department will be \$2,569.50, which has been included in the Twin Falls Police Department's overtime budget.

Regulatory Impact:

N/A

Conclusion:

This Special Events Application has been approved by several relevant City Staff members and the Twin Falls Police Department Staff. It is recommended that this request be approved by the City Council as presented.

Attachments:

None

DP:aed



TWIN FALLS POLICE DEPARTMENT

356 3RD AVENUE EAST
P.O. BOX 3027
TWIN FALLS, ID 83303-3027

TELEPHONE: (208) 735-4357
FAX: (208) 733-0876
www.tfid.org

Date: Monday, October 24, 2011
To: Honorable Mayor and City Council
From: Staff Sergeant Dennis Pullin

Request:

Consideration of a request for approval of the Annual Festival of Lights Parade, sponsored by the Times-News, to be held on Friday, December 2, 2011.

Time Estimate:

Staff requests that this agenda item be placed on the consent calendar.

Background:

On July 20, 2011, a Parade Application was received from Susan Nickell on behalf of the Times-News for the annual Festival of Lights Parade. This event is to be held on Friday, December 2, 2011, at 6:00 p.m. The parade will begin on Main Avenue in the area of Krengel's True Value Hardware Store and will travel west on Main Avenue to the area of the Magic Valley High School.

There will be an estimated 40 floats in the parade that will be decorated with holiday lights. It is estimated that 2,000 to 5,000 people will be in attendance to observe the parade. The parade application fee has been paid.

The Twin Falls Police Department did not receive any calls for service related to the Festival of Lights Parade in 2010.

Main Avenue East/South will be closed from Murtaugh Street where the staging area will be located in the 600 Block of Main Avenue. Main Avenue will be closed from Murtaugh Street to Castleford Street, where the parade floats will disperse.

The Twin Falls City Street Department will provide the traffic cones and barricades for the event.

The Twin Falls Fire Department will also assist with traffic control at both intersections of 2nd Avenue East/North and Shoshone Street and at 2nd Avenue West/South and Shoshone Street.

A required Certificate of Liability Insurance has been provided for this event naming the City of Twin Falls as the certificate holder.

"People Serving People"

Agenda Item for October 24, 2011
From Staff Sergeant Dennis Pullin
Page Two

Approval Process:

N/A

Budget Impact:

This event will require a total of nine (9) Twin Falls Police Officers, four (4) non-sworn Police Department employees, Citizens on Patrol volunteers, Twin Falls Police Reserve Officers, and other law enforcement agencies. A briefing will be held at 4:30 p.m.; the street closures will take place at 5:00 p.m. The parade is scheduled to start at 6:00 p.m. and is estimated to conclude by 7:30 p.m. Total overtime cost for the Twin Falls Police Department will be \$1,467.00. This cost has been included in the Twin Falls Police Department's overtime budget.

Regulatory Impact:

N/A

Conclusion:

Several relevant City Staff members, as well as the Twin Falls Police Department Staff, have met and approved this Parade Application.

Attachments:

None

DP:aed



Date: Monday, October 24, 2011
To: Honorable Mayor and City Council
From: Travis Rothweiler, City Manager

Request:

Consideration of hiring Region IV Development Corporation to serve as a Grant Administrator for the City of Twin Falls on Idaho Community Development Block Grant and Federal Grants.

Time Estimate:

City Staff will present the request-for-proposals (RFP) submitted by Region IV Development Corporation. The estimated amount of time this item will take is 5 minutes.

Background:

The City of Twin Falls intends to apply for state and federal grants for the purposes of economic development, public facilities, senior/community center, and other public infrastructure projects within the City's jurisdiction. The City is requested proposals from qualified consultants to provided services for the next three years in regards to planning, development, grant writing, and administration of a number of grant programs, including but not limited to the Idaho Community Development Block Grant, the Rural Community Development Block Grant, and the U.S. Economic Development Administration's investment programs.

The City of Twin Falls invited firms to submit proposals to be considered. The City published twice in the Times-News. Additionally, the invitation was distributed by the Idaho Department of Commerce to the Disadvantage Business Center. Services to be provided include: grant writing, grant administration, Environmental Review, Acquisition and Relocation, Labor Monitoring, Project Monitoring, Compliance with Civil Rights Requirements, Fair Housing Plan, 504 Analysis and Transition, and Project Close-Out.

In the past, the City has discussed the possibility of adding a grant administrator to the City's staff. This contract would not prevent that from occurring. It would not impact this opportunity.

Approval Process:

By simple majority vote (50%+1) of the City Council members present.

Budget Impact:

There is no budget impact. The agreement will be on a fixed price basis, and payment terms will be negotiated with the selected offeror. Reimbursement for grant administration activities will be contingent on the City receiving state and/or federal funds.

Regulatory Impact:

The United States' Economic Development Administration (EDA) requires the use of authorized organizations to facilitate and administer grant. Region IV Development is an approved federal grant facilitator/administrator. Idaho CBDG requires that all grants be administered by Certified Community Development Block Grant Specialists.

