



Twin Falls City Council Agenda

Monday, January 14, 2019, 5:00 PM

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

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) PROCLAMATIONS: None
- 4) GENERAL PUBLIC INPUT
- 5) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve the January 2, 2019, City Council Minutes.
By: Amy Luna, Finance Administrative Assistant
 - b) **ACTION ITEM:** Request to approve the January 7, 2019 City Council Minutes
By: Amy Luna, Finance Administrative Assistant
 - c) **ACTION ITEM:** Request to approve the Accounts Payable for January 3, 2019 thru January 9, 2019.
By: Amy Luna, Finance Administrative Assistant
 - d) **ACTION ITEM:** Request to approve the Women's March 2019.
By: Sergeant Justin Dimond, Twin Falls Police Department
 - e) **ACTION ITEM:** Request to approve a Trust Agreement for Kaitlyn Court Subdivision, placing Lots 1, 2, 3, 4, 5, 6, 7, 8; Block 1 in trust.
By: Troy Vitek, Assistant City Engineer
 - f) **ACTION ITEM:** Request to accept the Improvement Agreement for the purpose of developing Kaitlyn Court Subdivision.
By: Troy Vitek, Assistant City Engineer
- 6) ITEMS OF CONSIDERATION
 - a) **ACTION ITEM:** Request to expand the Sidewalk Grant Program to include Commercial Properties and increase the incentive for Residential Properties.
By: Mark Thomson, Senior Supervisor Streets
- 7) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS
- 8) PUBLIC HEARINGS

- a) **ACTION ITEM:** Request to designate portions of Washington St. N and Washington St./6th Ave. W as an approved route for truck vehicle combinations up to 129,000 pounds.
By: Jackie Fields, City Engineer

9) ADJOURNMENT

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

Wednesday, January 2, 2019, 5:00 PM

- AMENDED -

Council Chambers
203 Main Avenue East- Twin Falls, Idaho

****SPECIAL MEETING NOTICE****

The Monday, December 31, 2018, City Council meeting has been rescheduled to Wednesday, January 2, 2019.

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Shawn Barigar, Vice Mayor Nikki Boyd, Council Members Suzanne Hawkins, Chris Talkington, Greg Lanting, Christopher Reid & Ruth Pierce.

Absent: None

Staff Present: City Managers Mitch Humble & Brian Pike, City Attorney Shane Nope, Police Chief Craig Kingsbury, Fire Chief Les Kenworthy, City Engineer Jackie Fields, Information Technology Communications Manager Kathy Markus, Planning & Zoning Director Jonathan Spendlove, Finance Administrative Assistant Amy Luna.

Mayor Barigar called the meeting to order at 05:00 PM. A quorum was present.

2) PLEDGE OF ALLEGIANCE

Council Member Hawkins introduced Tom Wallin from Filer, who will lead the Pledge of Allegiance along with his cousin Parker Owens, and invited all present, who wished, to recite the Pledge of Allegiance to the Flag.

3) PROCLAMATIONS: None.

4) GENERAL PUBLIC INPUT: None.

5) CONSENT CALENDAR

MOTION: Council Member Talkington moved to approve the Consent Calendar as presented. Council Member Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- a) **ACTION ITEM:** Request to approve the Accounts Payable for December 13 thru December 26, 2018.
- b) **ACTION ITEM:** Request to approve the December 17, 2018, City Council Minutes.
- c) **ACTION ITEM:** Request to approve Resolution No. 2019-001 - Authorizing the Destruction of Records
- d) **ACTION ITEM:** Approve Alcohol License Request for The Olive Garden.

6) ITEMS OF CONSIDERATION

- a) Swearing in of five new Twin Falls Police Department Police Officers and the formal promotion of four new Corporals.

Mayor Barigar preformed the swearing in of five new Twin Falls Police Department Police Officers.

Council Member Talkington asked if all of the positions within the Police Department have been filled.

Captain Barnhart presented the formal promotion of four new Corporals.

b) **ACTION ITEM:** Request to adopt the resolution authorizing the Mayor to execute the State Local Agreement for Construction of Key 20752 Int. Washington Street and Caswell.

City Engineer Fields made a request to adopt the resolution authorizing the Mayor to execute the State Local Agreement for Construction of Key 20752 Int. Washington Street and Caswell.

MOTION: Council Member Talkington moved to adopt Resolution No. 2019-002 authorizing the Mayor to execute the State Local Agreement for Construction of Key 20752 Int. Washington Street and Caswell. Council Member Hawkins seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

c) **ACTION ITEM:** Request for permission to enter into contract negotiations with Teton Communications, Inc. for the upgrade of our existing radio system to a Trunked P25 Digital System for Police and Fire services.

Information Technology Communications Manager Markus made a request for permission to enter into contract negotiations with Teton Communications, Inc. for the upgrade of our existing radio system to a Trunked P25 Digital System for Police and Fire services.

Discussion ensued on the following:

Council Member Hawkins: Asked to have the matrix explained. What are the percentage differences between the prices?

Council Member Talkington: Commented about the need for this upgrade and asked about the warranty time frame. Does this allow for additional security?

Council Member Lanting: Was there any concern regarding the maintenance of the new system? In the matrix, has there ever been a consideration for a local company as opposed to one two hours away?

Council Member Reid: \$562,840.00, is this the total amount of funds that will be used or will there be some left over? What would be the ongoing cost for this?

Mayor Barigar: Asked for clarification of the request. Would the final contract come back to Council for approval?

MOTION: Council Member Talkington moved to approve the request for permission to enter into contract negotiations with Teton Communications, Inc., for the upgrade of our existing radio system to a Trunked P25 Digital System for Police and Fire services. Council Member Lanting seconded the motion. Roll call vote showed all members present voted in favor of the motion as presented. 7 to 0.

d) **ACTION ITEM:** Presentation of the Fiscal Year 2018 Annual Impact Fee Report.

Planning & Zoning Director Spendlove gave a presentation of the Fiscal Year 2018 Annual Impact Fee Report.

Discussion ensued on the following:

Council Member Lanting: Asked for clarification of the dates of impact.

MOTION: Council Member Lanting moved to approve the 2018 Annual Impact Fee Financial Report and initiate the Update of the Capital Improvement Plan. Ruth Pierce seconded the motion. Roll call vote showed all members present voted. 7 to 0.

e) **ACTION ITEM:** Review, Discussion, and Action on the automatic increase to Impact Fees for calendar year 2019.

Planning & Zoning Director Spendlove, presented of the automatic increase to Impact Fees for calendar year 2019.

Discussion ensued on the following:

Vice Mayor Boyd: Asked about the percentage increase as being fairly accurate?

Council Member Talkington: Spoke in favor of accepting the increase of up to 3.5%.

Council Member Lanting: Spoke in favor of accepting the increase of up to 3.5%.

Council Member Reid: Asked what the history of the impact fees have been.

Deputy City Manager Humble: Explained the history of the impact fees.

Council Member Reid: Spoke in favor of waiting a couple of months to make a decision.

Mayor Barigar: Spoke in favor of waiting as well.

Vice Mayor Boyd: Commented that this is the highest that it has been in the past. Asked how the fees would work between now and April 1st.

Council Member Hawkins: Asked about the building needs in the community.

MOTION: **Council Member Talkington** moved to approve the automatic increase to Impact Fees for calendar year 2019, not to exceed 3.5%. **Vice Mayor Boyd** seconded the motion. Roll call vote showed Council Members Talkington, Lanting & Vice Mayor Boyd voted in favor of the motion. Council Members Hawkins, Reid, Pierce & Mayor Barigar voted against the motion. Motion failed 3 to 4.

Mayor Barigar thanked Mr. Spendlove for his presentation.

7) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

Council Member Hawkins reminded everyone that the first Monday of each month the Youth Council Advisory meets at Dairy Queen on Blue Lakes at 4:00 pm.

Council Member Reid spoke about his ride along with the Twin Falls Police Department on New Year's Eve. Thanked the Police Officers for all that they do.

Council Member Talkington spoke about the Kiwanis's doing a presentation of the proposed Fire Stations improvements on January 17, 2019.

8) PUBLIC HEARINGS: None

9) ADJOURNMENT

a) **Executive Session 74-206(1) (b)** To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; and, **Executive Session 74-206(c)** To acquire an interest in real property which is not owned by a public agency.

MOTION: **Vice Mayor Boyd** moved to adjourn to Executive Session 74206(1) (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; and, Executive Session 74-206(c) To acquire an interest in real property which is not owned by a public agency. **Council Member Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

The meeting adjourned at 06:11 PM.



Twin Falls City Council Minutes

Monday, January 7, 2019, 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, Council Members Suzanne Hawkins, Chris Talkington, Gregory Lanting, Christopher Reid & Ruth Pierce.

Absent: None.

Staff Present: City Manager Travis Rothweiler, Deputy City Managers Mitch Humble & Brian Pike, City Attorney Shane Nope, City Planner Steve O'Connor, Police Chief Craig Kingsbury, Police Captain Anthony Barnhart & Matt Hicks, Fire Chief Les Kenworthy, Assistant City Engineer Troy Vitek, Grant & Community Relations Manager Mandi Thompson, Human Resource Director Gretchen Scott, Network Administrator Dee Davidson & Mike Plane, Finance Administrative Assistant Amy Luna.

Mayor Barigar called the meeting to order at 05:08 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) PROCLAMATIONS: None

4) GENERAL PUBLIC INPUT: None

5) CONSENT CALENDAR

MOTION: Vice Mayor Boyd moved to approve the Consent Calendar as presented. **Council Member Reid** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

a) **ACTION:** Request to approve the Accounts Payable for December 27, 2018 thru January 2, 2019.

b) **ACTION:** Request to approve the Final Plat for The Workman Office Condominiums, a PUD located at 2190 Village Park Avenue. (App. PZ18-0111)

6) ITEMS OF CONSIDERATION

a) **ACTION:** Request to appoint Teresa Jones, 442 Eastgate Drive, Twin Falls, ID 83301 to serve as a Library Trustee.

Twin Falls Public Library Director Tara Bartley made a request to appoint Teresa Jones, 442 Eastgate Drive, Twin Falls, ID 83301 to serve as a Library Trustee.

Discussion ensued on the following:

Council Member Talkington: What is your philosophy for Censorship?

MOTION: Council Member Pierce moved to appoint Teresa Jones, to serve as a Library Trustee. **Council Member Hawkins** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

b) **PRESENTATION:** Presentation of Spidr Tech victim notification and survey technology that the Twin Falls Police Department will be utilizing in an effort to meet some of our strategic objectives.

Police Captain Anthony Barnhart and Mandi Duffy from Spidr Technology made a presentation of Spidr Tech Victim notification and survey technology that the Twin Falls Police Department will be utilizing in an effort to meet some of our strategic objectives.

Discussion ensued on the following:

Council Member Talkington: How do you protect the information?

Council Member Reid: Asked about the phases and if we have received any feedback from the Victims yet?

Council Member Hawkins: Does this program work with the system that we have and does it require double entry? Where is the data stored?

Vice Mayor Boyd: For those who do not use text messaging/email how are they contacted?

Council Member Pierce: Are there subsequent text messages that keep the victim updated? How long until this is implemented?

Council Member Talkington: Hope that the PD would report back in six months on how this is going.

Mayor Barigar thanked the presenters.

c) **PRESENTATION:** Discussion on Reimbursement Resolution 2017-013

Assistant City Engineer Troy Vitek made a presentation/discussion of the Reimbursement Resolution 2017-013.

