



Twin Falls City Council Agenda

Tuesday, January 16, 2018, 5:00 PM

City Council Chambers
203 Main Avenue East- Twin Falls, Idaho

****TUESDAY****

Members: Shawn Barigar, Suzanne Hawkins, Nikki Boyd, Chris Talkington, Gregory Lanting, Christopher Reid, Ruth Pierce

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) CONSIDERATION OF AMENDMENTS TO AGENDA
- 4) PROCLAMATIONS: None
- 5) GENERAL PUBLIC INPUT
- 6) CONSENT CALENDAR
 - a) Request to approve the Accounts Payable for January 9-16, 2018.
Purpose: Action By: Sharon Bryan, Deputy City Clerk
 - b) Request to approve the January 8, 2018, City Council Minutes.
Purpose: Action By: Sharon Bryan, Deputy City Clerk
 - c) Request to approve an Alcohol License to serve Beer, Wine and Liquor for Pandora's Legacy, 233 5th Avenue South, Twin Falls, Idaho on the condition the receive their State License.
Purpose: Action By: Sharon Bryan , Deputy City Clerk
 - d) Request to approve an Alcohol License to serve beer and wine for Blaze Pizza, 1925 Fillmore, Suite 100, Twin Falls, Idaho
Purpose: Action By: Sharon Bryan , Deputy City Clerk
- 7) ITEMS OF CONSIDERATION
 - a) Request to approve the Guaranteed Maximum Price (GMP) for construction of the Commons Plaza.
Purpose: Action By: Nathan Murray, Economic Development Director
 - b) Request for approval of budget amendment from the Seizure and Restitution Fund to purchase technology items for the Special Investigations Unit.
Purpose: Action By: Craig Stotts, Lieutenant

- c) Request to accept public right-of-way, two adjacent public access easements and enter in a development agreement with both the Twin Falls Rural Fire Protection District (TFRFPD) and Amazing Grace Fellowship, Inc.

Purpose: Action By: Josh Baird, Staff Engineer, Jon Caton, Public Works Director

8) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

9) PUBLIC HEARINGS: None

10) ADJOURNMENT TO EXECUTIVE SESSION:

- a) Executive Session 74-206 (1)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Leila Sanchez (208) 735-7287 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208) 735-7287.

Public Input Procedures

1. Individuals wishing to provide public input regarding matters relevant to the City of Twin Falls shall
 - wait to be recognized by the Mayor or Chairman
 - approach the microphone/podium
 - state their name, and whether they are a resident or property owner in the City of Twin Falls, and proceed with their input.
2. The Mayor or Chairman may limit input to no less than two (2) minutes. Individuals are not permitted to give their time to other speakers.

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chairman shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council or Planning and Zoning shall wait to be recognized by the Mayor or Chairman, approach the microphone/podium, state their name, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the staff. The staff 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.
 4. 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 or Chairman.
 5. A City Staff Report shall summarize the application and history of the request.
 6. The City Council or Planning & Zoning Commission may ask questions of staff or the applicant pertaining to the request.
 7. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor or Chairman may limit public testimony to no less than two (2) 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 or Chairman. 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.
 8. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council or Planning & Zoning Commission, as recognized by the Mayor or Chairman, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor or Chairman may again establish time limits.
 9. The Mayor or Chairman shall close the Public Hearing. The City Council or Planning and Zoning Commission 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 or Chairman.



Twin Falls City Council Minutes

Monday, January 8, 2018, 5:00 PM

City Council Chambers
203 Main Avenue East - Twin Falls, Idaho

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Shawn Barigar, Vice Mayor Nikki Boyd, Councilmembers Suzanne Hawkins, Chris Talkington, Greg Lanting, Christopher Reid

Absent: Councilmember Ruth Pierce

Staff Present: City Manager Travis Rothweiler, Deputy City Manager Brian Pike, Deputy City Manager Mitch Humble, City Attorney Fritz Wonderlich, Chief of Police Craig Kingsbury, Public Works Director Jon Caton, Fire Captain Corey Beam, Fire Driver/Operator Jesse Bowman, City Engineer Jackie Fields, Staff Engineer Josh Baird, Senior Planner Jonathan Spendlove, Environmental Engineer Jason Brown, Deputy City Clerk Sharon Bryan

Mayor Barigar called the meeting to order at 5:03 PM A
quorum was present.

2) PLEDGE OF ALLEGIANCE

Mayor Barigar invited all present, who wished, to recite the Pledge of Allegiance to the Flag.

3) CONSIDERATION OF AMENDMENTS TO AGENDA

City Manager Rothweiler asked that a correction be made to the Executive Session. It should be 74-206 (1)(d).

MOTION:

Councilmember Lanting moved to correct the Executive Session to 74-206 (1) (d). Councilmember Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

4) PROCLAMATIONS – NONE

5) GENERAL PUBLIC INPUT

Alan Bleeker complained about the odor that's increasingly noticeable at his house on 4th Ave East.

Environmental Engineer Brown reviewed what they are doing about the odor.

Discussion ensued on the following:

Would like a follow up in a couple weeks on the progress.

Chobani operates the anaerobic digester. Fire

alarm concerns.

6) CONSENT CALENDAR

MOTION:

Councilmember Talkington moved to approve the Consent Calendar as presented. Councilmember Lanting seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- a) Request to approve the Accounts Payables for January 1 - 8, 2018
- b) Request to approve the January 2, 2018, City Council Minutes.
- c) Request to approve a Parks In Lieu for Rio Vista Subdivision for \$35,442.00
- d) Request to approve the **final plat** of the K&J Jones Subdivision, A Conveyance Plat consisting of two (2) lots on 37.32 (+/-) acres located at 3067 East 3500 North. c/o Chris Harmison/EHM Engineers, Inc. on behalf of Keith Jones
- e) Request to accept property from the developers of Pioneer Estates Subdivision, deeding Tract B to the City for park space.

7) ITEMS OF CONSIDERATION

- a) Swearing in of Twin Falls Police Officer Chelsea Akers.

Chief of Police Kingsbury recognized Lt. Bill Stonemetz. A Memorial Service is to be held at the Twin Falls Senior Citizen Center at 2:00 PM on January 13, 2018.

Chief of Police Kingsbury introduced Police Officer Chelsea Akers.

Mayor Barigar swore Police Officer Chelsea Akers into office.

- b) Presentation of Operator License Certificates to Dustin Peterson, Masyn Malmstrom, Brent Sanders.

Public Works Director Caton explained what is involved to obtain certification.

Mayor Barigar presented Operator License Certificates to Dustin Peterson, Masyn Malmstrom and Brent Sanders.

- c) Twin Falls Urban Renewal Agency Main Avenue Redevelopment Project Update.

Perrin A. Robinson, P.E., CH2M gave an update on the Main Avenue Redevelopment Project.

Discussion ensued on the following:

Patch back issues

Rob Cloniger, Guho, talked on the timeframe for completion.

- d) Update on fire stations and remodels: Programming Committee will give an update on

future fire stations and remodel projects.

Captain Beam and Driver/Operator Bowman gave an update on future fire stations, existing fire station needs and remodeling existing fire stations.

Discussion ensued on the following: Time
line

Possible relocation of fire station 1 and 2.

Main Street firefighting in alley's or on Main Street.

City Council thanked staff.

- e) Request to adopt the Resolution authorizing the Mayor to execute the State Local Agreement for Key 20752 Intersection Washington Street and Caswell.

City Engineer Fields gave staff report.

MOTION:

Councilmember Lanting moved to authorize the Mayor to execute the State Local Agreement for Key 20752 Intersection Washington Street and Caswell and to adopt Resolution 2018-001

. Councilmember Talkington seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- f) Request to award the 2017-07 Eastland Drive North and Pole Line Road: Bitterroot Dr. to Cheney Dr. and Cheney Dr. to Mountain View Dr. project to Kloepper Inc. of Twin Falls, Idaho, in the amount of \$1,977,616.69.

Staff Engineer Baird and Public Works Director Caton reviewed the bids.

Discussion ensued on the following:

Funding

Truck level standings

Bonding required

MOTION:

Councilmember Boyd moved to award the 2017-07 Eastland Drive North and Poleline Road: Bitterroot Drive to Cheney Drive and Cheney Drive to Mountain View Drive project to Kloepper Inc in the amount of \$1,977,616.69. Councilmember Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- g) Title 10 Code Amendments presentation with possible action.

Senior Planner Spendlove and Deputy City Manager Humble reviewed Title 10 Code Amendments.