Conclusion:

The City of Twin Falls requested proposals from firms interested in providing planning, development, grant writing, and administration services on upcoming projects for a period of three years. It is the intent of the City to select a qualified professional or organization to provide services on various projects for the purposes of economic development, public facilities, senior/community center, and other public infrastructure projects.

Attachments:

1. Region IV Development Corporation's Proposal.



October 7, 2011

Mr. Travis Rothweiler, City Manager
City of Twin Falls
P.O. Box 1907
Twin Falls, Idaho 83303-1907

Re: Administrative Services Proposal

Dear Travis:

The Region IV Development Association (RIVDA) is pleased to provide the following information in response to the City's Request for Proposals seeking professional assistance with the development and implementation of the City's potential municipal, community, and economic development projects.

RIVDA has been assisting communities throughout the eight county area with the development and implementation of infrastructure improvement projects since the mid-1970's. Our current staff has almost 80 years of combined experience working with the Idaho Community Development Block Grant (ICDBG) program and we look forward to assisting the City with its public projects by providing professional services to accommodate the requirements for Phase 1: grant writing assistance, and Phase 2: project administration and implementation.

In response to the specific criteria outlined in your RFP, we provide the following:

Capability to Perform Project

RIVDA is a private non-profit corporation established in 1975 to provide local units of government with professional staff services to assist with planning, finance, and implementation of community infrastructure and facilities projects. Our areas of expertise include meeting facilitation, project planning, and grant writing and application preparation (for a variety of state and federal funding sources). We are also very experienced in coordinating project implementation and performing the administration of the associated compliance requirements.

Staff has successfully worked with communities to develop and build projects using funds from the US Economic Development Administration, US Army Corps of Engineers, USDA-Rural Development, Idaho Department of Water Resources, Idaho Department of Environmental Quality, and the Idaho Department of Commerce – both the U.S. Department of Housing and Urban Development funded Idaho Community Development Block Grant program (ICDBG) and the Idaho Rural Community Development Block Grant Program (RCBG).

Each of these funding sources has their own particular application format, as well as diverse implementation and compliance requirements. Over the course of 3-1/2 decades, RIVDA has used its

staff capability and expertise to manage these different projects and funding sources without any compliance or regulatory issues.

Over the last 25 years, we have drafted applications and worked on the implementation of public and private sector projects within Twin Falls County totaling almost \$75 million in public and private sector investments (with more than \$42.8 million completed inside City limits). These efforts included assisting with the development and implementation of sewer, water, transportation, and fire department projects, as well as small business finance and economic development (job creation and retention) projects. Our office is located on the College of Southern Idaho campus in Twin Falls and we are fully staffed with five (5) professional employees that will devote the time necessary to work with the City on any proposed project.

Of special interest may be that these professionals have received Idaho Department of Commerce certification in the administrative requirements of the Idaho Community Development Block Grant Program, and are also capable of working with the Seattle Regional Office of the U.S. Economic Development Administration on the administrative requirements for their programs. Other funding programs generally do not 'qualify' or 'certify' the administrative consultants that work with their funds; however, our staff as a long-standing track record of successfully implementing projects with multiple funding streams.

Relevant Project Experience

RIVDA has been directly involved in assisting with public infrastructure planning, grant writing, and project implementation for communities across southern Idaho. Since 1986, RIVDA staff has worked with communities and private-sector companies on the successful preparation and implementation of more than one hundred and forty-six (146) EDA, USDA, USACoE, DEQ, ICDBG and RCBG funded public infrastructure projects. This myriad of projects has ranged from community centers and medical clinics to fire stations and sewer systems; from bridges and parking lots to water tanks and rail sidings. RIVDA has experience with developing infrastructure projects to support a wide spectrum of community needs.

RIVDA staff has extensive relevant experience when it comes to working with the City, the regulatory agencies, and the complexities of public funding entities to develop and implement successful infrastructure projects. We believe that this combination of experience with the available federal and state financing programs will serve the community well in developing and implementing a series of successful projects.

Currently, our public sector clients include: Blaine, Jerome, Minidoka and Twin Falls Counties, and the cities of Bellevue, Bliss, Buhl, Burley, Carey, Castleford, Fairfield, Filer, Gooding, Hansen, Heyburn, Hagerman, Jerome, Kimberly, Rupert, Shoshone, and Wendell. The project types range from municipal sewer and water system improvements to industrial parks and business development. Over the last five years, we have also worked with the College of Southern Idaho, the Cities of Albion, Declo, Gooding, Rupert, and Hollister, Jerome County – Eden Senior Center, Lincoln County – North Side Fire District, Minidoka County – Minidoka County Hospital and the Minidoka County Fire District, and Twin Falls County – Salmon Tract Fire District, as well as the Three Creek School District.

Recent projects include work with the Cities of Jerome, Bliss, and Hansen. For information on our performance, please contact:

- John Shine, Mayor City of Jerome (208) 324-8189 152 East Avenue A Jerome, ID 83338;

- Laura Pulse, Mayor City of Bliss (208) 352-1117 P.O. Box 102 Bliss, ID 83314; and
- Chad Urie, Mayor City of Hansen (208) 423-5158 P.O. Box 170 Hansen, ID 83334

A brief contact list is provided in the attachments; a more comprehensive list of references documenting our relevant experience can be provided on request.