Discussion ensued on the following:

Council Member Talkington: Why did we change from 20 to 25 years for this?

Vice Mayor Boyd: Thanked Mr. Vitek for bringing this complicated information to them in advance.

Council Member Hawkins: How is the reimbursement commission built?

Mayor Barigar thanked Mr. Vitek for his presentation.

d) **ACTION ITEM:** Discussion and possible action on the Municipal Powers Outsource Grant (MPOG) program.

Grant & Community Relations Manager Mandi Thompson instigated discussion and possible action on the Municipal Powers Outsource Grant (IMPOG) program.

Discussion ensued on the following:

Mayor Barigar: Reiterated what happened in December and lined out what needs to happen today. Would everyone like to maintain the program for IMPOG or would they like to see a change.

MOTION: Council Member Hawkins moved to remove MPOG from the funding for this year, and move the funds back to the General fund. No second of the motion. Motion died due to lack of a second.

Council Member Talkington: Spoke in favor of keeping the MPOG program.

Council Member Lanting: Spoke in favor of keeping the MPOG program and giving the new process a chance to work.

Council Member Hawkins: Spoke again about the City funding other programs with taxpayer dollars.

Council Member Reid: Spoke about either keeping the grant process or going to a contract process.

Vice Mayor Boyd: Spoke about doing things better and maybe going to the grant process is worth a try.

Council Member Pierce: Asked what the process would look like if they went from the grant process to the contract process?

City Manager Rothweiler: Explained how the process could go.

Council Member Lanting: Would like to try the new process this year. And look at the contract process in 2020.

Council Member Hawkins: Spoke about the Council asking the community to apply to fill these needs, rather than the community coming to the Council, asking them to enter into the contract.

Mayor Barigar: Reiterated his thoughts about the City turning this process into a service contract in the future.

Council Member Talkington: Likes the idea of changing this process to a contract process for next year.

MOTION: Council Member Talkington moved to continue IMPOG process for the 2019 Fiscal Year, with the \$10,000 maximum and the revisions to the process that were adopted at the December meeting. Council Member Lanting seconded the motion. Roll call vote showed Mayor Barigar & Council Members Lanting, Pierce, Reid, Talkington voted in favor of the motion and Council Members Hawkins & Vice Mayor Boyd voted against. Motion passed 5 to 2.

7) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

City Manager Rothweiler advised about the first of two listening sessions regarding the American Heart Association's proposal to have a "Smoke Free Ordinance" within the City's corporate boundaries.

Details:

Date: Wednesday, January 16, 2019

Time: 4:00-7:00 pm

Location: Overflow Room of City Hall

This will be an open house type of meeting with an official presentation by the American Heart Association at 5:30.

2nd meeting will be held on February 7th. Same time, same format, with location to be announced at a later time.

8) PUBLIC HEARINGS: None

9) ADJOURNMENT

The meeting adjourned at 06:18 PM

Amy Luna, Administrative Assistant Finance



Date: Monday, January 14, 2019
To: Honorable Mayor and City Council
From: Sergeant Justin Dimond, Twin Falls Police Department

ACTION ITEM

Request:

ACTION ITEM: Request to approve the Women's March 2019.

Time Estimate:

Staff requests that this item be placed on the Consent Calendar.

Background:

Monika Dymerski has submitted a Special Event Application requesting to hold the Women's March 2019. This event is scheduled to take place in the Downtown Commons area on January 19, 2019. The event will begin at 9:00 a.m. and will conclude at 12:00 p.m.

There will be live entertainment in the form of speakers and singers between 9:00 a.m. and 10:30 a.m. Those wishing to participate will then march west on the sidewalk of Main Avenue. Individuals participating in the march will be required to obey all traffic and pedestrian laws. The group will walk to Idaho Street, where they will turn around and return to the Commons area.

The purpose of the march is to empower attendees and create a sense of community around shared and common interests.

Approval Process:

Consent of the Council

Budget Impact:

There is no budget impact.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Twin Falls Police Department Staff and several relevant City Staff members have approved this application request. Staff recommends that the City Council approve the Special Event Application based on the information provided.

Attachments:

None



Date: Monday, January 14, 2019
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

ACTION ITEM

Request:

ACTION ITEM: Request to approve a Trust Agreement for Kaitlyn Court Subdivision, placing Lots 1, 2, 3, 4, 5, 6, 7, 8; Block 1 in trust.

Time Estimate:

N/A

Background:

The Kaitlyn Court Subdivision is located south of the intersection of Borah Ave. W. and Rose St. N. The developer is requesting to place the aforementioned lots in trust in lieu of constructing the improvements or providing a financial guarantee.

Approval Process:

N/A

Budget Impact:

None

Regulatory Impact:

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

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that the Council accept the Trust Agreement and authorize the Mayor to sign.

Attachments:

1. Kaitlyn Court - Trust Agreement
2. Final Plat - Kaitlyn Court
3. Kaitlyn Court - Aerial Image

TRUST AGREEMENT

This Trust Agreement (the "Agreement") is made and entered into this _____ day of _____, 2019, by and between **KAITLYN COURT, LLC**, an Idaho Limited Liability Company, (hereinafter "Trustor"); **TITLEFACT, INC.**, an Idaho corporation (hereinafter "Trustee"); and the **CITY OF TWIN FALLS, IDAHO** (hereinafter "Beneficiary"), and is made with respect to the following facts and objectives:

WITNESSETH:

WHEREAS, Trustor is the owner of the real property described below (the "Property"); and

WHEREAS, it is the desire and intent of Trustor to arrange, by and through this Agreement, for the orderly development and sale of 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, in effect on the date of approval of the subdivision of the property.

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

1. That upon the execution of this Agreement by both parties, the Trustor agrees to execute and deliver to the Trustee a Warranty Deed, conveying to the Trustee, in Trust, to be held solely for the benefit of the Beneficiary, the Property, to-wit:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 1, **KAITLYN COURT SUBDIVISION**, Twin Falls County, Idaho, according to the official plat thereof recorded in Book _____ of Plats, page _____, records of Twin Falls County, Idaho.

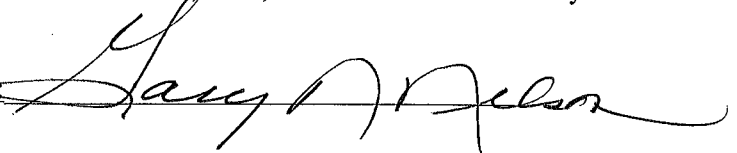
2. The Trustor and the Trustee agree that the Trustee shall hold said title to the Property in trust, solely for the benefit of the Beneficiary under the terms hereof, and that title to the Property shall be and remain good and marketable and free from any defects, liens, conditions or encumbrances of any kind or nature, other than those appearing of record in the office of the Twin Falls County Recorder, and conditions of the Phase Control Development Notice for lots in **KAITLYN COURT SUBDIVISION**, a copy of which is attached hereto as Exhibit "A," or those which are placed on the Property with the prior written consent of the Trustee. The Trustee shall not convey, transfer or encumber all or any interest in the Property, save and except to the extent as directed by the Trustor by written instrument delivered to the Trustee.
3. It is understood and agreed that the purpose of this Agreement is to provide Trustor with a convenient means of, subdividing, developing and selling the Property. It shall be the entire responsibility of the Trustor to effect such developing, subdividing and selling of the Property and to provide whatever subdivision plat it may desire and to pay all costs and expenses of said developing, subdividing and selling, and Trustee shall have no liability for any costs or expenses therefor or for any claim, damage, loss or liability sustained to the Property or Trustor or to any other person or persons in connection with said matter, save and except to the extent caused by Trustee's failure or refusal to comply with the terms and conditions of this Agreement.

4. The Trustor may, as it desires from time to time, sell all or any portion of the Property in its sole and complete discretion subject to the restrictions of the Phase Control Development Notice for lots in said subdivision. The Trustee agrees that, when it is so instructed in writing by Trustor, Trustee shall execute and deliver to the person or persons designated by Trustor, a fiduciary deed conveying good and marketable title to the Property or any part thereof as designated, and at said time the Trustor agrees to pay to Trustee any reasonable costs and expenses incurred by the Trustee hereunder and to pay the normal and customary fee for the cost of an owner's title insurance policy to be issued by *TITLEFACT, INC.*
5. It is agreed that Trustee shall not be liable or responsible for the condition of title to the Property, except as may be provided in any title insurance policy issued by the Trustee, and Trustee shall have no liability concerning possession or survey or any taxes, costs or expenses in connection with the Property, other than as herein provided.
6. It is agreed that the term of this Agreement shall expire when all of the above described Lots have been conveyed by the Trustee pursuant to Trustor's written instructions.
7. It is agreed that this Trust Agreement may not be revoked or amended without the prior written approval of the Beneficiary. If Trustee is presented with written notice of Termination by both Trustor and Beneficiary, and Trustee receives Trustor's payment of all reasonable out-of-pocket costs and expenses incurred by Trustee in connection with this Agreement, if any, the Trustee shall immediately reconvey to Trustor the remaining part of the Property; and thereafter no party hereto shall have any further liability to the others in connection with the Property or under the terms of this Agreement.
8. Trustor agrees to indemnify and save harmless Trustee from any claims, demands, judgments, costs and expenses including reasonable attorney's fees and any other obligation or liability of any kind or nature that the Trustee may for any reason suffer, incur or expend by reason of this Trust Agreement or in the administration thereof, other than for or as a result of Trustee's misconduct, breach of this Agreement, or willful neglect.
9. This Agreement shall bind the parties hereto, their heirs, representatives, successors and assigns.

Date: _____

Company

TRUSTOR:
KAITLYN COURT, LLC, an Idaho Limited Liability

BY: 

Date: _____

TRUSTEE:
TITLEFACT, INC.

BY: _____
Richard B. Stivers, Chairman of the Board

Date: _____

BENEFICIARY:
CITY OF TWIN FALLS, IDAHO

BY: _____

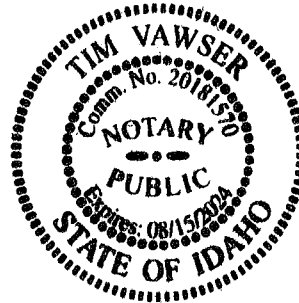
STATE OF IDAHO
County of Twin Falls

On this 11th day of December, 2018, before me, a Notary Public in and for said State, personally appeared Gary N. Nelson, known or identified to me to be a member of the limited liability company of **KAITLYN COURT, LLC, an Idaho Limited Liability Company** and the member who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that he executed the same in said limited liability company name.

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



Notary Public for Idaho
Residing in Kimberly, Idaho
Commission expires 8-15-2024



STATE OF IDAHO
County of Twin Falls

On this _____ day of _____, before me, the undersigned, Notary Public in and for said State, personally appeared **RICHARD B. STIVERS**, known or identified to me to be the Chairman of the Board of the said 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 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:

STATE OF IDAHO
County of Twin Falls

On this _____ day of _____, _____, before me, the undersigned, Notary Public in and for said State, personally appeared _____, known or identified to me to be the _____ 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"

PHASE CONTROL DEVELOPMENT NOTICE

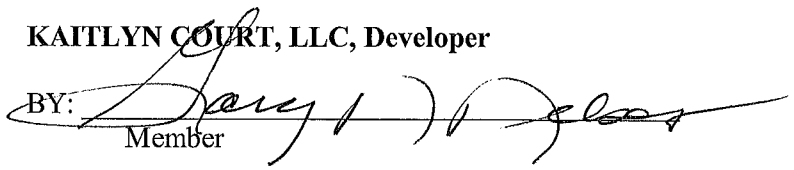
THIS NOTICE prohibits the conveyance of any undeveloped lot in **KAITLYN COURT SUBDIVISION** until such time as an Improvement Agreement for Developments between the City of Twin Falls and the Developer is recorded designating the lots and blocks in each phase which are approved for conveyance.