Discussion ensued on the following:

Planning and Zoning Commission involved.
Matrix is user friendly.
Does Staff have time to rewrite Title 10. Coincide
with Comprehensive Plan.

Deputy City Manager Humble explained what it would involve to rewrite.

City Council wants Staff to rewrite Title 10

8) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

Councilmember Talkington said that the Preserve Trail has been busy and is concerned that more parking is need.

Councilmember Lanting said that the Twin Falls Urban Renewal Agency Board approved the purchase the Idaho Youth Ranch building.

City Manager Rothweiler asked that City Council let him know of the dates when they will not be attending Council meetings.

9) PUBLIC HEARINGS

Mayor Barigar recessed the meeting for 7 minutes.

- a) Request for an **Amendment** to CSI PUD #262-Section 2, to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' on property located at 315 Falls Avenue. College of Southern Idaho c/o Spencer Cutler on behalf of the College of Southern Idaho. (app. 2906)

Jeff Harmon, College of Southern Idaho, spoke on the request for an amendment to CSI PUD #262-Section 2, to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' on property located at 315 Falls Avenue.

Senior Planner Spendlove gave staff report.

Discussion ensued on the following:
After the last height change how many requests have, we had.

Public Hearing Open Public
Hearing Closed

MOTION:

Councilmember Talkington moved to approve the amendment to CSI PUD #262-Section 2, to allow residence halls and rooming houses as a permitted use and to raise the maximum building height from 35' to 50' on property located at 315 Falls Avenue. Vice Mayor Boyd

seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- b) Request for a **Zoning District Change and Zoning Map Amendment** from C-1 PUD to C-1 for a .22 acre tract located at the south east corner of Canyon Falls Road and Harrison Street. c/o Ryan Bybee. (app. 2908)

Ryan Bybee, Twin Falls, spoke on the request for a Zoning District Change and Zoning map Amendment from C-1 PD to C-1 for a .22 acre tract located at the south east corner of Canyon Falls Road and Harrison Street.

Senior Planner Spendlove gave staff report. Discussion

ensued on the following:

Property is narrow would development include sidewalks and setbacks.

Public Hearing Open Public

Hearing Closed

MOTION:

Councilmember Lanting moved to approve the request for a Zoning District Change and Zoning Map Amendment from C-1 PD to C-1 for a .22 acre tract located at the south east corner of Canyon Falls Road and Harrison Street. Vice Mayor seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- c) Request for a **Vacation** of a 15' x 264', 3,960 sq ft, public utility easement to allow commercial development of property located at the southeast corner of Canyon Falls Drive and Harrison Street. c/o Ryan Bybee. (app. 2909)

Ryan Bybee, spoke on the request for a Vacation of a 15' x 264', 3,960 sq ft, public utility easement to allow commercial development of property located at the southeast corner of Canyon Falls Drive and Harrison Street.

Senior Planner Spendlove gave staff report.

MOTION:

Councilmember Reid moved to approve the request for a Vacation of 15' x 264', 3960 sq ft, public utility easement to allow commercial development of property located at the southeast corner of Canyon Falls Drive and Harrison Street. Vice Mayor Boyd seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

- d) Request for a Zoning Title Amendment to add "Wedding Chapels and Event Centers" to the SUI District 10-4-2.2 (B)5 as allowed by Special Use Permit and to add to Title 10-2-1 the definition of "Wedding Chapel and Event Center". BBR, LLC c/o Louise Ward. (app. 2911)

David Thibault, JUB Engineers, spoke on the request for a Zoning Title Amendment to add "Wedding Chapels and Event Centers" to the SUI District 10-4-2.2(B)5 as allowed by Special Use Permit and to add to Title 10-2-1 the definition of "Wedding Chapel and Event Center".

Senior Planner Spendlove gave Staff report. Discussion

ensued on the following:

Event Center vs Wedding Chapel or reception hall terminology.

Public Hearing Open:

Paul Thompson, Twin Falls, supports the zoning title amendment.

David Thibault explained the recommendation from Planning and Zoning on Wedding Chapel and/or reception hall.

MOTION:

Councilmember Talkington moved to approve the request for a Zoning Title Amendment to add "Wedding Chapels and Event Centers" to the SUI District 10-4-2.2(B)5 as allowed by Special Use Permit and to add to title 10-2-1 the definition of "Wedding Chapel and/or reception halls".

Councilmember Lanting seconded the motion. Roll call vote showed those voting AYE:

Councilmember Lanting, Councilmember Talkington. Those voting NAY: Mayor Barigar, Vice Mayor Boyd, Councilmember Hawkins, Councilmember Reid. 2 to 4 Motion FAILED

Discussion ensued on the following:

Terminology concerns

Wedding Chapel and /or Reception Hall is staff recommendation. Requirement for 3 acres buffer zone.

Deputy City Manager Humble explained staff recommendation.

MOTION:

Councilmember Lanting moved to approve the request for a Zoning Title Amendment to add "Wedding Chapels and/or Reception Halls" with 3 acres or more to the SUI District 10-4- 2.2(B)5 as allowed by Special Use Permit and to add to Title 10-2-1 the definition of "Wedding Chapel and/or Reception Halls". Councilmember Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. Motion passed 6 to 0.

10) ADJOURNMENT

- a) Request to adjourn to Executive Session 74-206 (1)(d) To consider records that are exempt from disclosure as provided by law.

MOTION:

Councilmember Reid moved to adjourn to Executive Session 74-206(1)(d) To consider records that are exempt from disclosure as provided by law. Vice Mayor Boyd seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

The meeting adjourned at 07:26: PM

Sharon Bryan, Deputy City Clerk



Date: Tuesday, January 16, 2018
To: Honorable Mayor and City Council
From: Sharon Bryan, Deputy City Clerk

Request:

Request to approve an Alcohol License to serve Beer, Wine and Liquor for Pandora's Legacy, 233 5th Avenue South, Twin Falls, Idaho on the condition they receive their State License.

Time Estimate:

5 min

Background:

Application to serve on premise beer, wine and liquor.

Approval Process:

Staff has reviewed application and given their approval.

Budget Impact:

N/A

Regulatory Impact:

City and State Code Compliant

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends approval of the license on the condition they get their permanent State License.

Attachments:

1. Pandora's Legacy



City of Twin Falls
103 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303

Print Form

Alcohol License

Please attach a copy of your state license

Business Name: K2RED LLC State License # _____
Doing Business As: Pandora's Legacy
Physical Address: 233 5th Ave City, State, Zip Twin Falls, ID 83301
Legal Description of Place of Business Lot _____ Block _____ Subdivision _____
Mailing Address: 526 Shoup Ave W, Ste K City, State, Zip: Twin Falls, ID 83301
Contact Person: Daniel S Fuchs Phone # 208-308-6495

Beer:	<i>Bottled for consumption off the premises only</i>	<i>(\$ 50.00)</i>	☐
	<i>Bottled for consumption on premises</i>	<i>(\$150.00)</i>	☐
	<i>Bottled for Draught for consumption on premises</i>	<i>(\$200.00)</i>	☒
Wine:	<i>Retailed Sales for consumption off premises only</i>	<i>(\$200.00)</i>	☐
	<i>Wine by the Drink for consumption on premises only</i>	<i>(\$200.00)</i>	☐
Liquor:	<i>Liquor license & fees cover wine license and fees</i>	<i>(\$562.50)</i>	☒

License expires June 30th

Total Fee \$ 762.50

Applicant is an: Individual ☐ Partnership ☐ Corporation ☐ Limited Liability Company ☒

If a partnership, name all partners:

Name: _____

Name: _____

Name: _____

If a corporation or association, name all officers:

Name: Daniel S Fuchs

Title: Member, K2RED LLC

Name: Kenneth D Fuchs

Title: Member, K2RED LLC

Name: Douglas R Fuchs

Title: Member, K2RED LLC

Name: _____

Title: _____

Date of incorporation or organization: 04/01/1994 Place of incorporation or organization: Idaho

Principal place of business in Idaho: 526 Shoup Ave W, Ste K, Twin Falls, ID 83301

Owner of premises: David Woodhead

Name of person who will manage business of selling beer at retail: Chris Lenardi

(If a partnership, all partners must sign)

Signature of applicant

Daniel S. Fuchs

Name: Daniel S Fuchs

Signature of applicant

Kenneth D. Fuchs

Name: Kenneth D Fuchs

Signature of applicant

Douglas R Fuchs

Name: Douglas R Fuchs

Signature of applicant _____

Name: _____

Birth date: _____

Subscribed and sworn to before me this

9 day of January, 20 18

Lillian S. Gomez

Notary Public for Idaho

Residing at Twin Falls, Idaho

Notary Expiration Date: March 2, 2019

For Questions call 208-735-7245 [Click here for the City Code \(Title 3 then Chapter 7,8, & 9\)](#)

Return completed form to: Deputy City Clerk, City of Twin Falls, 103 Main Ave. East, Twin Falls, ID 83301

CITY STAFF USE ONLY:

Approvals:

Planning and Zoning:

Yes



No _____

Comments:

attached

Police Department:

Yes



No _____

Comments:

ABA

City Clerk:

Yes



No _____

Comments:

AB

Sharon Bryan

From: Jonathan Spendlove
Sent: Wednesday, January 10, 2018 3:41 PM
To: Sharon Bryan; Steve O'Connor
Cc: Renée Carraway-Johnson
Subject: RE: Pandora's Legacy alcohol license

It was determined Pandoras may operate without an additional SUP. They will come under a previously approved SUP for this property.