Qualifications of Project Team

The staff of Region IV Development has almost 80 years of combined experience with all aspects of project development and implementation. Carleen Herring will be responsible for coordinating the tasks to be undertaken by the RIVDA team. Carleen has been involved in project planning and successful ICDBG grant writing since 1986. Jeff McCurdy, RIVDA's Senior Community Development Planner will provide back-up during the project development and grant application phase. Jeff has 7 years of experience with the successful development of projects for communities throughout south-central Idaho. Other staff members that may be brought into the team as needed during the implementation phase of the project include: Kathy Uker, Candy McElfresh, and Susanne Richardson. Each of these individuals is certified by the Idaho Department of Commerce for the administration of the ICDBG program. Resumes of our team are attached to this submittal.

Project Approach and Schedule

The schedule is generally driven by the needs of the community and the deadlines imposed by the potential funding sources. In direct cooperation with the City staff, and any company representatives, consulting engineers, or community constituencies, RIVDA personnel will assist with all the requirements involved in preparing the application, including conducting public meetings and hearings when appropriate.

During the implementation phase, RIVDA staff will assist the City with the requirements outlined in the Phase 2 section of the RFP to include: establishment of project files; completion of environmental assessments; documentation for acquisition and relocation; monitoring of construction including pre-bid, progress, and labor standards; compliance with Civil Rights, Fair Housing, and 504 requirements; and paperwork required for successful close-out.

RIVDA's approach to project development and grant/construction management is to focus on creating and implementing the best project proposal that encompasses the needs and desires of the community. We accomplish this by working with City leadership and staff to outline a feasible plan to accomplish the vision for the community.

If you have any questions regarding our capabilities or sincere desire to work with the City of Twin Falls on your potential projects, please feel free to contact me directly at (208) 732-5727 extension 3003. We look forward to hearing from you.

Sincerely,


Joseph L. Herring
President

REFERENCES

Community Leaders

Melinda Anderson
Economic Development Director
City of Twin Falls
P.O. Box 1907
Twin Falls, Idaho 83301
Phone: (208) 735-7240

Chad Urie, Mayor
City of Hansen
P.O. Box 170
Hansen, Idaho 83334
Phone: (208) 423-5158

Tom Blanchard, City Administrator
City of Bellevue
P.O. Box 825
Bellevue, ID 83313
Phone: 788-2128

Mark Mitton, City Administrator
City of Burley
P.O. Box 1090
Burley, Idaho 83318
Phone: (208) 878-2224

Charles Howell, Chairman
Jerome County Commission
300 North Lincoln Ave., Room 300
Jerome, Idaho 83338
Phone: (208) 644-2714

Community Organizations

Kris Shelton, Director
Jerome Senior Center
212 1st Ave. East
Jerome, Idaho 83338
Phone: (208) 324-5642

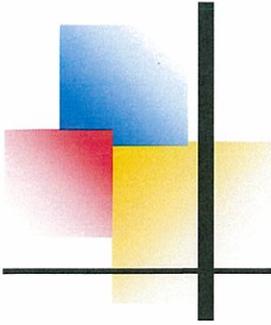
Mary Marshall, Director
South Central Head Start
P.O. Box 1238
Twin Falls, ID 83303-1238
Phone: (208) 736-0741

Mike Brown, Fire Chief
Minidoka County Fire Protection
District
P.O. Box 166
Heyburn, Idaho 83336
Phone: (208) 679-8250

Don Danner, President
Albion Valley Historical Society
P.O. Box 116
Albion, Idaho 83311
Phone: (208) 678-8549

Ken Robinette, Executive Director
South-Central Community Action
Partnership
P.O. Box 531
Twin Falls, Idaho 83303-0532
Phone: (208) 678-8549

Rod Davis, Fire Chief
Salmon Track Rural Fire Protection
District
2450 North 2411 East
Hollister, Idaho 83301
Phone: (208) 655-4222



CARLEEN M. HERRING

3681 North 2700 East Twin Falls, Idaho 83301 (208) 733-3145

EDUCATION

Knox College Galesburg, Illinois 61401
Bachelor of Arts Degree, June 1982
Major: Economics and Business Administration
Second Major: Spanish

Universidad de Barcelona Barcelona, Spain
September 1980 to June 1981
Classes at the University included: Economics, Literature, and Art

EXPERIENCE

Vice President— Economic Development

Region IV Development Association, Inc.
P.O. Box 5079
Twin Falls, Idaho 83303-5079
(208) 732-5727 x 3010
e-mail: carleen@rivda.org
April 1986 to Present

Duties include:

- ✦ Providing assistance to units of local government in the development, financing and implementation of infrastructure improvement projects;
- ✦ Drafting grant applications and providing administrative services to local governments and area non-profits;
- ✦ Preparing annual comprehensive economic development strategy for eight counties of South-Central Idaho;
- ✦ Providing counseling and technical assistance to small business, including financial packaging, credit analysis, loan application processing, loan closing, and loan servicing – portfolio management for regional revolving loan fund and Small Business Administration; and assistance with federal procurement and contracting;
- ✦ Hiring, oversight, motivation and evaluation of staff of five

COMPUTER SKILLS

Literate in Windows environment for IBM-compatible PC; Programs include Microsoft Office – Excel, Word, Publisher, etc. Able to learn new programs easily - on the job.