TITLEFACT, INC., will hold the deed to all undeveloped lots in Escrow with instructions to convey only those lots covered by the recorded Improvement Agreement for Developments.

The real property subject to this notice is **KAITLYN COURT SUBDIVISION** as platted in the records of Twin Falls County, Idaho.

Dated this 11th day of December, 2018.

KAITLYN COURT, LLC, Developer

BY: 

Member

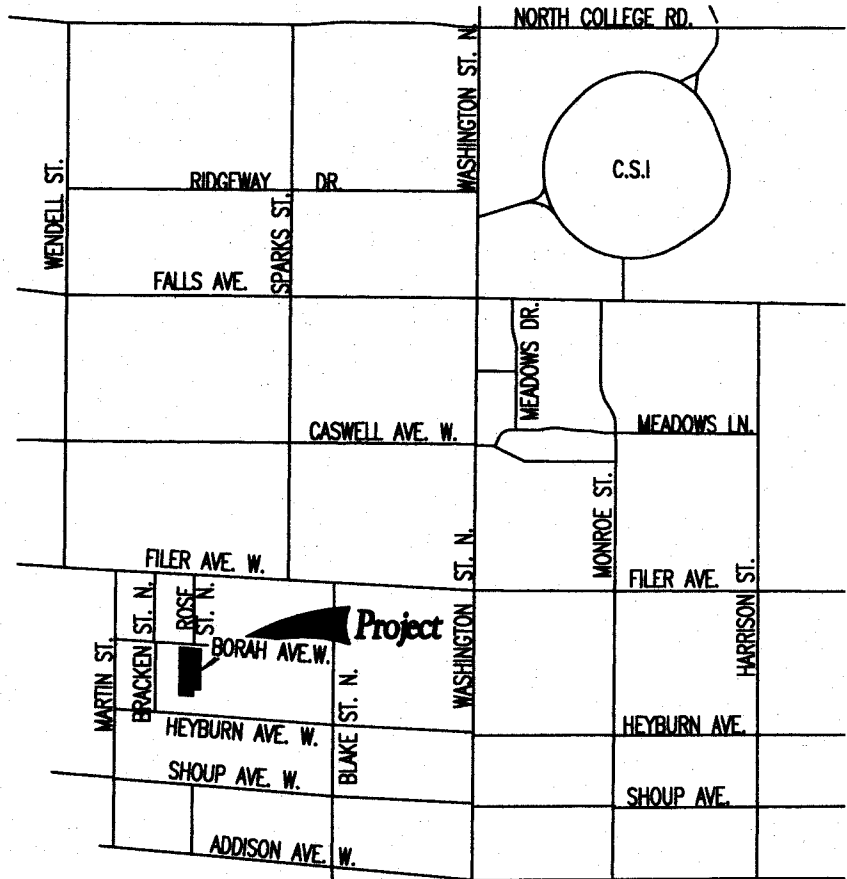
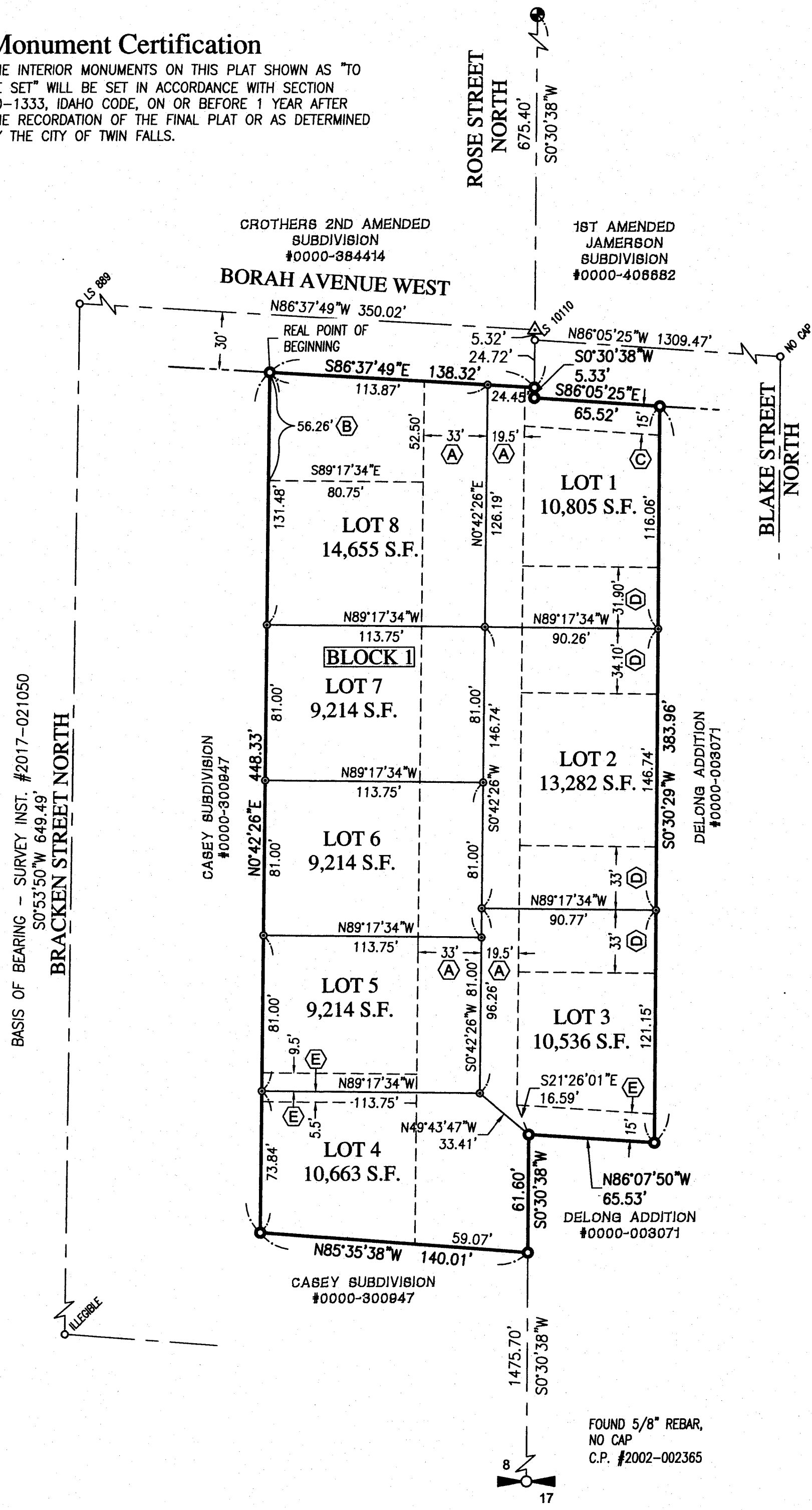
TITLEFACT, INC.

BY: _____

Richard B. Stivers, Chairman of the Board

Monument Certification

THE INTERIOR MONUMENTS ON THIS PLAT SHOWN AS "TO BE SET" WILL BE SET IN ACCORDANCE WITH SECTION 50-1333, IDAHO CODE, ON OR BEFORE 1 YEAR AFTER THE RECORDATION OF THE FINAL PLAT OR AS DETERMINED BY THE CITY OF TWIN FALLS.



Vicinity Map

n.t.s.

Survey References

#2017-021050
#2009-028307
DENTON SUBDIVISION #2009-007057
#2007-019595
#2002-000343
#2001-018472
#1999-013323
#1998-008118
#1998-003993
#1994-011624
FIRST AMENDED JAMERSON SUBDIVISION
#0000-406682
CASEY SUBDIVISION #0000-300947
DELONG SUBDIVISION #0000-003071

Deed References

#2017-013091
#2017-001081
#2011-020103
#2010-018029
#2006-008255
#636525
#498576

Easement Key

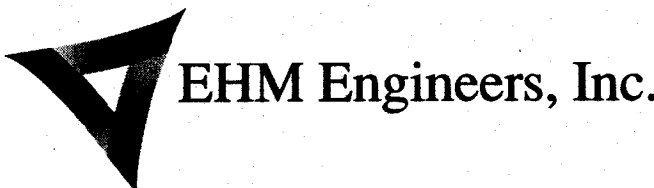
- (A) ACCESS, UTILITY, DRAINAGE & IRRIGATION EASEMENT
- (B) DRAINAGE, STORM RETENTION & UTILITY EASEMENT
- (C) UTILITY EASEMENT
- (D) ACCESS, UTILITY & DRAINAGE EASEMENT
- (E) IRRIGATION EASEMENT

Health Certificate

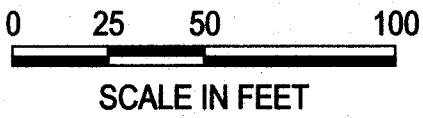
"SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED BASED ON THE STATE OF IDAHO, DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF SANITARY RESTRICTIONS. BUYER IS CAUTIONED AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER OR SEWER FACILITIES HAVE SINCE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES OR MEET OTHER CONDITIONS OF DEQ, THEN SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED."

DISTRICT HEALTH DEPARTMENT, EHS

DATE:



KAITLYN COURT SUBDIVISION
Located In
A Portion of
Lot 16, Delong Addition & Lot 1, Casey
Subdivision
In
NE 4 SW 4 & NW 4 SE 4, Section 8
Township 10 South, Range 17 East Boise
Meridian
Twin Falls County, Idaho
2019



Legend

SUBDIVISION BOUNDARY LINE	—————
QUARTER SECTION LINE	-----
EASEMENT LINE	- - - - -
ADJACENT PROPERTY LINE	- - - - -
CENTERLINE OF STREET	—————
LOT LINE	—————
CALCULATED POINT (NOT SET)	△
FOUND BRASS CAP	●
FOUND 5/8" REBAR (AS NOTED)	○
FOUND 1/2" REBAR (AS NOTED)	○
1/2" x 24" REBAR & CAP TO BE SET - LS 10110	●
FOUND 1/2" REBAR - REPLACED WITH 5/8" x 24" REBAR & CAP - LS 10110	●



CERTIFICATE OF OWNERS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OR REPRESENTATIVE OF THE OWNERS IN FEE SIMPLE OF THE FOLLOWING DESCRIBED PROPERTY, BEING A PORTION OF LOT 16 AS SHOWN ON THAT CERTAIN MAP ENTITLED "DE LONG ADDITION", RECORDED MARCH 2, 1908 AS INSTRUMENT NO. 0000-003071, OF OFFICIAL RECORDS AND A PORTION OF LOT 1 AS SHOWN ON THAT CERTAIN MAP ENTITLED "CASEY SUBDIVISION", RECORDED MAY 25, 1939 AS INSTRUMENT NO. 0000-300947, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF TWIN FALLS COUNTY, LOCATED IN THE NE4 SW4 & NW4 SE4 OF SECTION 8, TOWNSHIP 10 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1 AND BEING THE REAL POINT OF BEGINNING;

THENCE, SOUTH 86°37'49" EAST 138.32 FEET ALONG THE NORTH BOUNDARY OF SAID LOT 1 TO THE NORTHEAST CORNER THEREOF;
THENCE, SOUTH 00°30'38" WEST 5.33 FEET ALONG THE WEST BOUNDARY OF SAID LOT 16;
THENCE, LEAVING SAID WEST BOUNDARY, SOUTH 86°05'25" EAST 65.52 FEET;
THENCE, SOUTH 00°30'29" WEST 383.96 FEET;
THENCE, NORTH 86°07'50" WEST 65.53 FEET TO A POINT ON SAID WEST BOUNDARY OF LOT 16;
THENCE, SOUTH 00°30'38" WEST 61.60 FEET ALONG SAID WEST BOUNDARY;
THENCE, LEAVING SAID WEST BOUNDARY, NORTH 85°35'38" WEST 140.01 FEET TO A POINT ON THE WEST BOUNDARY OF SAID LOT 1;
THENCE, NORTH 00°42'26" EAST 448.33 FEET ALONG SAID WEST BOUNDARY TO SAID REAL POINT OF BEGINNING.