From: Sharon Bryan
Sent: Wednesday, January 10, 2018 11:17 AM
To: Steve O'Connor <soconnor@tfid.org>; Jonathan Spendlove <JSpendlove@tfid.org>
Subject: Pandora's Legacy alcohol license
Importance: High

Just checking the status on this.

Thank you,

*Sharon Bryan
Deputy City Clerk
City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83303*

sbryan@tfid.org
(208) 735-7245



Date: Tuesday, January 16, 2018
To: Honorable Mayor and City Council
From: Sharon Bryan, Deputy City Clerk

Request:

Request to approve an Alcohol License to serve beer and wine for Blaze Pizza, 1925 Fillmore, Suite 100, Twin Falls, Idaho

Time Estimate:

5 min

Background:

Application to serve on premise beer and wine.

Approval Process:

Staff has reviewed and approved application.

Budget Impact:

N/A

Regulatory Impact:

City and State Code Compliant

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends approval of the license.

Attachments:

1. Blaze Pizza



City of Twin Falls
103 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303

Print Form

Alcohol License

Please attach a copy of your state license

Business Name: Peace Love and Pizza State License # 22662
Doing Business As: Blaze Pizza
Physical Address: 1925 Fillmore Suite 100 City, State, Zip: Twin Falls, ID 83301
Legal Description of Place of Business Lot ✓ Block Subdivision
Mailing Address: 3541 E 3985 N City, State, Zip: Kimberly, ID 83341
Contact Person: Rachelle Fenderson Phone # 907-750-1731

Beer:	Bottled for consumption off the premises only	(\$ 50.00)	☐
	Bottled for consumption on premises	(\$150.00)	☒
	Bottled for Draught for consumption on premises	(\$200.00)	☒
Wine:	Retailed Sales for consumption off premises only	(\$200.00)	☐
	Wine by the Drink for consumption on premises only	(\$200.00)	☒
Liquor:	Liquor license & fees cover wine license and fees	(\$562.50)	☐

License expires June 30th

Total Fee \$

Applicant is an: Individual ☐ Partnership ☒ Corporation ☐

If a partnership, name all partners:

Name:

Name:

Name:

If a corporation or association, name all officers:

Name: Rachelle Fenderson

Title: President

Name: Pat Fenderson

Title: Vice President

Name: _____

Title: _____

Name: _____

Title: _____

Date of incorporation or organization: 1/1/17 Place of incorporation or organization: Idaho

Principal place of business in Idaho: Twin Falls

Owner of premises: Geronimo LLC

Name of person who will manage business of selling beer at retail: Rachelle Fenderson

(If a partnership, all partners must sign)

Signature of applicant 

Name: Rachelle Fenderson

Signature of applicant 

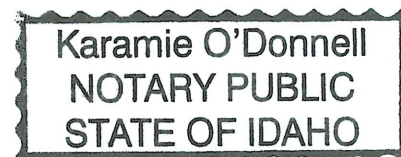
Name: PATRICK FENDERSON

Signature of applicant _____

Name: _____

Signature of applicant _____

Name: _____ Birth date: _____



Subscribed and sworn to before me this 7th day of December, 20 17

Karamie O'Donnell

Notary Public for Idaho

Residing at: Twin Falls

Notary Expiration Date: 01/09/2021

For Questions call 208-735-7245 [Click here for the City Code \(Title 3 then Chapter 7,8, & 9\)](#)

Return completed form to: Deputy City Clerk, City of Twin Falls, 103 Main Ave. East, Twin Falls, ID 83301



CITY OF TWIN FALLS
Community Development Department
324 Hansen Street E
P.O. Box 1907
Twin Falls, ID 83303-1907

Phone: 208-735-7267
Fax: 208-736-2641
www.tfid.org

January 10, 2018

Rachelle Fenderson
dba Peace Love & Pizza, LLC
3541 E 3985 N
Kimberly, ID 83341

Re: Zoning Request

Dear Applicant;

At its January 9, 2018 regularly scheduled public meeting the Twin Falls Planning & Zoning Commission approved, as presented, a Special Use Permit for the purpose of allowing alcohol consumption on site in conjunction with a restaurant on property located at 1925 Fillmore Street, ste 100, subject to the following conditions:

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.
2. Subject to compliance with all State, County and City licensing requirements prior to issuance of the SUP.

City Code 10-13-2.2 (K) states..." when a Special Use Permit is approved on the condition that certain improvements be made to the subject property, no permit shall be issued until the applicant has provided proof that the conditions have been complied with; if the applicant fails to provide proof of compliance within six (6) months of approval, the Special Use Permit shall be void."

Upon completion of the conditions being met the Special Use Permit will be issued.

If you have any questions, please do not hesitate to contact the office of the Planning & Zoning Department at 208-735-7267.

Sincerely,

Renée V Carraway-Johnson
Zoning & Development Manager

CITY STAFF USE ONLY:

Approvals:

Planning and Zoning: Yes ☒ No ☐

Comments:

See attached

Police Department: Yes ☒ No ☐

Comments:

Ch. A. B. A.

City Clerk: Yes ☒ No ☐

Comments:

SB

State of Idaho

Idaho State Police

Cycle Tracking Number: 96941

License Year: 2018
License Number: 22662

Retail Alcohol Beverage License

Premise Number: 2T-22662

This is to certify, that
doing business as: Peace Love & Pizza Inc
Blaze Pizza

is licensed to sell alcoholic beverages as stated below at:

1925 Fillmore St #100, Twin Falls, Twin Falls County

Acceptance of a license by a retailer shall constitute knowledge of and agreement to operate by and in accordance to the Alcohol Beverage Code, Title 23. Only the licensee herein specified shall use this license.

County and city licenses are also required in order to operate.

Liquor	No
Beer	Yes <u>\$50.00</u>
On-premise consumption	Yes <u>\$0.00</u>
Kegs to go	No
Restaurant	No
Wine by the bottle	No
Wine by the glass	Yes <u>\$100.00</u>
Multipurpose arena	No
Growlers	No

TOTAL FEE: \$150.00

Signature of Licensee, Corporate Officer, LLC Member or Partner

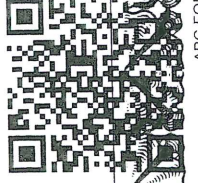
PEACE LOVE & PIZZA INC
BLAZE PIZZA
1925 FILLMORE ST #100

TWIN FALLS, ID 83301

Mailing Address

License Valid: 11/24/2017 - 06/30/2018

Expires: 06/30/2018



[Handwritten signature]



Date: Tuesday, January 16, 2018
To: Honorable Mayor and City Council
From: Nathan Murray, Economic Development Director

Request:

Request to approve the Guaranteed Maximum Price (GMP) for construction of the Commons Plaza.

Time Estimate:

5 minutes

Background:

Starr Corporation, the City/URA selected contractor for construction of the Downtown Commons Plaza, has completed its solicitation of bids and prepared a Guaranteed Maximum Price (GMP) for the project (see attached).

The final GMP for the plaza is \$2,052,884.00. In addition, the proposal also notes the completed Phases 1 & 2 of the project for a total GMP of \$2,435,279.00. Phase 1 was the completion of work around the new City Hall Entrance for the amount of \$114,151.00 and Phase 2 was completion of Hansen Street for the amount of \$268,244.00. Work for the first two phases have been completed and portions have been paid as previously approved.

Twin Falls City is administering the contracts with Starr Corporation as part of it's continuation of the bid for the City Hall construction. The URA has agreed to pay for the plaza as part of a previous agreement with the City. It is the purview of the URA to review and authorize the work done in the plaza.