FACILITATION SKILLS

Small to large group facilitation — strategic planning, public forum consensus building

- Member of the International Association of Facilitators (IAF)

PROFESSIONAL AWARDS

- National Performance Review Award - 1996
 - U.S. Small Business Administration
Financial Services Advocate of the Year for the State of Idaho - 1994
 - Greater Twin Falls Area Chamber of Commerce
Financial Services Advocate of the Year – 1993
-

J C M

Jeffrey C. McCurdy

Region IV Development, Association

P.O. Box 5079 ♦ Twin Falls, Idaho 83303-5079

jeff@rivda.org ♦ Phone (208) 732-5727 ext. 3005 ♦ Fax (208) 732-5454

OBJECTIVE

Assist local government officials in planning, developing, and financing infrastructure improvements to enrich area communities and promote economic growth.

QUALIFICATIONS

- Bachelor of Business Administration – Idaho State University – May 2004
- The National Development Council (NDC) – Completed the Economic Development Finance Professional Certification Program – May 2009
- ICDBG/RCBG Certified Grant Administrator – Idaho Department of Commerce – August 2010

WORK EXPERIENCE

Region IV Development Association – August 2004 – Present

Responsibilities

- Assist community leaders in developing, planning, financing, and implementing public infrastructure projects
- Prepare grant applications for various funding programs
- Provide grant administrative services to local governments

Programs

- Idaho Community Development Block Grant (ICDBG)
- Rural Community Block Grant (RCBG)
- Idaho Department of Environmental Quality – State Revolving Funds (SRF)

Project History

- City of Burley – Gossner Foods, Inc. (RCBG – Economic Development)
- City of Burley – High Desert Milk, Inc. (ICDBG – Economic Development)
- City of Burley – Hy-Line North America (RCBG – Economic Development)
- City of Burley – DOT Foods, Inc. / Pacific Ethanol, Inc. (RCBG – Economic Development)
- City of Hansen – South Central Head Start (ICDBG – Public Facility)
- City of Heyburn – Wastewater Treatment Plant Upgrade Project
(ICDBG – Public Facility)
- City of Heyburn – Love Travel Stop (ICDBG – Economic Development)
- City of Hollister – Water System Improvement Project (ICDBG-Public Facility)
- City of Kimberly – Water System Improvement Project (State Revolving Fund)
- City of Shoshone – Wastewater System Improvement Project – (ICDBG-Public Facility)
- Jerome County – Silver & Gold Senior Citizen Center – Renovation Project
(ICDBG – Senior Center/Community Center)
- Lincoln County – Fire Station Construction and Truck Acquisition Project
(ICDBG- Public Facility)
- Minidoka County – Fire Truck Acquisition Project (ICDBG-Public Facility)

RESUME

Candy McElfresh

598 Crestview Drive

Twin Falls, Idaho 83301

(208) 734-3650; e-mail: candy@rivda.org

Employment Experience

Region IV Development Association – March 1988 to present

- Assist cities and counties fulfill grant administration responsibilities for grant and loan funded infra-structure projects
- Assist in search of funding and preparation of proposals for funding
- Provide executive staff leadership with local/regional manpower/workforce development board with planning, implementation, and administration of job training & employment programs for the eight-county region

Grant Administration Experience

Twin Falls County-Salmon Track Fire Station – ICDBG

Minidoka County-Minidoka Memorial Hospital – ICDBG

City of Bellevue-Public Facility, Sewer Upgrade – ICDBG

City of Filer – Public Facility, Wastewater Upgrade – ICDBG

City of Twin Falls – Slum & Blight, Downtown Revitalization – ICDBG

City of Burley-Economic Development/Job Creation, Mulholland Positioning Systems– ICDBG

City of Burley- Economic Development/Job Creation, Dutchman Manufacturing – RCBG

City of Burley-Economic Development/Job Creation, Kodiak North West – RCBG

City of Burley-Economic Development/Job Creation, Pickett Equipment – RCBG

City of Twin Falls-Economic Development/Job Creation, Jayco Expansion – ICDBG

Education

Certified Grant Administrator, Idaho Department of Commerce

BA Degree Idaho State University, Pocatello, Idaho

Other Experience

USDOL WIRED Initiative, Project Manager 2007 – 2010

Workforce Development, Executive Staff 1988 – 2005 (JTPA & WIA Workforce Boards)

Region 5 Juvenile Justice Council 1999 – 2006

Young Offender Demonstration Project Steering Committee 2003-2005

Idaho Career Information System (CIS) Advisory Board, 2002- 2005

Regional Steering Committee for School-to-Work, 1997-2001

School-to-Work Advisory Boards, 1995-2001

Magic Valley (Alternative) High School Advisory Committee, 1989-1998, past Chair

Governor's Council on Adolescent Pregnancy Prevention, 1993-97

Governor's School-to-Work Collaborative Team, 1996

Idaho Association of Private Industry Councils (IAPIC) 1989-1998

South Central Private Industry Council, 1982-1988

Area Manpower Planning Board, 1977-1982, past Chair

Kathy M. Uker

*454 Jefferson Street
Twin Falls, ID 83301
(208) 736-5903
(208) 404-8249*

EXPERIENCE

FISCAL MANAGER/PROJECT ADMINISTRATOR

Region IV Development Association, Inc.
P.O. Box 5079
Twin Falls, ID 83303-5079
(208) 732-5727