THE GROSS AREA CONTAINED IN THIS PLATTED LAND AS DESCRIBED IS 2.01 ACRES.

IT IS THE INTENTION OF THE UNDERSIGNED TO, AND THEY DO HEREBY INCLUDE SAID LAND IN THIS PLAT. THAT THE UNDERSIGNED BY THESE PRESENTS DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE ROAD RIGHT OF WAY AS SHOWN ON THIS PLAT. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES DESIGNATED ON THIS PLAT. NO STRUCTURE OTHER THAN FOR SUCH UTILITY AND OTHER DESIGNATED PUBLIC USES ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS.

PURSUANT TO IDAHO CODE 50-1334, WE, THE UNDERSIGNED, AS OWNERS, DO HEREBY STATE THAT THE LOTS ON THIS PLAT ARE ELIGIBLE TO RECEIVE WATER SERVICE FROM THE CITY OF TWIN FALLS MUNICIPAL WATER SYSTEM.

PURSUANT TO IDAHO CODE 31-3805, WE, THE UNDERSIGNED, AS OWNERS, DO HEREBY STATE THAT THE IRRIGATION WATER RIGHTS APPURTENANT AND THE ASSESSMENT OBLIGATION OF THE LANDS IN THIS PLAT HAVE NOT BEEN TRANSFERRED FROM SAID LANDS AND THAT A SATISFACTORY IRRIGATION WATER DELIVERY SYSTEM IS PROVIDED FOR AND HAS BEEN APPROVED BY THE TWIN FALLS CITY COUNCIL. LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE TWIN FALLS CANAL COMPANY.

KAITLYN COURT, LLC, AN IDAHO LIMITED LIABILITY COMPANY

BY: GARY N. NELSON, MEMBER

BY: TAYLOR MARECLE, MEMBER

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss

ON THIS DAY OF , 2019, AT M., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GARY N. NELSON, KNOWN OR IDENTIFIED TO ME TO BE A MEMBER OF KAITLYN COURT, LLC, THE LIMITED LIABILITY COMPANY THAT EXECUTED THIS CERTIFICATE OR THE PERSON WHO EXECUTED THE CERTIFICATE ON BEHALF OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC

RESIDING AT

COMMISSION EXPIRES

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss

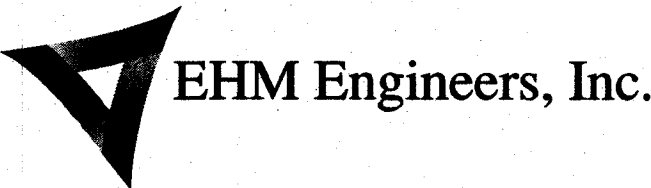
ON THIS DAY OF , 2019, AT M., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED TAYLOR MARECLE, KNOWN OR IDENTIFIED TO ME TO BE A MEMBER OF KAITLYN COURT, LLC, THE LIMITED LIABILITY COMPANY THAT EXECUTED THIS CERTIFICATE OR THE PERSON WHO EXECUTED THE CERTIFICATE ON BEHALF OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC

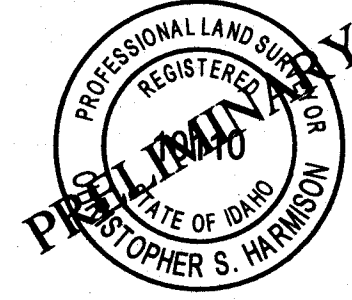
RESIDING AT

COMMISSION EXPIRES



CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT I, CHRISTOPHER S. HARMISON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, MADE THE SURVEY OF THE LAND DESCRIBED IN THE CERTIFICATE OF OWNER AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY AS MADE AND STAKED UNDER MY SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



APPROVAL OF CITY COUNCIL

THIS PLAT WAS ACCEPTED AND APPROVED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THIS _____ DAY OF _____, 2019.

MAYOR _____

CITY CLERK _____

APPROVAL OF CITY ENGINEER

I HAVE REVIEWED THE ACCOMPANYING PLAT AND HEREBY CERTIFY THAT IT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF TWIN FALLS, IDAHO.

CITY ENGINEER _____

ATTEST _____

COUNTY SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR TWIN FALLS COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATED TO PLATS AND SURVEYS.

GEORGE A. YERION
COUNTY SURVEYOR

DATE _____

ACKNOWLEDGMENT

STATE OF _____ } ss
COUNTY OF _____ }

ON THIS _____ DAY OF _____, 2019, AT _____ M., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GEORGE A. YERION, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC _____

RESIDING AT _____

COMMISSION EXPIRES _____

COUNTY TREASURER'S CERTIFICATE

I, _____, COUNTY TREASURER IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ALL COUNTY PROPERTY TAXES DUE FOR THE PROPERTY INCLUDED IN THIS PLAT HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY DAYS ONLY.

COUNTY TREASURER _____

DATE _____

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NO. _____

STATE OF IDAHO } ss
COUNTY OF TWIN FALLS }

ON THIS _____ DAY OF _____, 2019, AT _____ M., THE FOREGOING PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF TWIN FALLS COUNTY, IDAHO AND DULY RECORDED IN PLAT BOOK _____, ON PAGE _____.

DEPUTY _____

EX-OFFICIO RECORDER _____





Date: Monday, January 14, 2019
To: Honorable Mayor and City Council
From: Troy Vitek, Assistant City Engineer

ACTION ITEM

Request:

ACTION ITEM: Request to accept the Improvement Agreement for the purpose of developing Kaitlyn Court Subdivision.

Time Estimate:

N/A

Background:

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

Approval Process:

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

Budget Impact:

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

Regulatory Impact:

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

History:

N/A

Analysis:

N/A

Conclusion:

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

Attachments:

1. Kaitlyn Court - Improvement Agreement

IMPROVEMENT AGREEMENT

for

DEVELOPMENTS

This Agreement made and entered into this ____ day of ____, 20____, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City" and Kaitlyn Court, LLC hereinafter called "Developer" for the purpose of constructing certain improvements on property sought to be developed for the following Development Kaitlyn Court Subdivision.

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

WHEREAS, Developer desires to develop said real property for the following purposes: a multi-family residential development.

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

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

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

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

W I T N E S S E T H

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

I.

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

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

II.

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

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

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

III.

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

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

construction plans shall be prepared in accordance with the public agencies' standards and specifications.

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

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

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

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

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

IV.

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

V.

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

VI.

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

VII.

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

VIII.

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

IX.

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

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

X.

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

XI

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

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

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

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

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

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

XII.

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

PUBLIC WAYS

(a) Required Improvements

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

- (7) Landscaping and sidewalk placement required adjacent to arterial and collector streets: A tract of land eleven feet (11') in depth behind the curb line will be dedicated as part of any residential development adjacent to arterial and collector streets. Within that tract the developer shall install landscaping six feet (6') in depth with a sprinkler system and with grass and trees behind the curb line and shall also install a five foot (5') sidewalk. The landscaping will be maintained by the city and funded through a fee added to the water bill of each account within the development. Irrevocable restrictive covenants for this development and maintenance shall provide for this funding. TFCC §10-12-4.2(O).
- (8) Street signs and traffic control devices on all public streets.
- (9) Street lights as determined by City policy for street light installation.
- (b) City Costs
 - (1) The cost of any street signs or traffic control devices installed by the City on new or existing streets.
 - (2) The cost of any required street lights (standard luminaires mounted on a wood pole). The Developer shall pay the extra cost of any decorative luminaires or poles. Prior approval will be required, and the cost of maintenance, replacement and power usage will be considered.
- (c) Required Inspections and Testing
 - (1) All inspections and testing shall be as required by City of Twin Falls Standard Specifications.

WATER SYSTEM

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

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

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

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

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

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

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

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

(b) City Costs

- (1) None.

(c) Required Inspections

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

WASTE WATER COLLECTION SYSTEM

(a) Required Improvements

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

(b) City Costs

(1) None.

(c) Required Inspections and Testing

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

DRAINAGE SYSTEM

(a) Required Improvements

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

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

(b) City Costs

(1) None.

(c) Required Inspections and Testing

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

GRAVITY IRRIGATION SYSTEM

(a) Required Improvements

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

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

PRESSURE IRRIGATION SYSTEM

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

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

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

SPECIAL FEATURES

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

a) Required Improvements

~~Developer will install curb and gutter in Borah Avenue to the previously approved City of Twin Falls Std. Dwg. C-3 to be consistent with existing curb and gutter. A private pressurized irrigation system will be installed to provide irrigation water to the lots.~~

b) City Costs

(1) None.

XIII.

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

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

XIV.

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

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

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

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

XV.

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

XVI.

In the event of a breach of Agreement, or should legal action of any kind be taken to enforce the provisions, hereof, the prevailing party shall be entitled to reasonable attorney fees and costs awarded by the Court.

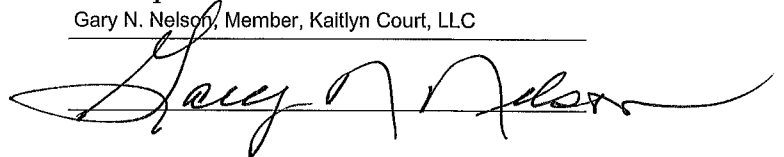
Attest:

CITY OF TWIN FALLS, IDAHO

City Clerk_____
Mayor

Developer

Gary N. Nelson, Member, Kaitlyn Court, LLC



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

On this ____ day of _____, 20____, before me, the undersigned, a Notary Public for Idaho, personally appeared _____, known to me to be the persons whose names are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

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

Notary Public for Idaho
Residing at Twin Falls, Idaho

CORPORATION

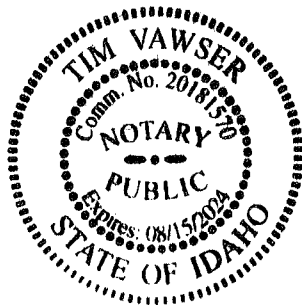
STATE OF IDAHO)
)ss.
County of Twin Falls)

On this ____ day of _____, 20____, before me, the undersigned, a Notary Public for Idaho, personally appeared _____, known or identified to me (or proved to me on the oath of _____) to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public for Idaho
Residing at Twin Falls, Idaho

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

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




Notary Public for Idaho
Residing at Twin Falls, Idaho
Kimberly

NOTICE OF DEVELOPER'S AGREEMENT

NOTICE IS HEREBY GIVEN, that a document entitled "Improvement Agreement for Developers" (hereafter "Agreement") has been executed and filed with the City of Twin Falls, Idaho, for the following named subdivision:

Kaitlyn Court Subdivision

The Agreement imposes certain obligations upon the developer for the development of the subject property, and upon the developer's heirs, successors in interest and lawful assigns. Details of the conditions and obligations may be found by examining or photocopying the Agreement at the Office of the City Engineer, 321 2nd Avenue East, Twin Falls, Idaho 83301.