Approval Process:

A majority vote by the City Council would approve the GMP for the project.

Budget Impact:

\$2,052,884.00 from the budget of Area #4-1 for the plaza, plus authorization for completed payments for Phases 1 & 2 for a total GMP of \$2,435,279.00.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends approval of the GMP as submitted in order to move forward with construction of the plaza.

Attachments:

1. Commons GMP

City of Twin Falls-Commons, Restroom, Wall

December 22, 2016

Bid Package No. 1-Concrete-Restroom and Wall	\$	115,000.00
Bid Package No. 2-Concrete-Plaza Flatwork	\$	136,000.00
Bid Package No. 3-Metals	\$	68,500.00
Bid Package No. 4-Masonry	\$	199,000.00
Bid Package No. 5-Rough Carpentry	\$	93,000.00
Bid Package No. 6-Millwork-No Bids, Allowance	\$	7,000.00
Bid Package No. 7-Roofing	\$	38,340.00
Bid Package No. 8-Insulation-No Bids, Allowance	\$	6,000.00
Bid Package No. 9-Glazing	\$	1,722.00
Bid Package No. 10-Gypsum Board	\$	14,521.00
Bid Package No. 11-Stucco-No Bids, Allowance	\$	26,000.00
Bid Package No. 12-Painting	\$	9,925.00
Bid Package No. 13-Specialties	\$	9,985.00
Bid Package No. 14-Plumbing	\$	119,724.00
Bid Package No. 15-HVAC-No Bids, Allowance	\$	16,000.00
Bid Package No. 16-Electrical Systems	\$	187,268.00
Bid Package No. 17-Landscaping and Water Feature	\$	410,000.00
Bid Package No. 18-Site Work	\$	208,000.00

Allowances

Project Manager	\$	24,000.00
Project Superintendent	\$	57,192.00
Job Site Trailer	\$	2,700.00
Telephone	\$	750.00
Temp Toilets	\$	1,080.00
Dumpster	\$	7,200.00
Cold Weather	\$	30,000.00
Surveying	\$	3,600.00
Testing	\$	8,500.00
Rogerson Steel	\$	8,500.00
Electrical Rough In-Hansen Street	\$	33,000.00
Landscape Sleeve-Hansen Street	\$	4,900.00
Stainless Steel Compass	\$	23,000.00
Polished Concrete	\$	27,000.00
Brick Pavers	\$	12,000.00
City Hall Planter Irrigation	\$	5,000.00

Contingency	\$	57,282.00
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CM Fee	\$	58,310.00
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Payment and Performance Bond	\$	22,885.00
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Total	\$	2,052,884.00
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City Hall Entrance	\$	114,151.00
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Hansen Street	\$	268,244.00
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	\$	2,435,279.00
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Date: Tuesday, January 16, 2018
To: Honorable Mayor and City Council
From: Craig Stotts, Lieutenant

Request:

Request for approval of budget amendment from the Seizure and Restitution Fund to purchase technology items for the Special Investigations Unit.

Time Estimate:

Approximately 10 minutes in addition to time needed to answer any questions the Council may have.

Background:

On October 17, 2017, the Twin Falls Police Department (TFPD) and the Twin Falls County Sheriff's Office (TFCSO) entered into a mutual assistance agreement to focus law enforcement efforts dedicated to the identification, investigation and prosecution of repeat violent offenders. This dual-agency enforcement unit known as the Special Investigations Unit, herein referred to as SIU, investigates those individuals responsible for committing violent crimes through the use of criminal organizations or gangs in Twin Falls County and the City of Twin Falls. The SIU will also be utilized to address and solve strategic and community problems and to provide investigative assistance to other law enforcement agencies if necessary.

The SIU is currently comprised of two (2) TFCSO deputies, four (4) TFPD detectives, and two (2) TFPD supervisors. Due to the nature of the SIU's function and the space needs requirement for the eight (8)-member team, an off-site location was secured by the TFCSO and the following infrastructure and equipment needs must be initiated:

• Air Fiber (2 GB) - Body Cam with Throdle install and tripod	\$16,500.00
• Switch	\$ 2,400.00
• Computer	\$ 2,000.00
• Printer and one (1) set of toner	\$ 675.00
• Software licensing for use on County network	\$ 412.00
• Computer monitors (2) using terminal services for County	\$ 391.00
• Locking rack	\$ 250.00
• Cables (2)	\$ 238.00
• Software - Microsoft Office	\$ 150.00
• Software - Microsoft Server Access Cal	\$ 115.00
• Software terminal service for County to access our server	\$ 86.00
• Software - Windows Cal	\$ 50.00
• Microsoft Windows Cal	\$ 50.00
• Software antivirus	\$ 11.00
• Patch Cables	\$ 8.00

Total **\$ 23,336.00**

Approval Process:

Approval by the City Council

Budget Impact:

According to Chief Financial Officer Lorie Race, the Seizure and Restitution Fund currently has a balance of **\$76,991.00**. The requested amount of **\$23,336.00** will leave a balance of **\$53,655.00**.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that the Council approve the request for a budget amendment from the Seizure and Restitution Fund to purchase technology items for the Special Investigations Unit.

Attachments:

None



Date: Tuesday, January 16, 2018
To: Honorable Mayor and City Council
From: Josh Baird, Staff Engineer, Jon Caton, Public Works Director

Request:

Request to accept public right-of-way, two adjacent public access easements and enter in a development agreement with both the Twin Falls Rural Fire Protection District (TFRFPD) and Amazing Grace Fellowship, Inc.

Time Estimate:

The staff presentation will take approximately 10 minutes.

Background:

The 2017-07 Eastland Dr. North project is slated to begin construction later this month. The project limits begin south of Bitterroot Dr heading north beyond the curve and then westward to a location west of the intersection of Mountain View Dr and Pole Line Rd.

While working through the design of the original project limits which was from Cheney Dr & Eastland Dr to Pole Line Rd & Mountain View Dr, there was a desire to explore additional work and alternatives. City staff did some research and recognized that only two parcels prevented the City from making Eastland Dr a full five-lane roadway from Falls to Pole Line.

City Staff then met with the two property owners from whom right-of-way was needed to construct the five-lane section, namely the Twin Falls Rural Fire Protection District and Amazing Grace Fellowship, Inc. After many conversations, emails, and correspondence, City Staff was able to produce the development agreements and corresponding right-of-way deeds and public easements as a result of negotiations. Both the Twin Falls Rural Fire District and Amazing Grace Fellowship, Inc. are willing to donate right-of-way to the public if the City is willing to build improvements.

In both cases, the City would build those improvements a developer would normally build (i.e. roadway, curb and gutter, and a stormwater facility sufficiently large to handle stormwater from the portion of the new road fronting the property). In the case of the Twin Falls Rural Fire Protection District, the City would also build a detached sidewalk to bridge a pedestrian route gap along Eastland.

A new shared use approach would also be built between both property owners on the west side of Eastland. The public access easements are adjacent to each other and would need to be accepted to prevent either property owner from obstructing the other from fully utilizing the shared approach.

While the City doesn't often build improvements that would eventually be required of and paid for by a private developer, there is also no requirement as to when those improvements are built. These agreements would allow the city to built the road immediately, thereby increasing the capacity of Eastland Dr just north of Falls Ave without having to wait for whenever the parcels develop. This particular project lends itself better than others to widening at the expense of the City because the normal cost of construction can be reduced by the specified rehabilitation process (Cement Treated

Base) which will generate excess material that would normally need to be hauled off site if not utilized to widen the roadway.

All of the documents pertaining to the development agreements have been reviewed by the City Attorney and have already been signed by property owner representatives.

Approval Process:

A majority vote of the Council to accept the right-of-way, public access easements, and enter into development agreements.

Budget Impact:

None

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that City Council accept public right-of-way, two adjacent public access easements and enter in a development agreement with both the Twin Falls Rural Fire Protection District and Amazing Grace Fellowship, Inc.