February 1993 to Present (Current 2010-2012 Admin Certification)

Provide assistance to local governments in the planning, development and financing of infrastructure projects. Further, provide Administrative services for Idaho Community Development Block Grants in the Region IV Area of South-Central Idaho. Services include:

- Conduct an Environmental Review of the project area and submit findings report;
- Oversee and complete all federal requirements with land acquisition (if applicable);
- Financial Accounting of all project dollars;
- Research and evaluate Section 504 accessibility requirements and prepare compliance documentation;
- Establish Fair Housing Program and oversee preparation of Analysis of Impediments;
- Review Civil Rights procedures of the City and assist in implementing new procedures, if necessary;
- Oversee and complete all federal requirements regarding Fair Labor Standards, Davis-Bacon Wages and other labor requirements.

ECONOMIC DEVELOPMENT ICDBG PROJECTS ASSISTED IN COMPLETION:

- City of Gooding – Keifer Built, Inc. ED (Gooding County)
- City of Twin Falls – Jayco, Inc. ED (Twin Falls County)
- City of Heyburn – Love’s Travel Stop ED (Minidoka County)
- City of Jerome – Hilex-Poly ED (Jerome County)
- City of Twin Falls – Jayco #2 – ED Project (Twin Falls County)
- City of Rupert – Brewster Cheese, Inc. – ED Project (Minidoka County)
- City of Jerome – Rite Stuff/Darigold – ED Project (Jerome County)
- City of Jerome – Diehl – ED Project (Jerome County)
- City of Twin Falls – DELL, Inc. – ED Project (Twin Falls County)
- City of Jerome – WOW Logistics – ED Project (Jerome County)
- City of Burley – High Desert Milk – ED Project (Cassia County)

ICDBG PROJECTS ASSISTED IN COMPLETION:

- City of Carey – Community Center Upgrade (Blaine County)
- Camas County Senior Center (Camas County)
- City of Carey – Water System Upgrades (Blaine County)
- City of Declo – Electrical System Upgrades (Cassia County)
- City of Hollister – Water System Improvements (Twin Falls County)
- Lincoln County – Fire Station (Lincoln County)
- Minidoka County – Fire Station (Minidoka County)
- City of Paul – Sewer System Upgrades (Minidoka County)
- City of Rupert – Wilson Theater Renovation Project (Minidoka County)
- Twin Falls County – Salmon Tract Fire Station (Twin Falls County)
- Jerome County – Eden Senior Center (Jerome County)

RCBG PROJECTS ASSISTED IN COMPLETION:

- ❖ City of Burley – Gossner Cheese Plant (Cassia County)
- ❖ City of Burley – Dutchmen Mfg. (Cassia County)
- ❖ City of Burley – Kodiak NW – ED Project (Cassia County)
- ❖ City of Rupert – Brewster Cheese Lift Station Upgrade (Minidoka County)
- ❖ City of Burley – Pickett Equipment ED (Cassia County)
- ❖ City of Jerome – Crossroads Water/Sewer (Jerome County)
- ❖ City of Jerome – Scoular/Jackson ED Project (Jerome County)
- ❖ City of Burley – Pacific Ethanol / DOT (Cassia County)
- ❖ City of Burley – Hyline (Cassia County)

ICDBG CURRENT ON-GOING PROJECTS:

- City of Filer – Wastewater system Improvements (Twin Falls County)
- City of Castleford – LMI Hookups, 504 Accessible Bathroom (Twin Falls County)
- City of Jerome – Senior Center (Jerome County)
- City of Fairfield – Wastewater Improvements Project (Camas County)
- City of Bliss – Wastewater System Project (Gooding County)
- Minidoka County – Heyburn Fire Station Project (Minidoka County)
- City of Hagerman – Senior Center Project (Gooding County)
- Twin Falls County – Rock Creek Rural Fire (Twin Falls County)
- City of Hansen – Head Start Building – (Twin Falls County)

Susanne Richardson

442 Buckingham Drive
Twin Falls, Idaho 83301
208-420-0305
Susanne@rivda.org

Education

1975 BA, Humanities & Social Science,
Oregon State University, Corvallis, OR

Work Experience

2002-Present Region IV Development Assoc. Twin Falls, ID

Grant Administrator/Office Manager/Administrative Assistant

1. Certified Idaho Community Development Block Grant Administration— June 2003; renewed September 2010. Assisting with Davis-Bacon monitoring, Environmental Reviews, and Other grant administration duties on Economic Development, Block Grant, and ARRA projects:

- High Desert Milk, Burley, Idaho
- Scoular Jackson, Jerome, Idaho
- Hyline North America, Burley, Idaho
- Bliss Sewer Project, Bliss, Idaho
- Kimberly Water Project, Kimberly, Idaho
- Jerome Senior Center, Jerome, Idaho
- Minidoka County, Heyburn Fire Station
- Hansen Head Start Project, Hansen, Idaho
- Fairfield Wastewater, Fairfield, Idaho
- Heyburn Wastewater, Heyburn, Idaho
- Filer Wastewater, Filer, Idaho
- Castleford Water, Castleford, Idaho
- Shoshone Wastewater, Shoshone, Idaho

2. Assist with clerical, administrative & business details of Community & Economic Development and Small Business Development Divisions.