CITY OF TWIN FALLS, IDAHO

City Clerk

Mayor

Developer

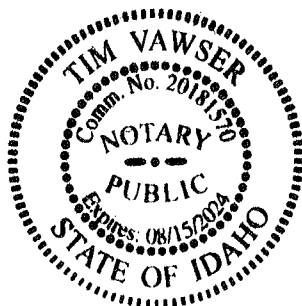
Gary N. Nelson, Member, Kaitlyn Court, LLC

Gary N. Nelson

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

On this 11th day of December, 2018, before me, the undersigned, a Notary Public for Idaho, personally appeared Gary N. Nelson, known to me to be the persons whose names are subscribed to the within instrument on behalf of said Owner and acknowledged to me that said Owner executed the same.

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



Kimberly

Notary Public for Idaho
Residing at Twin Falls, Idaho
Kimberly



Date: Monday, January 14, 2019
To: Honorable Mayor and City Council
From: Mark Thomson, Senior Supervisor Streets

ACTION ITEM

Request:

ACTION ITEM: Request to expand the Sidewalk Grant Program to include Commercial Properties and increase the incentive for Residential Properties.

Time Estimate:

10 Minute Presentation plus time for Council Questions.

Background:

The City of Twin Falls recognizes that the maintenance and repair of existing sidewalks within the City is necessary to protect the health, safety and welfare of residents and visitors. City Code, 8-2-12, places sole responsibility for sidewalk maintenance and repair upon adjacent property owners.

Over the past several years, "Non-motorized means of transportation are gaining stature. A growing investment in pedestrian and bicycle infrastructure has been made and continued. Significant interest was expressed in the community to place greater emphasis in this area." Because of this, the Sidewalk Grant Program was originally developed and funded in FY 2017 to financially assist residential property owners with their responsibility to maintain sidewalks.

For the past two years, City Council has approved \$50,000 annually. Some applications were approved and some funds dispersed; however, most of the budgeted grant dollars were unrealized and returned to reserves. During this time period, several commercial property owners showed interest in applying for the program. Because the program was strictly for residential properties, the City rejected these applications.

Approval Process:

Requires Council Approval

Budget Impact:

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends expanding the Sidewalk Grant Program to include commercial property owners and increase the incentive for residential property owners, as outlined in the attached Sidewalk Grant Application. This expansion is in alignment with our City Strategic Plan (2018) Accessible Community Objective AC2.2.2, "Continue to offer the sidewalk replacement 50% grant program, and consider expanding the program to non-residential properties."

In the future, Staff shall continue to place a priority to fund as many eligible grant applications as possible. However, in the interest of making every budgeted dollar count, Staff requests Council's approval to distribute any remaining un-awarded grant funds to the City's Sidewalk Crew for the sole purpose of investing in the procurement of sidewalk materials, tools or equipment strictly in support of sidewalk of construction.

Attachments:

1. COTF Commercial&Residential Sidewalk Grant Application 2019 (FINAL)

SIDEWALK REPAIR GRANT APPLICATION



Program Background

The City of Twin Falls recognizes that the maintenance and repair of existing sidewalks within the city is necessary to protect the health, safety and welfare of residents and visitors. City Code (8-2-12) places sole responsibility for sidewalk maintenance and repair upon adjacent property owners.

This program was developed in recognition that this obligation can come with significant cost. The primary goal of the program is to facilitate the property owner's responsibility to improve damaged Right-of-Way sidewalks so they are safe and passable by the general public.

Grant Eligibility

1. Applications will be accepted for residential and commercial properties.
2. Property owners may only apply for one grant per property in a calendar year.
3. Applications must be received and approved by the City before the work begins. Retroactive applications will not be accepted.
4. The intent of the grant program is to improve sidewalk access. Therefore, eligible sidewalks must either impede access or not comply with the American with Disabilities Act (ADA). Condition assessment shall be determined at the sole discretion of the City and prior to the start of work. Sidewalks with cosmetic damage only are not grant eligible.
5. Grant funds may cover a portion of the cost of sidewalk repair/replacement and potential need for removal and replacement of Right-of Way trees (trees within the City Right-of-Way). Grant funds may only be used for the removal and replacement of Right-of-Way trees when necessary to repair/replace existing sidewalks in the public Right-of-Way. Pursuant to City Code Title 8-4-6, a Permit for Tree Removal must be approved by the Tree Commission and issued through the Parks and Recreation Department prior to the removal and replacement of any tree located in the Right-of-Way. Grant funding for tree removal and replacement must coincide with an adjacent sidewalk improvement and may not be used for tree removal only.
6. The work shall be done by a Contractor with a current Idaho Bureau of Occupational Licenses (IBOL) contractor's license.

Use of Funds

1. Grant funds may be used for repair/replacement of existing sidewalks that are deteriorated or that do not comply with the Americans with Disabilities Act (ADA) in the public Right-of Way and for removal and replacement of Right-of Way Trees that conflict with or disrupt adjacent Right-of-Way sidewalks.
2. Property owners are responsible for obtaining and complying with the conditions of City permits for jobs requiring removal and replacement of Right-of-Way trees and/or sidewalk repair or replacement. Contractors removing trees need to have a City License from Parks and recreation.
3. In order to access grant funds, property owners must obtain an approved grant application. The maximum grant reimbursement for sidewalks shall be :
 - Commercial Properties: 50% of the lowest bid or 50% of the actual invoiced amount, whichever is less, up to \$3,000, regardless of who the property owner chooses for the work.

- Residential Properties: 75% of the lowest bid or 75% of the actual invoiced amount, whichever is less, up to \$3,000, regardless of who the property owner chooses for the work.
4. Additional Grant funds may be awarded for the removal of Right-of-Way-Trees. The maximum grant reimbursement for trees shall be:
 - Commercial Properties: 50% of the lowest bid or 50% of the actual invoiced amount, whichever is less, up to \$1,000, regardless of who the property owner chooses for the work.
 - Residential Properties: 75% of the lowest bid or 75% of the actual invoiced amount, whichever is less, up to \$1,000, regardless of who the property owner chooses for the work.
 5. For sidewalk repairs where removal is not required, such as grinding or leveling, the maximum grant reimbursement shall be:
 - Commercial Properties: 50% of the actual invoiced cost, up to \$1,500.
 - Residential Properties: 75% of the actual invoiced cost, up to \$1,500.
 6. Grant applications may be submitted after November 1st through August 1st. All grant awards will be made on a first-come, first-served basis, subject to project approval and the availability of funds in the City budget. Once the budgeted amount has been expended, no further awards will be made. Grant awards shall expire after 90 days and funds will not be distributed to applicants with expired grants. Applicants may request a 90 day extension prior to expiration or as needed.
 7. The lack of sufficient funds to cover the number of applications received by the City in any given year will not excuse the property owner from the responsibility of maintaining the adjoining sidewalk in a safe condition nor create any liability to the City for any unsafe sidewalks.

Procedure

Step 1. Property owner submits completed application with two competitive bids before the work begins.

Property owners will solicit at least two competitive bids from licensed contractors for the sidewalk work and two competitive bids for projects that may have Right-of Way-Trees to remove and replace. All bids must be submitted with a completed grant application. Completed applications may be scanned and e-mailed to: sidewalkgrant@tfid.org, hand delivered to the Engineering Department located in City Hall (2nd Floor) at 203 Main Ave. E., or mailed to the Engineering Department, City of Twin Falls, PO Box 1907, Twin Falls, ID 83303, Twin Falls. Applications must be signed by the owner of the subject property. Incomplete applications may be rejected.

Step 2. City confirms grant eligibility and approves application. After applications are submitted and prior to the start of work, the City will inspect the proposed project to verify grant eligibility. Upon field verification, the Sidewalk Repair Grant Application will be approved, subject to available funds, and the property owner will be notified to proceed. The work must then begin within 30 days and completed within 90 days. If the work is expected to take longer than 90 days, applicant may request an extension. The City will not reimburse expired applications.

Step 3. Work begins, Property owner selects contractor, obtains permits, calls for inspections and completes work. A Right-of Way permit is required prior to the removal and replacement of concrete within the public right-of-way and can be obtained for \$10 from the Engineering Department located in

City Hall (2nd Floor) at 203 Main Ave. E., 208- 735-7248. A Permit for Tree Removal is required prior to the removal and replacement of any trees in the public right-of-way and can be obtained at no cost from the Parks and Recreation Department located at 136 Maxwell Ave., 208-736-2265. City Field Inspections can be scheduled by calling the Engineering department (208) 735-3446.

Step 4. Property owner pays contractor & submits Reimbursement Request with final invoice. After the work is completed, the property owner shall notify the Engineering Department and request a final inspection. Once the work is inspected and approved by the City of Twin Falls, the property owner may submit a reimbursement request with the final invoice from the contractor to the Engineering Department located in City Hall (2nd Floor) at 203 Main Ave. E. or by mail to Engineering Department, City of Twin Falls, PO Box 1907, Twin Falls, ID 83303.

Step 5. City approves reimbursement request and mails check to property owner. Upon approval by the City, the grant funds will be disbursed in accordance with the terms of the Sidewalk Grant Program.

Questions?

Please Contact Engineering Department 208-735-7248



SIDEWALK REPAIR GRANT APPLICATION

Owner Applicant Name: _____

Circle one: Residential Commercial

Mailing Address: _____

Phone Number(s): _____

Email Address: _____

Project Location Address: _____

Project description: _____

Size of project: _____ square feet Estimated Cost: _____

Attach Copies of Sidewalk Bids:

_____ \$ _____

_____ \$ _____

Tree Removal Required: Yes No

Attach Copies of Tree Removal Bids:

_____ \$ _____

_____ \$ _____

Certification: _____

By signing this application, I certify that, 1) I am the legal owner of the property where the proposed sidewalk repair project will take place, 2) that all the information on this application and accompanying material is true and accurate to the best of my knowledge. If awarded a grant, I agree to comply with all the rules and conditions set forth in the application packet and on the permit forms.

Signature: _____ Date: _____

Applications are available online at www.tfid.org and may be emailed to: sidewalkgrant@tfid.org; or by mail to Engineering Department, City of Twin Falls, PO Box 1907, Twin Falls, ID 83303.



PO Box 1907

203 Main Ave. East

Twin Falls, ID 83301-1907

Phone (208) 735-7265

CITY OF TWIN FALLS RIGHT-OF-WAY PERMIT FOR: SIDEWALK / CURB & GUTTER / DRIVEWAY

PROPERTY OWNER: _____

ADDRESS: _____ PHONE: _____

CONTRACTOR: _____ PHONE: _____

CONTRACTOR CONTACT PERSON: _____ CELL PHONE: _____

DESCRIPTION OF WORK: _____

NEW CONSTRUCTION _____ REMOVE & REPLACE EXISTING _____

SKETCH SHOWING AREA OF WORK: On Permit _____ See Attachment _____

PROPERTY CLASSIFICATION: Commercial _____ Multi-Family _____ Residential _____

As the applicant, I understand the conditions of the permit and will comply with the requirements set forth therein. Non-compliance to these conditions may affect approval of future right-of-way permits.