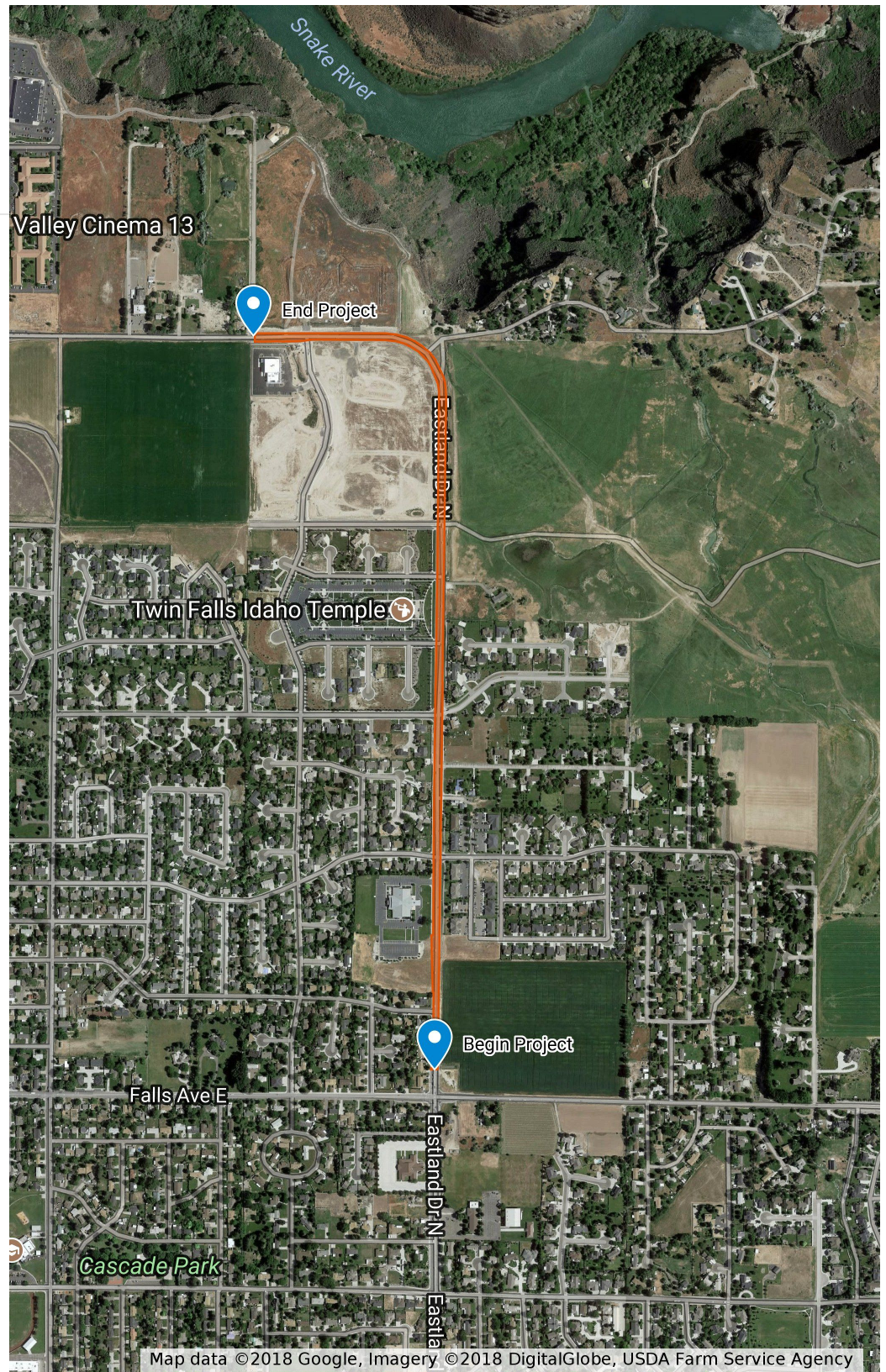
Attachments:

1. Vicinity Map
2. Right-of Way Acquisition and Easement Locations
3. Amazing Grace Development Agreement
4. Amazing Grace Public Right-of-Way Deed
5. Amazing Grace Public Access Easement
6. TFRFPD Development Agreement
7. TFRFPD Public Right-of-Way Deed
8. TFRFPD Public Access Easement

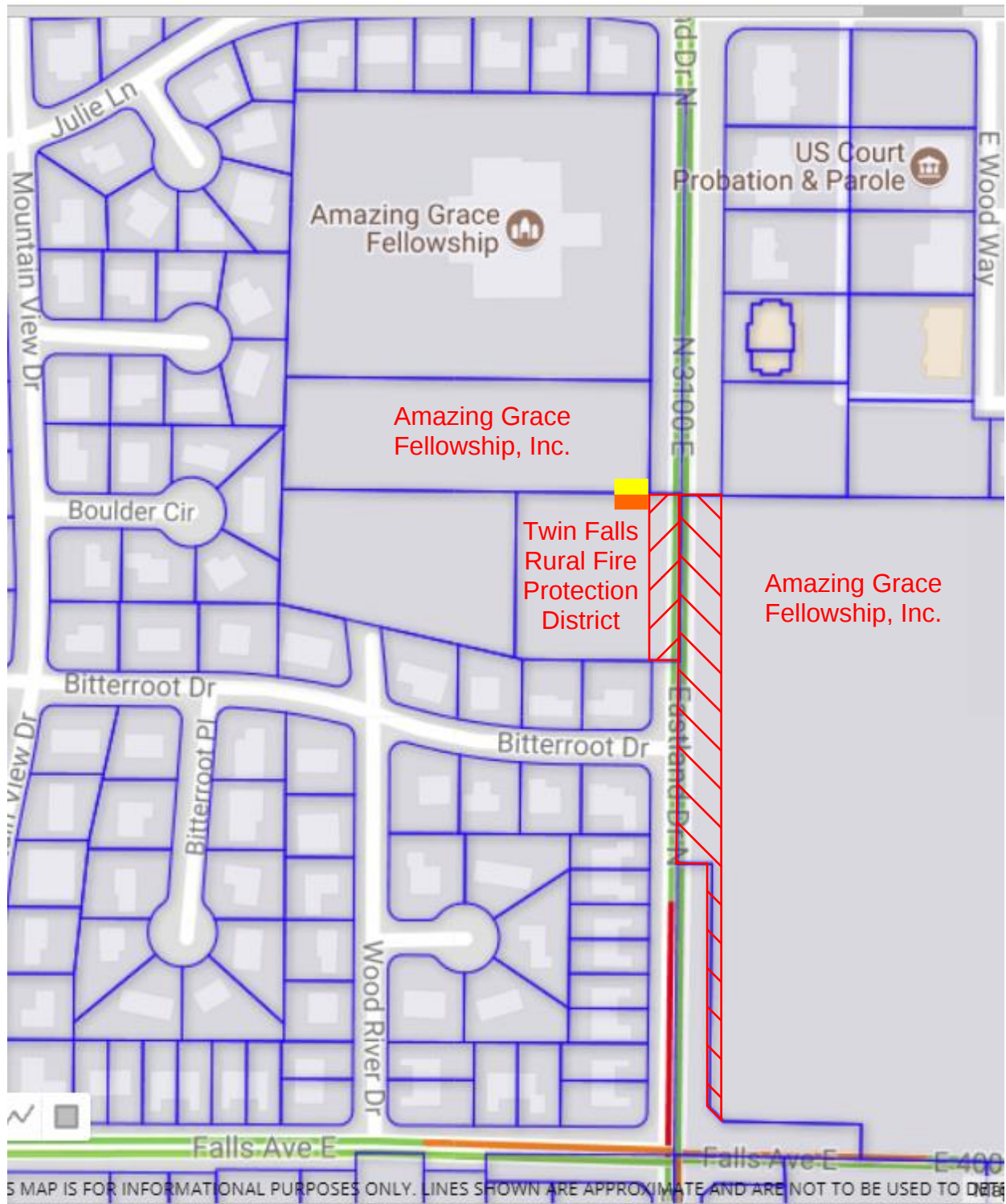
Eastland

Untitled layer

-  End Project
-  Begin Project
-  Project Area



Twin Falls County Parcel Map



DEVELOPMENT AGREEMENT

This Development Agreement (the "Agreement") is made and entered into this 5th day of January, 2018, by and between **AMAZING GRACE FELLOWSHIP, INC.**, an Idaho Corporation, (hereinafter "Grantor"); and the **CITY OF TWIN FALLS, IDAHO** (hereinafter "Grantee"), and is made with respect to the following facts and objectives:

WITNESSETH:

WHEREAS, it is the desire and intent of Grantor and Grantee to arrange, by and through this Agreement, for the orderly development and responsibilities of development on the Property, in a manner that is conducive to achieving full compliance with applicable rules and regulations of Twin Falls County, Idaho, and the City of Twin Falls, Idaho.