Computer Skills

- Literate in Windows environment. Programs include Microsoft Office—Excel, Word, Publisher, etc.



Date: Monday, October 24, 2011
To: Honorable Mayor and City Council
From: Mitch Humble, Community Development Director

Request:

Consideration of an ordinance amending City Code 6-3-8(B) by requiring circulation of a petition for an animal permit to all households within 300 feet of the applicant's property.

Time Estimate:

The staff presentation will take approximately 2 minutes.

Background:

At a recent meeting, Councilperson Clow expressed a concern regarding the current Code requirements regarding application for an animal permit. He explained that the Code requires an applicant seeking an animal permit to obtain approval from 75% of the households within 300 feet of the applicant's property, but that the households located immediately adjacent don't have to even be notified of the pending permit request. After some discussion, the Council directed the City Attorney to prepare an ordinance amending the City Code to require signatures, either in favor of or opposed to the application, from all households within 300 feet of the applicant's property.

Staff has prepared the attached ordinance in response to the Council's direction. During the preparation of the ordinance, a concern was raised regarding the potential scenario where an applicant is not able to acquire signatures from every household within 300 feet. A house could be vacant with an absentee home owner. Scheduling conflicts may prevent an applicant from contacting a household. A household may simply refuse to sign a petition. In any of these circumstances, an applicant would not be able to comply with the Code through no fault of their own. Therefore, the City Attorney also inserted a section in the attached ordinance that, in the event that 100% of the household signatures cannot be acquired, provides an applicant an opportunity to explain the circumstances and still proceed with an application.

The ordinance has been prepared by the City Attorney as discussed above and is attached for your consideration.

Approval Process:

To adopt the attached ordinance at this meeting, the Council must approve a special motion to suspend the rules and place this ordinance on third and final reading by title only. A simple majority vote of the City Council is needed to approve the ordinance.

Budget Impact:

There is no significant budget impact associated with the approval of this ordinance. There will be a minor cost to publish the caption of the ordinance in the newspaper.

Regulatory Impact:

Approval of the attached ordinance will require a resident seeking an animal permit to circulate a petition for the animal permit to all households within 300 feet of the resident's property.

Conclusion:

The ordinance has been prepared as described herein and is attached for your consideration.

Attachments:

Proposed Ordinance No. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §6-3-8(B) BY REQUIRING CIRCULATION OF PETITIONS FOR ANIMAL PERMITS TO ALL HOUSEHOLDS WITHIN THREE HUNDRED FEET OF THE APPLICANT'S PROPERTY.

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

That Twin Falls City Code §6-3-8(B) is amended as follows:

“6-3-8: QUALIFICATIONS FOR ISSUANCE OF ANIMAL PERMIT: ...

(B) Before being issued a permit, the applicant shall circulate a petition among all those households located within three hundred feet (300') of the applicant's property. The petition shall state the number and type(s) of animals the applicant wishes to keep and shall give the location of the property on which the applicant wishes to keep the animals. The applicant must obtain an acknowledgement from every household within three hundred feet (300') whether the household resident approves or disapproves of the application, and must receive the approval of seventy five percent (75%) of the households located within three hundred feet (300') of his property before an animal permit will be issued. If the applicant is unable to obtain an acknowledgement from a household within three hundred feet (300'), the applicant may substitute a statement for the household excluded, explaining the attempts made to obtain the acknowledgement, and the results of those attempts.

The sanitation inspector shall not issue a permit if acknowledgement and approval, as described above, has not been met seventy five percent (75%) of the households located within three hundred feet (300') of the premises where any of the animals are being kept or maintained have not signed the petition.”

PASSED BY THE CITY COUNCIL, _____, 2011.

SIGNED BY THE MAYOR _____, 2011.

MAYOR

ATTEST:

DEPUTY CITY CLERK



Date: Monday, October 24, 2011
To: Honorable Mayor and City Council
From: Mitch Humble, Community Development Director

Request:

Consideration of an Inspection Services Agreement between the City and the Idaho Division of Building Safety.

Time Estimate:

The staff presentation will take approximately 2 minutes.

Background:

In January 2007, the City began issuing permits for and inspecting electrical, plumbing, and mechanical construction. At that time, we hired an electrical inspector and a plumbing inspector. We also cross trained one of our building inspectors to be a mechanical inspector. The City recently laid-off a building inspector. Currently, the building department is staffed with one plumbing inspector, one electrical inspector, one mechanical/building inspector, and our Building Official who can also perform building inspections. With such a limited staff, the department has a difficult time providing inspections when one of the inspectors takes time off.