Signature: _____ Date: _____

\$10.00 PERMIT FEE: Collected by: _____ Date: _____

This permit is for the use of the City right-of-way only. No survey has been conducted by the City to determine the location of the right-of-way in this permit. Verification of right-of-way is the responsibility of the applicant. This permit does not alter franchise agreements. This permit is valid for 90 days from the approval date.

Engineering Dept. Approval

Date

Engineering Dept. Final Sign Off

Date

- Please contact **Darren Scott** at **308-1865** or at dscott@tfid.org; or **Garry Denton** at **308-7255** or at gdenton@tfid.org for final sign off to close out this permit.
- See Page 2 for construction, inspection & testing requirements.

Construction Requirements:

- Applicant must contact DIGLINE at 1-800-342-1585, 811, or through the WebTicket Program via their website at www.digline.com. Underground utilities must be located and marked prior to any excavation work.
- All construction must meet the 2015 Idaho Standards for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the 2015 ISPWC (City Revisions). City Revisions including standard drawings can be found on the City website at www.tfid.org.
- All construction materials must be from a source approved by the City of Twin Falls Engineering Department (gravel, concrete, asphalt, etc.). These requirements include the asphalt patch-back in the street to the adjoining curb & gutter.
- Applicant is responsible for site safety during construction activities including traffic control.
- Applicant must provide a traffic control plan, which must be approved by the City, if there are to be lane or roadway closures.
- The applicant must give the City 24 hours notice before any lane or roadway closures are permitted. Please contact Mark Thomson at 208-308-7326 with closure information.
- Applicant must provide a map of the area the work will be taking place.

Inspections & Testing Requirements:

1. A **visual inspection** is required on all subgrade dirt work.
2. **Inspection & testing** is required on gravel base and concrete forms for sidewalk, curb & gutter & driveway.
3. **Inspection & testing** is required on gravel base for street section for asphalt patch-back.
4. **Visual inspection with final sign off** by City Engineering Department. Please contact Darren Scott at 308-1865 or Garry Denton at 308-7255 for final inspection and sign off.

Projects UNDER 50 linear feet: Shall be tested & inspected by the City Engineering Department. Please contact **Darren Scott** at **308-1865** or dscott@tfid.org; or **Garry Denton** at **308-7255** or gdenton@tfid.org to arrange for testing and inspections. **24 hour notice is required.**

Projects OVER 50 linear feet: Shall be tested and inspected by an **independent firm**. The independent firm shall follow the required inspection process as listed above and submit all testing & inspection documents to the City Engineering Department.

Sketch below or attach map:



Date: Monday, January 14, 2019
To: Honorable Mayor and City Council
From: Jackie Fields, City Engineer

ACTION ITEM

Request:

ACTION ITEM: Request to designate portions of Washington St. N and Washington St./6th Ave. W as an approved route for truck vehicle combinations up to 129,000 pounds.

Time Estimate:

Presentation will be 15 minutes with time for testimony

Background:

Idaho Transportation Department (ITD) has designated several sections of State Highway as approved routes for vehicle combinations up to 129,000 pounds. These routes include all of US-30 (Addison Ave. W, the 2nds, Kimberly Road), US-93 spur (Blue Lakes Blvd. Proper), SH-74 (Washington St. S). Recently, ITD received a request to consider designation of a route that includes Blue Lakes Blvd. N. between the Perrine Bridge and Addison Ave. These route requests are made by a proponent which, in this case, is Glanbia Nutritionals. Staff discussed the request with Glanbia. The conversation included the staff belief that the City did not want Blue Lakes Blvd to be a primary route for through truck traffic and the City's concern that truck traffic would continue on Shoshone St. further deteriorating this roadway.

City Staff approached the City Council on September 24 and October 1, 2018 at which time the City Council reaffirmed the City's desire to reduce truck traffic on Blue Lakes Blvd. N as much as possible. The City Council reaffirmed its commitment to the resolution 885 passed in 1964 which designated Washington St. N from Poleline Road south to Addison and Washington St. /6th Ave W from Addison to Shoshone St. (SH-74). The discussion included addressing the possibility of designating Washington St. / Washington St. N. and Poleline Road as a suitable alternative to Blue Lakes Blvd. Staff reflected this response in testimony at the ITD hearing and in a letter to ITD.

Subsequently, ITD received a request to designate the portion of Blue Lakes North, from the Perrine Bridge to Poleline Road, and Poleline Road from Blue Lakes Blvd, to Washington St. North as a route for vehicles up to 129,000 pounds.

Approval Process:

The City Council considers public testimony. The City Council may choose to direct staff to present an affirming resolution for the entire route or for the portion of the route that is Washington St. North. Approval of a resolution would occur at a subsequent City Council meeting and would then be forwarded to ITD for reference.

Budget Impact:

This request will not impact the budget.

Regulatory Impact:

If approved, the City will issue permits for vehicles between 105,500 and 129,000 pounds on the approved route.

History:

N/A

Analysis:

This agenda item is to consider designation of 6th Ave. W, Washington St., and Washington St. North as an approved route for vehicles up to 129,000 pounds. This would make a north-south connection for these loads through the City. Before designating this route, analysis must be done to evaluate the sufficiency of the road. This report concludes that this route is acceptable.

Approval of this route does not automatically permit any overweight vehicle. Permits still need to be secured from the City. Use of the route by vehicles over 105,500 pounds doesn't permit these vehicles to use other city streets; the route is specifically approved by permit.

Conclusion:

Staff recommends that the City Council designate Washington Street North, between Poleline Road and Addison Ave., and Washington St/6th Ave. W, from Addison to Shoshone St. as an approved route for combination truck loads up to 129,000 pounds.

Attachments:

1. RoutesApproved_129k_D4
2. 2018-10-01 agenda item 129 Route Designation
3. 2018-10-17 City to ITD re glanbia 129k route designation request
4. 2018-10 129 request to ITD
5. 2018-10 ITD 129k eval
6. Wshington St 129 request map
7. NIATT-Route-Request-Guideprint page a1
8. sample truck configurations



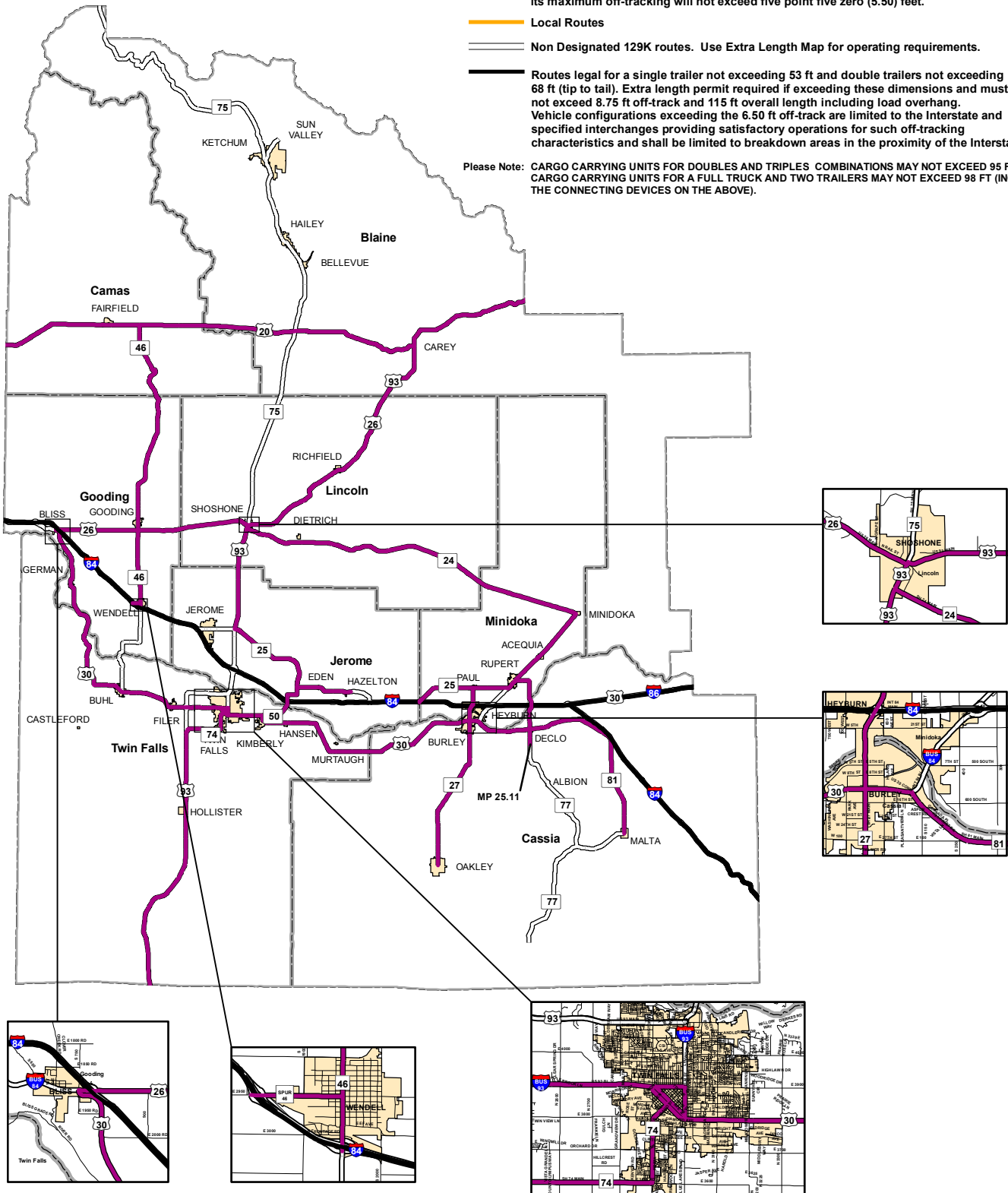
March 19, 2018

District Four Designated Routes up to 129,000 Pounds Idaho State Highway System

Legend

- Designated routes for combinations of vehicles not exceeding one hundred fifteen (115) feet in overall length including load overhang (magenta-coded routes). A vehicle combination operating on routes designated for up to one hundred fifteen (115) feet shall be designed and assembled in a manner whereby its maximum off-tracking will not exceed six point five zero (6.50) feet.
- Designated routes for combinations not exceeding ninety-five (95) feet in overall length including load overhang (brown-coded routes). A vehicle combination operating on routes designated for up to ninety-five (95) feet shall be designed and assembled in a manner whereby its maximum off-tracking will not exceed five point five zero (5.50) feet.
- Local Routes
- Non Designated 129K routes. Use Extra Length Map for operating requirements.
- Routes legal for a single trailer not exceeding 53 ft and double trailers not exceeding 68 ft (tip to tail). Extra length permit required if exceeding these dimensions and must not exceed 8.75 ft off-track and 115 ft overall length including load overhang. Vehicle configurations exceeding the 6.50 ft off-track are limited to the Interstate and specified interchanges providing satisfactory operations for such off-tracking characteristics and shall be limited to breakdown areas in the proximity of the Interstate system

Please Note: CARGO CARRYING UNITS FOR DOUBLES AND TRIPLES COMBINATIONS MAY NOT EXCEED 95 FT AND THE CARGO CARRYING UNITS FOR A FULL TRUCK AND TWO TRAILERS MAY NOT EXCEED 98 FT (INCLUDING THE CONNECTING DEVICES ON THE ABOVE).