NOW THEREFORE, it is agreed between the parties hereto as follows:

Grantor Shall:

1. Dedicate right of way as described in Exhibit A to the Grantee within two weeks of acceptance of this Agreement by the Grantee.
2. Dedicate a public access easement as described in Exhibit B to the Grantee within two weeks of acceptance of this Agreement by the Grantee.
3. Retain storm water runoff generated from the east half of Eastland Drive North fronting and adjacent to Grantor's eastern property.

Grantee Shall:

1. Construct roadway improvements including paving, curb and gutter on the east side of Eastland Drive North adjacent to Grantor's property.
2. Provide and construct a shared use approach on the west side of Eastland Drive North adjacent to Grantor's property. Said shared use approach to be thirty-six (36) feet wide centered on property line between property owned by Amazing Grace Fellowship, Inc. and the Twin Falls Rural Fire Protection District and constructed at the same time as roadway improvements of Eastland Drive North.
3. Construct a facility to retain storm water generated from the east half of Eastland Drive North fronting and adjacent to Grantor's eastern property.

Date: 01/05/2018

GRANTOR:
AMAZING GRACE FELLOWSHIP, INC.,
an Idaho Corporation

BY: Adrian Boer

Date: _____

GRANTEE:
CITY OF TWIN FALLS, IDAHO

BY: _____
Mayor, Shawn Barigar

STATE OF IDAHO
County of Twin Falls

On this 5th day of January, 2018, before me, a Notary Public in and for said State, personally appeared Adrian Boer, known or identified to me to be the Director of the corporation 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 said corporation's name.

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

Tina Marie Downs
Notary Public for Idaho
Residing in Grange, ID
Commission expires 3/31/18



STATE OF IDAHO
County of Twin Falls

On this 5th day of January, 2018, before me, the undersigned, Notary Public in and for said State, personally appeared Shawn Barigar, known or identified to me to be the Mayor for the City of Twin Falls, Idaho, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same on behalf of the City of Twin Falls, Idaho.

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

Notary Public for Idaho
Residing at:
My Commission expires:

EXHIBIT A

A tract of land located in the West Half of the West Half of the Southwest Quarter of the Southwest Quarter of Section 2, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho; more particularly described as follows:

Commencing at an aluminum cap at the Southwest Corner of said Section 2, thence

N 00° 55' 28" E (formerly N 00° 34' 25" E – Warranty Deed Instrument No. 2011-015747, Records of Twin Falls County, Idaho, and formerly N 00° 29' 55" W – EASTRIDGE PROFESSIONAL SUBDIVISION, as shown on the official plat recorded as Instrument No. 2000-017910, Records of Twin Falls County, Idaho) along the West boundary of said Section 2, also being the centerline of Eastland Drive North, a distance of 419.19 feet to the POINT OF BEGINNING;

Thence N 00° 55' 28" E continuing along the West boundary of said Section 2, also being the centerline of Eastland Drive North, a distance of 529.04 feet to the Southwest Corner of said EASTRIDGE PROFESSIONAL SUBDIVISION;

Thence, leaving said West boundary of Section 2 and along the South boundary of said EASTRIDGE PROFESSIONAL SUBDIVISION, S 89° 11' 31" E (formerly N 89° 23' 06" E - EASTRIDGE PROFESSIONAL SUBDIVISION) for a distance of 58.00 feet;

Thence leaving said South boundary, S 00° 55' 28" W parallel with the West boundary of said Section 2 a distance of 887.25 feet to the existing North right-of-way of Falls Avenue East, as described in that certain Warranty Deed recorded as Instrument No. 2011-015747 Records of Twin Falls County, Idaho;

Thence, N 43° 44' 30" W (formerly N 44° 05' 39" W) along said existing right-of-way a distance of 11.38 feet to the existing East right-of-way of Eastland Drive North;

Thence, N 00° 55' 28" E (formerly N 00° 34' 25" E) along said existing East right-of-way a distance of 350.00 feet;

Thence, N 89° 04' 32" W (formerly N 89° 25' 35" W) a distance of 50.00 feet to the POINT OF BEGINNING.

Said parcel contains 0.77 acres, more or less and is subject to any other rights-of-way or easements of record or in use.

Note: Bearings shown here-on are grid and are based on the Idaho Coordinate System of 1983, Central Zone. Distances are at ground.

EXHIBIT B

An eighteen foot wide (18.00') easement across a portion of a tract of land, located in the Southeast Quarter of the Southeast Quarter of Section 3, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho; more particularly described as follows:

Commencing at an aluminum cap at the Southeast Corner of said Section 3, thence,

N 00° 55' 28" E (formerly N 00° 47' 39" E) along the East boundary of said Section 3, also being on the centerline of Eastland Drive North, a distance of 951.00 feet to the Northeast Corner of a tract of land as described in that certain Warranty Deed recorded as Instrument No. 2009-012033 Records of Twin Falls County, Idaho;

Thence, N 89° 04' 32" W (formerly N 89° 12' 21" W) along the North boundary of said **Parcel** a distance of 46.00 feet to West right-of-way of said Eastland Drive North, being the TRUE POINT OF BEGINNING;

Thence, continuing along said North boundary line N 89°04'32" W a distance of 50.00 feet;

Thence, N 00° 55' 28" E parallel with the East boundary of said Section 3, a distance of 18.00 feet;

Thence, S 89° 04' 32" E a distance of 50.00 feet to the said West right-of-way of Eastland Drive North;

Thence, S 00° 55' 28" W along said West right-of-way a distance of 18.00 feet to the TRUE POINT OF BEGINNING.

Said tract contains 900 square feet, more or less, and is subject to any right-of-ways, or other easements, of record or in use.

Note: Bearings shown here-on are grid and are based on the Idaho Coordinate System of 1983, Central Zone. Distances are at ground.

PUBLIC RIGHT-OF-WAY DEED

AMAZING GRACE FELLOWSHIP, INC., an Idaho Corporation (Grantor), does hereby grant, convey and dedicate fee simple title to the public as public right of way under the jurisdiction of **THE CITY OF TWIN FALLS, IDAHO, a municipal corporation**, (Grantee) a permanent and perpetual public right-of-way, for construction, continued operation, maintenance, repair, alteration, inspection and replacement of a public street and utilities:

A tract of land located in the West Half of the West Half of the Southwest Quarter of the Southwest Quarter of Section 2, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho; more particularly described as follows:

Commencing at an aluminum cap at the Southwest Corner of said Section 2, thence

N 00° 55' 28" E (formerly N 00° 34' 25" E – Warranty Deed Instrument No. 2011-015747, Records of Twin Falls County, Idaho, and formerly N 00° 29' 55" W – EASTRIDGE PROFESSIONAL SUBDIVISION, as shown on the official plat recorded as Instrument No. 2000-017910, Records of Twin Falls County, Idaho) along the West boundary of said Section 2, also being the centerline of Eastland Drive North, a distance of 419.19 feet to the POINT OF BEGINNING;

Thence N 00° 55' 28" E continuing along the West boundary of said Section 2, also being the centerline of Eastland Drive North, a distance of 529.04 feet to the Southwest Corner of said EASTRIDGE PROFESSIONAL SUBDIVISION;

Thence, leaving said West boundary of Section 2 and along the South boundary of said EASTRIDGE PROFESSIONAL SUBDIVISION, S 89° 11' 31" E (formerly N 89° 23' 06" E - EASTRIDGE PROFESSIONAL SUBDIVISION) for a distance of 58.00 feet;

Thence leaving said South boundary, S 00° 55' 28" W parallel with the West boundary of said Section 2 a distance of 887.25 feet to the existing North right-of-way of Falls Avenue East, as described in that certain Warranty Deed recorded as Instrument No. 2011-015747 Records of Twin Falls County, Idaho;

Thence, N 43° 44' 30" W (formerly N 44° 05' 39" W) along said existing right-of-way a distance of 11.38 feet to the existing East right-of-way of Eastland Drive North;

Thence, N 00° 55' 28" E (formerly N 00° 34' 25" E) along said existing East right-of-way a distance of 350.00 feet;

Thence, N 89° 04' 32" W (formerly N 89° 25' 35" W) a distance of 50.00 feet to the POINT OF BEGINNING.

Said parcel contains 0.77 acres, more or less and is subject to any other rights-of-way or easements of record or in use.

Note: Bearings shown here-on are grid and are based on the Idaho Coordinate System of 1983, Central Zone. Distances are at ground.

And the said Grantor does hereby covenant that the Grantor is the owner in fee simple of said premises; that they are free from encumbrances, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Executed and delivered this 5th day of January, 2018.