This difficulty is especially pronounced when the electrical or plumbing inspector takes time off. In these two fields, an inspector has to also be licensed in the trade. That means that our other inspectors cannot cross train in those two trades. Consequently, we either try to find someone who can fill in, or we go without inspections for a time.

The Idaho Division of Building Safety employs electrical, plumbing, and mechanical inspectors. They have indicated their willingness to assist us during our inspectors' absences. However, the Division requires the City to enter into an agreement with them before they will do so. Attached is the Division's standard Inspection Services Agreement. Upon approval and execution, the City will be able to request that State inspectors provide assistance in the event we have an absence. They will make reasonable efforts to provide that assistance. Approval of the agreement will give the Building Department one more option to provide inspection services in those times when our inspectors are absent. The agreement has been reviewed by the City Attorney. Staff recommends that the Council approve the agreement as attached.

Approval Process:

A simple majority vote of the City Council is needed to approve the attached agreement.

Budget Impact:

There is no significant budget impact associated with the approval of this agreement. However, on those occasions when the City will call upon the State's inspectors to help cover City inspector absences, the State will bill the City \$65 per hour, or portion thereof, that a State inspector provides inspection services to the City. The Building Department budget includes \$7,000 to be used for professional services. The professional services contemplated for these funds are temporary inspection services to cover City inspector absences.

Regulatory Impact:

Approval of the attached agreement will allow the City to request assistance from State employed building inspectors to cover absences of City employed building inspectors.

Conclusion:

Staff recommends that the City Council approve the attached Inspection Services Agreement between the City and the Idaho Division of Building Safety.

Attachments:

Proposed Inspection Services Agreement

**INSPECTION SERVICES AGREEMENT BETWEEN
IDAHO DIVISION OF BUILDING SAFETY AND THE CITY OF TWIN FALLS**

THIS INSPECTION AGREEMENT ("Agreement") is made and entered by and between the State of Idaho, Division of Building Safety (the "Division") and the City of Twin Falls, a municipal corporation in the state of Idaho (the "Local Government" or "City").

WHEREAS, the Division is a self-governing agency of the State of Idaho and Idaho Code section 67-2332 authorizes agreements between the Division and local governments for the performance of inspections and other services, Idaho Code section 67-2601A authorizes the Administrator, DBS to enter into agreements, and Idaho Code sections 39-4107; 54-1001C; 54-5006; and 54-2607 specifically authorizes the Division to conduct building code, electrical, HVAC, and plumbing inspections respectively at the request of a local jurisdiction.

WHEREAS, the City, by means of resolution or ordinance, has adopted the 2009 International Building Code, 2009 International Residential Code parts I-VI and part IX, and including appendices A and B.; 2009 International Energy Conservation Code; 2008 National Electric Code; 2009 International Mechanical Code, 2009 International Fuel Gas Code, and 2003 Uniform Plumbing Code.

WHEREAS, the City desires to authorize the Division to perform inspections of building, electrical, HVAC, and plumbing installations and related equipment ("Installations") under the terms and conditions of this Agreement.

NOW THEREFORE, in consideration of the foregoing recitals and the mutual promises and covenants herein contained, the parties agree as follows:

1. Inspection Services.

a. With this Agreement, the Division does hereby agree to provide inspection services related to building, electrical, HVAC, and plumbing installations upon request whenever the City shall have a need for such services and the Division is able to provide such. The Division and City understand and agree that the provision of such inspection services by the Division will be done so on an as-needed basis and only when the City makes a written request for such services which identifies the period of time during which services are requested. The Division and City also understand and agree that the Division will only provide the requested services if it is reasonably able to do.

b. When requested to perform inspections, and when the Division is able to perform such, the City does hereby grant the Division such power and authority within the City's jurisdiction to serve as the building, electrical, HVAC, or plumbing inspector as the case may be for the City and perform those responsibilities of the respective inspector as identified in city code during the effective periods of this Agreement. All inspections of installations performed by the Division shall be done so in accordance with the standards promulgated by the City.

c. The Division shall conduct actual inspections for the City as more particularly described below. Division inspectors shall have authority to inspect installations within the jurisdictional boundaries of the Local Government. The Division inspectors shall conduct all inspections pursuant to the local code, rule or ordinance. The applicable code, ordinance or rule (Local Requirements) as well as the applicable installation standards are identified as:

Twin Falls City Code at Section 4-2-1, along with any relevant provisions contained in title 4, chapter 2 of the Twin Falls City Code.

d. Division inspectors shall inspect building, electrical, HVAC, or plumbing installations, as the case may be, give notice of violations of the Local Requirements, review permits and otherwise carry out the duties and responsibilities of an inspector as set forth in the Local Requirements. It is further understood and agreed

that the City shall be responsible for and shall undertake all the necessary enforcement actions relative to violations of the applicable codes, and neither the Division nor its inspectors shall be required to undertake any enforcement activity not specifically set forth in this Agreement including, but not limited to, disconnecting defective or non-complying installations.

e. When practicable, Local Government shall provide the Division with fourteen (14) days advance notice of its need for the Division to perform inspection services in its jurisdiction.