Date: Monday, October 1, 2018
To: Honorable Mayor and City Council
From: Jackie Fields

ACTION ITEM

Request:

Request to approve comments on the proposed request for designated routes up to 129,000 pounds from Glanbia to ITD.

Time Estimate:

15 minutes

Background:

The Idaho Transportation Department (ITD) will hold a hearing on October 4, 2018 to accept comments with regard to the designation of a route for vehicles with weights up to 129,000 pounds. The route under consideration is on US-93 from the junction of SH-25, near Jerome, to the intersection of Blue Lakes Blvd. and Poleline Rd. and then on US-93BL/Blue Lakes Blvd. to the intersection of Addison, Blue Lakes Blvd. and Shoshone St. The application for consideration was made by Glanbia. A "designated route" means the route will become part of the toolkit used by the permitting staff for ITD for transit of freight within the approvable weights; entities will still need to secure a permit from ITD but it will occur without a lengthy, public process. The City Council considered this topic on September 24, 2018 and directed staff to return tonight with a presentation that incorporates their input. Staff will make the following presentation and will prepare a letter with identical information, unless amended by the City Council.

- The City values its industries, businesses and citizens. All of these entities are an important part of the Twin Falls community.
- Glanbia is a responsible and engaged member of the Twin Falls Community. They are a significant employer with a broad range of employment opportunities. The City values Glanbia's contributions and wants Glanbia to continue to grow and prosper.
- Glanbia is seeking efficient routes for transit of all its raw materials and products and wishes to do so in a collaborative manner.
- The City supports the need of businesses and industries to have freight services for deliveries and distribution of products and will do its best to collaborate in a manner that serves the entire community.
- The City is concerned about the short term reliability of Shoshone St. as a route for truck traffic and would prefer freight that is passing through to utilize a different route. Further, the City is interested in continuing the development of the Downtown area as a gathering place for community events with a heavy pedestrian component. Glanbia's Transportation Operation Manager has been working with the City to identify a suitable alternative to a route that passes directly through the City's Downtown core.
- The City's concern with the proposed route designation is confined to the portion of the route within the City limits, specifically the route south of the Perrine Bridge.

- US-93BL/Blue Lakes Blvd. from Poleline Road to Addison Avenue is a busy commercial corridor. The congestion is increasing difficult to address over time. Accidents litter this section of Blue Lakes. The City believes that a portion of the accidents result from driver frustration at the delays and subsequent poor judgement. The accidents exacerbate the congestion, as does the signal actuation by emergency service responders who address these accidents and other incidents in the vicinity. The slow acceleration of freight traffic does not help this situation.
- The City Council would like to minimize the freight component of traffic through the corridor. We understand that deliveries are still a necessary and important component for a healthy commercial district.
- Minimizing truck traffic on Blue Lakes Blvd is an important and long-standing community value as evidenced by the passage of Resolution 886 and Ordinance 1248, in 1964, which established truck routes on City streets.
- The City would like freight traffic to utilize US-93 from the Perrine Bridge to the intersection of Washington St. North, via Poleline Rd., and diverge from there to Washington St. North until the freight can return to the State Highway system at US-30/Addison Avenue or SH-74/ Shoshone St.- Washington St. South.
- The City is committed to coordinating with Glanbia to use Washington St. North from its intersection at Poleline Rd. to Addison Ave.
- The City requests that ITD does not approve the portion of the route on US-93BL/ Blue Lakes Blvd. from Poleline Road to Addison Ave.

Approval Process:

City Council may amend or approve comments by consensus or vote, as the Council's prefers.

Budget Impact:

n/a

Regulatory Impact:

n/a

History:

N/A

Analysis:

n/a

Conclusion:

Staff recommends that the Council identify amendments to the comments or approve as written .

Attachments:

1. Truck Route Resolution
2. RoutesApproved_129k_D4



P.O. Box 1907

203 Main Avenue East

Twin Falls, Idaho 83303-1907

208-735-7248

ENGINEERING

October 17, 2018

Mr. Travis McGrath
Chief Operations Officer
Idaho Transportation Department
P.O. Box 7129
Boise ID 83707

RE: Glanbia Nutritionals' Request for Designated Routes up to 129,000 Pounds
US93/US-93BL Application

Dear. Mr. McGrath,

The Idaho Transportation Department (ITD) held a hearing on October 4, 2018 to accept comments with regard to the designation of a route for vehicles with weights up to 129,000 pounds. The route under consideration is on US-93 from the junction of SH-25, near Jerome, to the intersection of Blue Lakes Blvd. and Poleline Rd. and then on US-93BL/Blue Lakes Blvd. to the intersection of Addison, Blue Lakes Blvd. and Shoshone St. The application for consideration was made by Glanbia.

This topic was discussed by the City Council on September 24 and October 1, 2018. The City Council understands that a "designated route" means the route will become part of the toolkit used by the permitting staff for ITD for transit of freight within the approvable weights and that entities will still need to secure a permit from ITD but it will occur without a lengthy, public process. On behalf of the City Council and the City Manager, I presented the following information at the hearing.

The City values its industries, businesses and citizens. All of these entities are an important part of the Twin Falls community. Glanbia is a responsible and engaged member of the Twin Falls Community. They are a significant employer with a broad

range of employment opportunities. The City values Glanbia's contributions to the community and wants Glanbia to continue to grow and prosper. Glanbia is seeking efficient routes for transit of all its raw materials and products and wishes to do so in a collaborative manner.

The City supports the need of businesses and industries to have freight services for deliveries and distribution of products and will do its best to collaborate in a manner that serves the entire community. The City is concerned about the short term reliability of Shoshone St. as a route for truck traffic and would prefer freight that is passing through to utilize a different route. Further, the City is interested in continuing the development of the Downtown area as a gathering place for community events with a heavy pedestrian component. Glanbia's Transportation Operation Manager has been working with the City to identify a suitable alternative to a route that passes directly through the City's Downtown core.

The City's concern with the proposed route designation is confined to the portion of the route within the City limits, specifically the route south of the Perrine Bridge. US-93BL/Blue Lakes Blvd. from Poleline Road to Addison Avenue is a busy commercial corridor. The congestion is increasing difficult to address over time. Accidents litter this section of Blue Lakes. The City believes that a portion of the accidents result from driver frustration at the delays and subsequent poor judgement. The accidents exacerbate the congestion, as does the signal actuation by emergency service responders who address these accidents and other incidents in the vicinity. The slow acceleration of freight traffic does not help this situation. The City Council would like to minimize the freight component of traffic through the corridor.

We understand that deliveries are still a necessary and important component for a healthy commercial district. However, minimizing truck traffic on Blue Lakes Blvd is an important and long-standing community value as evidenced by the passage of Resolution 886 and Ordinance 1248, in 1964, which established truck routes on City streets.

The City would like freight traffic to utilize US-93 from the Perrine Bridge to the intersection of Washington St. North, via Poleline Rd., and diverge from there to Washington St. North until the freight can return to the State Highway system at US-30/Addison Avenue or SH-74/ Shoshone St. - Washington St. South. The City is committed to coordinating with Glanbia to use Washington St. North from its intersection at Poleline Rd. to Addison Ave. We also have been informed that the City does not have statutory to permit over 105,000 pounds on any City street and will work with ITD's permitting section to opt-in for this segment of Washington St. North, Washington St. South/6th Ave. W to facilitate use of this route by trucks that do not need to deliver product to businesses on Blue Lakes North between Poleline Road and Addison Avenue.

The City requests that ITD does not approve the portion of the route on US-93BL/ Blue Lakes Blvd. from Poleline Road to Addison Ave.

I am grateful that the District Engineer/staff and the Freight Program Manager/staff have been very helpful in finding a direction that enabled both the City and its industrial partners (Glanbia and future corporations), to find an acceptable route.

If you have any questions or need more information, please contact me at 208-308-7273 or jfields@tfid.org.

Sincerely,

A handwritten signature in blue ink, reading "Jacqueline D. Fields P.E.", with a stylized flourish at the end.

Jacqueline D. Fields, P.E.
City Engineer



Request For Designated Routes Up To 129,000 Pounds

ITD 4886 (Rev. 03-14)
itd.idaho.gov

CASE # 2018034593

Idaho Transportation Department

This form is designed to be completed electronically. If completing manually and additional space is needed, continue the narrative on the reverse side. Correspond the number of the section on the front with the continuation on the reverse.

Company Name Glanbia Nutritionals		Contact Person's Name Drew Adams	
Contact Phone Number (208) 934-9824	Fax Number (208) 934-9434	E-Mail Address dadams@glanbia.com	
Company Address 121 4 th Ave. South		City Twin Falls	State ID Zip Code ID 83301

State Highway Route(s) Requested

Vehicles operating on the requested routes cannot exceed the maximum overall length or off-track as shown on the Extra Length Map at <http://www.itd.idaho.gov/dmv/poe/documents/extra.pdf>. Submit a map with requested route(s) along with this completed form.

Highway Number	Beginning Milepost	Ending Milepost
93	48.26	58.8

Highway Number	Beginning Milepost	Ending Milepost

Local Route(s) Requested

Roadway Name(s)	Beginning Milepost	Ending Milepost	Jurisdiction Name	Date Request Sent
Washington Street	0.0	1.96	City of Twin Falls	10/2/2018

Reasons for Request - Continue on reverse side if necessary, corresponding the number of the section with the continuation.

1. Justification

Glanbia currently hauls 950,000 pounds of liquid whey daily from our Twin Falls plant to our Richfield plant. This is approximately 14 loads per day hauled at 105,000 pounds. All of this product currently travels along the requested route. Highway 93 south of Twin Falls and north of Jerome is already approved for 129,000 pound trucks.

2. Associated Economic Benefits

Allowing trucks to haul at the heavier weight limit will reduce three trips per day or over 1,000 loads per year. This will be a reduction in loaded trucks as well as empty trucks.

3. Approximate Number of Trips Annually

At 105,000 pounds 5,110

At 129,000 pounds 4,015

4. Commodities Being Transported

Liquid whey.