Amazing Grace Fellowship, Inc., an Idaho Corporation

By: Adrian Boer
Title: Director, Adrian Boer

ACCEPTANCE OF PUBLIC RIGHT-OF-WAY

Grantee City of Twin Falls, Idaho, does hereby accept dedication of the public right-of-way.

Mayor, Shawn Barigar

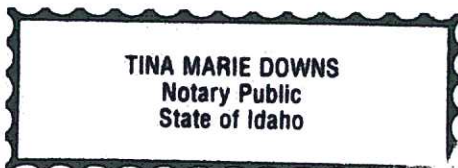
STATE OF IDAHO

) ss.

County of Twin Falls

On this 5th day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Adrian Boer, Amazing Grace Fellowship, Inc., known or identified to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same on behalf of Amazing Grace Fellowship, Inc.

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



Tina Marie Downs
NOTARY PUBLIC
Residing at: Prune, Id
Commission expires: 3/31/2018

STATE OF IDAHO

) ss.

County of Twin Falls

On this _____ day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Shawn Barigar, Mayor of the City of Twin Falls, Idaho, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of the City of Twin Falls, Idaho.

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

NOTARY PUBLIC

Residing at: _____

Commission expires: _____

PUBLIC ACCESS EASEMENT

AMAZING GRACE FELLOWSHIP, INC., an Idaho Corporation (Grantor), does hereby grant and convey a permanent access easement to the public under the jurisdiction of **THE CITY OF TWIN FALLS, IDAHO, a municipal corporation,** (Grantee) for ingress/egress of vehicles over, across and upon certain real property legally described as follows:

A tract of land, located in the Southeast Quarter of the Southeast Quarter of Section 3, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho; more particularly described as follows:

Commencing at an aluminum cap at the Southeast Corner of said Section 3, thence,

N 00° 55' 28" E (formerly N 00° 47' 39" E) along the East boundary of said Section 3, also being on the centerline of Eastland Drive North, a distance of 951.00 feet to the Northeast Corner of a tract of land as described in that certain Warranty Deed recorded as Instrument No. 2009-012033 Records of Twin Falls County, Idaho;

Thence, N 89° 04' 32" W (formerly N 89° 12' 21" W) along the North boundary of said **Parcel** a distance of 46.00 feet to West right-of-way of said Eastland Drive North, being the TRUE POINT OF BEGINNING;

Thence, continuing along said North boundary line N 89°04'32" W a distance of 50.00 feet;

Thence, N 00° 55' 28" E parallel with the East boundary of said Section 3, a distance of 18.00 feet;

Thence, S 89° 04' 32" E a distance of 50.00 feet to the said West right-of-way of Eastland Drive North;

Thence, S 00° 55' 28" W along said West right-of-way a distance of 18.00 feet to the TRUE POINT OF BEGINNING.

Said tract contains 900 square feet, more or less, and is subject to any right-of-ways, or other easements, of record or in use.

Note: Bearings shown here-on are grid and are based on the Idaho Coordinate System of 1983, Central Zone. Distances are at ground.

Said Grantee shall vacate this public access easement after a reciprocal access easement or similar has been signed and recorded by those authorized for the two property owners binding the two parties utilizing the shared use approach to jointly access the shared use approach for ingress/egress.

Said Grantor does hereby covenant that the Grantor is the owner in fee simple of said premises; that they are free from encumbrances, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Executed and delivered this 5th day of January, 2018.

Amazing Grace Fellowship, Inc.

By: Adrian Boer
Title: Director, Adrian Boer

ACCEPTANCE OF PUBLIC ACCESS EASEMENT

Grantee City of Twin Falls, Idaho, does hereby accept dedication of the public right-of-way.

Mayor, Shawn Barigar

STATE OF IDAHO

) ss.

County of Twin Falls

On this 5th day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Adrian Boer, Amazing Grace Fellowship, Inc. known or identified to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same on behalf of the Amazing Grace Fellowship, Inc.

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



Tina Marie Downs
NOTARY PUBLIC
Residing at: grone, id
Commission expires: 3, 31, 2018

STATE OF IDAHO

) ss.

County of Twin Falls

On this _____ day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Shawn Barigar, Mayor of the City of Twin Falls, Idaho, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of the City of Twin Falls, Idaho.

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

NOTARY PUBLIC

Residing at:_____

Commission expires:_____

DEVELOPMENT AGREEMENT

This Development Agreement (the "Agreement") is made and entered into this _____ day of January, 2018, by and between the **TWIN FALLS RURAL FIRE PROTECTION DISTRICT**, (hereinafter "Grantor"); and the **CITY OF TWIN FALLS, IDAHO** (hereinafter "Grantee"), and is made with respect to the following facts and objectives:

WITNESSETH:

WHEREAS, it is the desire and intent of Grantor and Grantee to arrange, by and through this Agreement, for the orderly development and responsibilities of development on the Property, in a manner that is conducive to achieving full compliance with applicable rules and regulations of Twin Falls County, Idaho, and the City of Twin Falls, Idaho.

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

Grantor Shall:

1. Dedicate right of way as described in Exhibit A to the Grantee within two weeks of acceptance of this Agreement by the Grantee.
2. Dedicate a public access easement as described in Exhibit B to the Grantee within two weeks of acceptance of this Agreement by the Grantee.
3. Retain storm water runoff from the west half of Eastland Drive North fronting and adjacent to Grantor's property.

Grantee Shall:

1. Construct roadway improvements including paving, curb and gutter and detached sidewalk on the west side of Eastland Drive North adjacent to Grantor's property.
2. Provide and construct a shared use approach on the west side of Eastland Drive North adjacent to Grantor's property. Said shared use approach to be thirty-six (36) feet wide centered on property line between property owned by Amazing Grace Fellowship, Inc. and the Twin Falls Rural Fire Protection District and constructed at the same time as roadway improvements of Eastland Drive North.
3. Construct a facility to retain storm water generated from the west half of Eastland Drive North fronting and adjacent to Grantor's property.

Date: 1/5/18

GRANTOR:
TWIN FALLS RURAL FIRE PROTECTION DISTRICT

BY: [Signature]

Date: _____

GRANTEE:
CITY OF TWIN FALLS, IDAHO

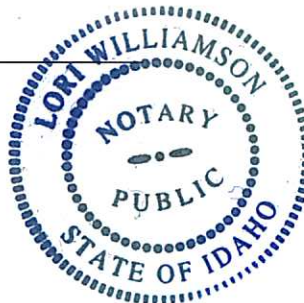
BY: _____
Mayor, Shawn Barigar

STATE OF IDAHO
County of Twin Falls

On this 5th day of January, 2018, before me, a Notary Public in and for said State, personally appeared Jim Olson, known or identified to me to be the Chairman of the Twin Falls Rural Fire Protection District that executed this instrument, and acknowledged to me that such Fire Protection District executed the same in said Fire Protection District's name.

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

[Signature]
Notary Public for Idaho
Residing in Twin Falls, ID.
Commission expires 1/28/22



STATE OF IDAHO
County of Twin Falls

On this _____ day of January, 2018, before me, the undersigned, Notary Public in and for said State, personally appeared Shawn Barigar, known or identified to me to be the Mayor of the City of Twin Falls, Idaho, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same on behalf of the City of Twin Falls, Idaho.

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

Notary Public for Idaho
Residing at:
My Commission expires:

EXHIBIT A

A tract of land being the east 46.00 feet of the **Parcel** described in that certain Warranty Deed recorded as Instrument No. 2009-012033 Records of Twin Falls County, Idaho, located in the Southeast Quarter of the Southeast Quarter of Section 3, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho; more particularly described as follows:

Commencing at an aluminum cap at the Southeast Corner of said Section 3, thence

N 00° 55' 28" E (formerly N 00° 47' 39" E) along the East boundary of said Section 3, also being on the centerline of Eastland Drive North, a distance of 710.00 feet to the Southeast Corner of said above referenced **Parcel**, also being the Northeast Corner of FALLS EAST ESTATES NO. 2 SUBDIVISION, as shown on the official plat recorded as Instrument No. 0000-757220, Records of Twin Falls County, Idaho, also being the POINT OF BEGINNING;

Thence, N 00° 55' 28" E continuing along said East boundary and the East boundary of said **Parcel**, a distance of 241.00 feet to the Northeast Corner of said **Parcel**;

Thence, N 89° 04' 32" W (formerly N 89° 12' 21" W) along the North boundary of said **Parcel** a distance of 46.00 feet;

Thence, S 00° 55' 28" W parallel with the East boundary of said Section 3, a distance of 241.00 feet to the South boundary of said **Parcel**, and the North boundary of said FALLS EAST ESTATES NO. 2 SUBDIVISION;

Thence S 89° 04' 32" E (formerly S 89° 12' 21" E) along the South boundary of said **Parcel**, also being the North Boundary of said SUBDIVISION, a distance of 46.00 feet to the POINT OF BEGINNING.