f. The Division and the Local Government may establish additional procedures for the conduct of inspections that are not inconsistent with other applicable law, or with this Agreement. The party implementing procedures shall provide written notice and a copy of such procedures to the other party.

g. The City shall accept applications for inspections or permits; collect inspection or permit fees; issue permits; and perform all other administrative duties not assigned to the Division in this agreement. As soon as possible following the issuance of a permit, the Local Government shall furnish the Division a copy of the permit and the Division shall schedule and conduct the inspection. Where applicable, the Local Government shall deliver a copy of the permit to the power supplier/purveyor, or other interested parties.

h. Permit fee amounts shall be established by the Local Government. The Division shall provide and City of Twin Falls shall pay for inspections services at the rate of sixty five dollars (\$65.00) per hour for each hour or portion thereof that an inspector provides inspection services for types of inspections.

i. The Division shall on a monthly basis provide the City with a written invoice detailing the services provided and the fees charged for such services. Payment for inspection services shall be provided to the Division within 30 days of receipt of the invoice.

j. The Division shall maintain records and findings of completed inspections and upon request from the Local Government make available such to the extent allowed by law.

2. Amendments to Local Requirements. The Local Government shall promptly notify the Division in writing of amendments and changes to the Local Requirements and shall provide a copy of the revised Local Requirements with such notice. The Division shall conduct inspections pursuant to the revised Local Requirements within five (5) business days of receipt of notice of such revisions.

3. Indemnity and Hold Harmless. The City and Division each shall be responsible only for the acts, omissions or negligence of its own officers, employees or agents. Nothing in this Agreement shall extend the responsibility or liability of either City or Division beyond that required by the Idaho Tort Claims Act. Each party shall defend itself against any claims that arise solely from wrongful acts, omissions or negligence of its officers, employees, or agents in the course of the performance of this Agreement, but does not assume responsibility for the acts, omissions or negligence of the other party or the other party's officials, employees, agents and volunteers. Each party shall promptly notify the other party of any claim arising under this Agreement and shall cooperate fully with the defending party or its representatives in the defense of such claims.

Nothing in this Agreement shall be deemed to subject the Division or the City to suit by persons not party to this Agreement. The Agreement is intended solely to facilitate intergovernmental cooperation among the Parties and does not create any right in other persons to seek administrative or judicial enforcement of provisions herein. Any actions by persons not party hereto maintained against the Division or the City or their officers, employees and agents for activities conducted pursuant to this Agreement shall be subject to, and controlled solely by, the Idaho constitution and its statutes and administrative regulations and City Code as applicable.

4. Term and Termination. This Agreement shall remain in effect until terminated as provided herein. Either party may terminate this Agreement immediately upon written notice if at any time: (a) the other party is in

material breach of any warranty, term, condition, covenant or obligation under the Agreement; (b) judicial interpretation of federal or state laws, regulations, or rules renders fulfillment of the Agreement infeasible or impossible; or, (c) the other party fails to comply with any applicable law, regulation, or rule. Either party may terminate this Agreement upon thirty (30) days prior written notice to the other party.

5. Notices. Any notice given in connection with this Agreement shall be given in writing and shall be delivered either by hand or by certified mail, return receipt requested, to the other party at the address set forth below. Either party may change its address by giving notice of the change in accordance with this section.

6. Sufficient Appropriation. It is understood and agreed that the Division is a governmental entity, and this Agreement shall in no way or manner be construed so as to bind or obligate the Division or the State of Idaho beyond the term of any particular appropriation of funds by the State Legislature as may exist from time to time. The Division reserves the right to terminate the Agreement if, in its sole judgment, the legislature of the State of Idaho fails, neglects, or refuses to appropriate sufficient funds as may be required for the Division to continue its performance of the Agreement. Any such termination shall take effect on ten (10) days' prior notice and be otherwise effective as provided in this Agreement.

7. Entire Agreement and Modification. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements or understandings between the parties. No change, modification, or waiver of any term of this Agreement shall be valid unless it is in writing and signed by both parties.

8. Severability. Nothing in this Agreement is intended to conflict with current law or rules promulgated by the Division or the Local Government. If a term of this agreement is inconsistent with such authority, or found to be invalid or unenforceable, that provision will be enforced to the maximum extent permissible so as to effect the intent of the parties, and the remainder of this Agreement shall remain in full force and effect.

9. Assignment. The Division may not subcontract or assign its rights (including the right to compensation) or duties arising hereunder without the prior written consent of the City. Any subcontractor or assignee will be bound by all of the terms and conditions of this contract.

IN WITNESS WHEREOF, the parties have entered this Agreement as of the date of the last signature set forth below

LOCAL GOVERNMENT:
City of Twin Falls

DIVISION:
State of Idaho, Division of Building Safety

By _____
Don Hall, Mayor, City of Twin Falls

By _____
C. Kelly Pearce, Division Administrator

Date: _____

Date: _____

Address: 321 2nd Ave. East
PO Box 1907
Twin Falls, ID 83303-1907

Address: 1090 E. Watertower Street
Meridian, Idaho 83642

Facsimile: (208) 736-2296

Facsimile: (208)855-2164

ATTN: Dwaine Thomson
Building Official

ATTN: Steve Keys
Deputy Administrator