Said tract contains 0.25 acres, more or less, and is subject to any other right-of-ways, or easements, of record or in use.

Note: Bearings shown here-on are grid and are based on the Idaho Coordinate System of 1983, Central Zone. Distances are at ground.

EXHIBIT B

An eighteen foot wide (18.00') easement across a portion of a tract of land as described in that certain Warranty Deed recorded as Instrument No. 2009-012033 Records of Twin Falls County, Idaho, located in the Southeast Quarter of the Southeast Quarter of Section 3, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho; more particularly described as follows:

Commencing at an aluminum cap at the Southeast Corner of said Section 3, thence,

N 00° 55' 28" E (formerly N 00° 47' 39" E) along the East boundary of said Section 3, also being on the centerline of Eastland Drive North, a distance of 951.00 feet to the Northeast Corner of said above referenced **Parcel**;

Thence, N 89° 04' 32" W (formerly N 89° 12' 21" W) along the North boundary of said **Parcel** a distance of 46.00 feet to West right-of-way of said Eastland Drive North, being the TRUE POINT OF BEGINNING;

Thence, continuing along said North boundary line N 89°04'32" W a distance of 50.00 feet;

Thence, S 00° 55' 28" W parallel with the East boundary of said Section 3, a distance of 18.00 feet;

Thence, S 89° 04' 32" E a distance of 50.00 feet to the said West right-of-way of Eastland Drive North;

Thence, N 00° 55' 28" E along said West right-of-way a distance of 18.00 feet to the TRUE POINT OF BEGINNING.

Said tract contains 900 square feet, more or less, and is subject to any right-of-ways, or other easements, of record or in use.

Note: Bearings shown here-on are grid and are based on the Idaho Coordinate System of 1983, Central Zone. Distances are at ground.

PUBLIC RIGHT-OF-WAY DEED

TWIN FALLS RURAL FIRE PROTECTION DISTRICT (Grantor), does hereby grant, convey and dedicate fee simple title to the public as public right of way under the jurisdiction of **THE CITY OF TWIN FALLS, IDAHO, a municipal corporation**, (Grantee) a permanent and perpetual public right-of-way, for construction, continued operation, maintenance, repair, alteration, inspection and replacement of a public street and utilities:

A tract of land being the east 46.00 feet of the **Parcel** described in that certain Warranty Deed recorded as Instrument No. 2009-012033 Records of Twin Falls County, Idaho, located in the Southeast Quarter of the Southeast Quarter of Section 3, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho; more particularly described as follows:

Commencing at an aluminum cap at the Southeast Corner of said Section 3, thence

N 00° 55' 28" E (formerly N 00° 47' 39" E) along the East boundary of said Section 3, also being on the centerline of Eastland Drive North, a distance of 710.00 feet to the Southeast Corner of said above referenced **Parcel**, also being the Northeast Corner of FALLS EAST ESTATES NO. 2 SUBDIVISION, as shown on the official plat recorded as Instrument No. 0000-757220, Records of Twin Falls County, Idaho, also being the POINT OF BEGINNING;

Thence, N 00° 55' 28" E continuing along said East boundary and the East boundary of said **Parcel**, a distance of 241.00 feet to the Northeast Corner of said **Parcel**;

Thence, N 89° 04' 32" W (formerly N 89° 12' 21" W) along the North boundary of said **Parcel** a distance of 46.00 feet;

Thence, S 00° 55' 28" W parallel with the East boundary of said Section 3, a distance of 241.00 feet to the South boundary of said **Parcel**, and the North boundary of said FALLS EAST ESTATES NO. 2 SUBDIVISION;

Thence S 89° 04' 32" E (formerly S 89° 12' 21" E) along the South boundary of said **Parcel**, also being the North Boundary of said SUBDIVISION, a distance of 46.00 feet to the POINT OF BEGINNING.

Said tract contains 0.25 acres, more or less, and is subject to any other right-of-ways, or easements, of record or in use.

Note: Bearings shown here-on are grid and are based on the Idaho Coordinate System of 1983, Central Zone. Distances are at ground.

And the said Grantor does hereby covenant that the Grantor is the owner in fee simple of said premises; that they are free from encumbrances, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Executed and delivered this 5 day of January, 2018

Twin Falls Rural Fire Protection District

By: Jim Olson
Title: Chairman

ACCEPTANCE OF PUBLIC RIGHT-OF-WAY

Grantee City of Twin Falls, Idaho, does hereby accept dedication of the public right-of-way.

Mayor, Shawn Barigar

STATE OF IDAHO

) ss.

County of Twin Falls

On this 5th day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Jim Olson, Twin Falls Rural Fire Protection District, known or identified to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same on behalf of the Twin Falls Rural Fire Protection District.

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



Lori Williamson
NOTARY PUBLIC
Residing at: Twin Falls, ID
Commission expires: 1/28/22

STATE OF IDAHO

) ss.

County of Twin Falls

On this ____ day of _____, _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, Mayor of the City of Twin Falls, Idaho, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of the City of Twin Falls, Idaho.

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

NOTARY PUBLIC

Residing at: _____

Commission expires: _____

PUBLIC ACCESS EASEMENT

TWIN FALLS RURAL FIRE PROTECTION DISTRICT (Grantor), does hereby grant and convey a permanent access easement to the public under the jurisdiction of **THE CITY OF TWIN FALLS, IDAHO, a municipal corporation**, (Grantee) for ingress/egress of vehicles over, across and upon certain real property legally described as follows:

A portion of a tract of land as described in that certain Warranty Deed recorded as Instrument No. 2009-012033 Records of Twin Falls County, Idaho, located in the Southeast Quarter of the Southeast Quarter of Section 3, Township 10 South, Range 17 East, Boise Meridian, City of Twin Falls, Twin Falls County, Idaho; more particularly described as follows:

Commencing at an aluminum cap at the Southeast Corner of said Section 3, thence,

N 00° 55' 28" E (formerly N 00° 47' 39" E) along the East boundary of said Section 3, also being on the centerline of Eastland Drive North, a distance of 951.00 feet to the Northeast Corner of said above referenced **Parcel**;

Thence, N 89° 04' 32" W (formerly N 89° 12' 21" W) along the North boundary of said **Parcel** a distance of 46.00 feet to West right-of-way of said Eastland Drive North, being the TRUE POINT OF BEGINNING;

Thence, continuing along said North boundary line N 89°04'32" W a distance of 50.00 feet;

Thence, S 00° 55' 28" W parallel with the East boundary of said Section 3, a distance of 18.00 feet;

Thence, S 89° 04' 32" E a distance of 50.00 feet to the said West right-of-way of Eastland Drive North;

Thence, N 00° 55' 28" E along said West right-of-way a distance of 18.00 feet to the TRUE POINT OF BEGINNING.

Said tract contains 900 square feet, more or less, and is subject to any right-of-ways, or other easements, of record or in use.

Note: Bearings shown here-on are grid and are based on the Idaho Coordinate System of 1983, Central Zone. Distances are at ground.

Said Grantee shall vacate this public access easement after a reciprocal access easement or similar has been signed and recorded by those authorized for the two property owners binding the two parties utilizing the shared use approach to jointly access the shared use approach for ingress/egress.

Said Grantor does hereby covenant that the Grantor is the owner in fee simple of said premises; that they are free from encumbrances, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Executed and delivered this 5 day of January, 2018

Twin Falls Rural Fire Protection District

By: [Signature]
Title: Chairman

ACCEPTANCE OF PUBLIC ACCESS EASEMENT

Grantee City of Twin Falls, Idaho, does hereby accept dedication of the public right-of-way.

Mayor, Shawn Barigar

STATE OF IDAHO

) ss.

County of Twin Falls

On this 5th day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Jim Olson, Twin Falls Rural Fire Protection District, known or identified to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same on behalf of the Twin Falls Rural Fire Protection District.

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



[Signature]
NOTARY PUBLIC
Residing at: Twin Falls, ID
Commission expires: 1/28/22

STATE OF IDAHO

) ss.

County of Twin Falls

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, Mayor of the City of Twin Falls, Idaho, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of the City of Twin Falls, Idaho.

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

NOTARY PUBLIC

Residing at: _____

Commission expires: _____