5. Anticipated Start Date to Use Requested Routes Upon approval

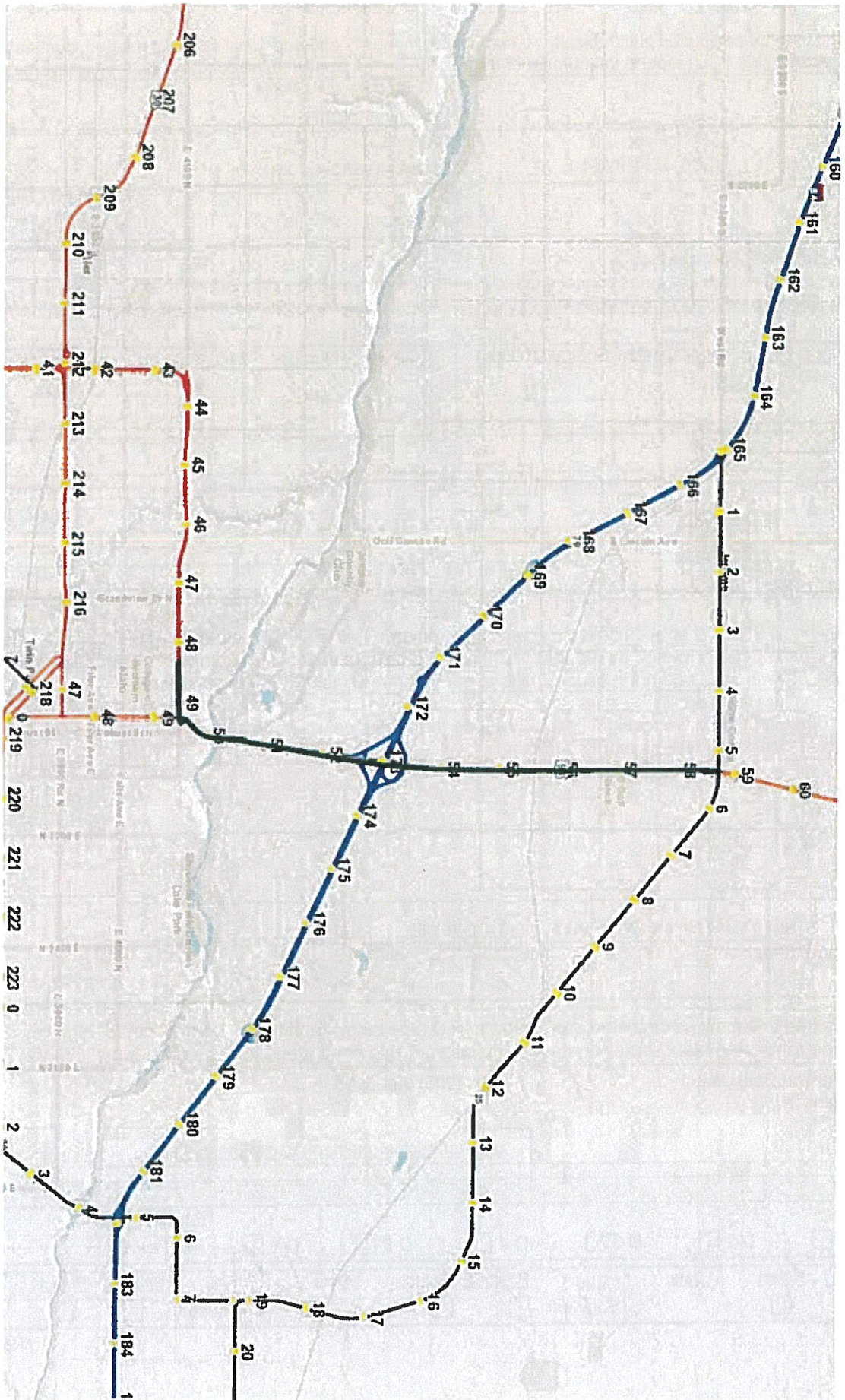
Requestor's Printed Name Drew Adams	Requestor's Signature 	Date 10/02/18
--	---------------------------	------------------

Requestor is required to submit a completed application to ITD (see below) and to city, county, and/or highway district officials where the requested state route (or state route segment) is contiguous to respective jurisdiction(s).

Idaho Transportation Department Attn: Chief Engineer PO Box 7129 Boise ID 83707-1129	OR	Fax: (208) 334-8195 Email: officeofthechiefengineer@itd.idaho.gov
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ITD Use Only

Hwy Review	D-1 ☐	D-2 ☐	D-3 ☐	D-4 ☐	D-5 ☐	D-6 ☐	Proceed ☐	Reject ☐	Date		
Bridge Review	Proceed ☐	Reject ☐	Date	Chief Engineer	Proceed ☐	Reject ☐	Date	Sub-committee	Proceed ☐	Reject ☐	Date





129,000 Pound Evaluation of US-93 M.P. 48.26 to M.P 58.8 (Case #201803US93)

Executive Summary

Glanbia Nutritionals submitted a request for 129,000 pound trucking approval on US-93 between mile post (MP) 48.26 (Washington Street in Twin Falls) and MP 58.8 (intersection with SH-25) for transportation of liquid whey product from their Twin Falls plant to their Richfield plant. The request projects up to 4,015 trips annually which is reduction of approximately 1,100 loads annually from current operations. This section of US-93 is coded a "Red Route," where vehicles with 115-foot overall length and 6.5-foot off-track are authorized. ITD Bridge Section confirms the three bridges on the route will safely support 129,000 pound vehicles. District 4 evaluation shows the road condition to be rated "Good" to "Poor" with the "Poor" section (MP 49.45 to MP 50.14) rated as deficient. The deficient section of highway is programed for a restoration project in FY 2021. The Office of Highway Safety analysis shows this section of US-93 has six Non-Interstate High Accident Intersection Locations (HAL) and has four HAL Clusters with details provided below. There is a single local road, Washington Street, under request with the City of Twin Falls. The Division of Motor Vehicles, the Office of Highway Safety, Bridge Asset Management and District 4 all recommend proceeding with this request.

Detailed Analysis

Division of Motor Vehicles (DMV) Review

All Idaho Transportation Department routes are currently categorized by their ability to handle various extra-length vehicle combinations and their off-tracking allowances. The categories used when considering allowing vehicle combinations to carry increased axle weights above 105,500 pounds and up to 129,000 pounds are:

- Blue routes at 95-foot overall vehicle length and a 5.50-foot off-track
- Red routes at 115-foot overall vehicle length and a 6.50-foot off-track.

Off-tracking is the turning radius of the vehicle combination, which assists in keeping them safely in their lane of travel. Off-tracking occurs because the rear wheels of trailer trucks do not pivot, and therefore will not follow the same path as the front wheels. The greater the distance between the front wheels and the rear wheels of the vehicle, the greater the amount of off-track. The DMV confirms that the requested routes falls under one of the above categories and meets all length and off-tracking requirements for that route. **More specifically, the requested section of US-93 from MP 48.26 to 58.8 is designated as a red route and as such all trucks must adhere to the 6.5-foot off-track and 115-foot overall vehicle length criteria.**

Bridge Review

Bridges on all publicly owned routes in Idaho, with the exception of those meeting specific criteria, are inspected every two years at a minimum to ensure they can safely accommodate vehicles. A variety of inspections may be performed including routine inspections, in-depth inspections, underwater inspections, and complex bridge inspections. All are done to track the current condition of a bridge and make repairs if needed.

When determining the truck-carrying capacity of a bridge, consideration is given to the types of vehicles that routinely use the bridge and the condition of the bridge. Load limits may be placed on a bridge if, through engineering analysis, it is determined the bridge cannot carry legal truck loads.

ITD Bridge Asset Management has reviewed the **three bridges** pertaining to this request and has determined they will safely support the 129,000-pound truck load, provided the truck's axle configuration conforms to legal requirements. To review load rating data for each of the bridges, see the Bridge Data chart below.

ITD District 4 Evaluation

This segment has been evaluated and the District recommends proceeding.

District 4 has evaluated the roadway characteristics, pavement condition, and traffic volumes on US-93 between MP 48.26 – MP 58.8 in response to the request to make this segment a 129,000-pound trucking route. The District found no concerns with this action and recommends proceeding. Details of the evaluation are provided below.

Roadway Characteristics

This section of road is a Principal Arterial in urban sections of northern Twin Falls and within the Twin Falls City limits from MP 48.26 to MP 50.2 and the rural sections through central Jerome County from MP 50.2 to MP 58.8. It intersects with US-93B at MP 49.45, I-84 at MP 53.1 and SH-25 at MP 58.7.

There are no dedicated passing or climbing lanes. The roadway geometry is outlined in the table below.

Table 1. US-93 Roadway Geometry

MILEPOSTS	THROUGH LANES	TWO-WAY LEFT TURN LANE (TWLTL)	SHOULDER	PARKING LANE
48.26 – 49.24	6 – 3 each direction divided	No*	Yes	No
	12'	-	8'	
49.45 – 49.89	5 – 2 NBL, 3 SBL	Yes	Yes	No
	12'	-	8'	
49.89 – 50.14	4 – 2 each direction	No*	Yes	No
	12'	-	8'	-
50.14 – 50.74	4 – 2 each direction bridge	No	No	No
	12'	Barrier Median		-
50.74 – 52.71	4 – 2 each direction divided	No*	Yes	No
	12'	-	8'	-
52.71 – 53.15	4 – 2 each direction	No*	Yes	No
	12'	-	8'	-
53.15 – 55.20	4 – 2 each direction divided	No*	Yes	No
	12'	-	8'	-
55.20 – 58.80	2 – 1 each direction	No	Yes	No
	12'		4' - 5'	

* Center left turn bays located at local road intersections - 14' wide.

Note: A gap in mileposts exists between MP 49.24 and MP 49.45 due to the intersection of Pole Line Road and Blue Lakes Boulevard.

Pavement Condition

The road is concrete pavement from MP 48.26 to MP 49.24 and MP 52.71 to MP 53.15. Concrete pavement is in “Fair” condition and is not deficient in cracking, rutting, or ride. The road is asphalt from and MP 49.45 to MP 50.14 and is in “Poor” condition with a restoration project programed for FY 2021. The asphalt pavement from MP 50.74 to 58.80, the asphalt pavement from MP 49.24 to 52.71 and the asphalt pavement from MP 53.15 to 58.80 are in “Good” condition and are not considered deficient in cracking, rutting or ride.

Table 2. Pavement Condition

MILEPOSTS	PAVEMENT TYPE	DEFICIENT (YES/NO)	CONDITION STATE	CRACKING	ROUGHNESS	RUTING
48.26 – 49.24	Rigid	No	Fair	Good	Fair	Good
49.45 – 49.89	Flexible	Yes	Poor	Good	Very Poor	Fair
49.89 – 50.14	Flexible	Yes	Poor	Good	Very Poor	Fair
50.74 – 52.71	Flexible	No	Good	Good	Good	Good
52.71 – 53.15	Rigid	No	Fair	Good	Fair	Good
53.15 – 55.20	Flexible	No	Good	Good	Good	Good
55.20 – 58.80	Flexible	No	Good	Good	Good	Good

Traffic Volumes

The speed limit of the highway varies between 35 and 60 mph. Seven stop lights are in this segment, four located within the City of Twin Falls, two at the I-84 Interchange and one 500 South MP 53.68.

Table 3. 2016 Traffic Volumes

MILEPOSTS	AADT	CAADT	% TRUCKS
48.26-49.24	13,000	400	3
49.45-49.89	31,000	2,400	8
49.89-50.14	31,000	2,400	8
50.74-52.71	27,500	2,800	10
52.71-53.15	18,500	2,300	12
53.15-55.20	14,000	2,000	14
55.20-58.80	8,500	900	11

Truck Ramps

No runaway truck ramps exist due to the flat nature of the highway.

Port of Entry (POE)

No POEs are located on this section of highway.

Highway Safety Evaluation

This US-93 segment has six Non-Interstate High Accident Intersection Locations (HALs) in the top 200 statewide rankings and has four HAL Clusters in the top 200. These locations are shown in Table 4 with their statewide ranking.

Analyses of the 5-year accident data (2012-2016) shows there were a total of 334 crashes involving 712 units (1 fatality and 282 injuries) on US-93 between MP 48.258 and MP 58.8 of which, 20 crashes involved tractor-trailer combinations. Of the crashes involving tractor trailers, the most prevalent contributing circumstances were failure to yield and following too close. Eight injuries and no fatalities resulted from the crashes with tractor trailers. Implementation of 129,000 pound trucking is projected to reduce truck traffic on this route.

Table 4. HAL Segments – US-93

Route	Statewide Rank	Milepost Range	Length (miles)	County
US 93	52	54.716	Intersection	Jerome
US 93	93	57.727	Intersection	Jerome
US 93	109	48.998	Intersection	Twin Falls
US 93	131	50.742	Intersection	Jerome
US 93	139	56.727	Intersection	Jerome
US 93	160	48.258	Intersection	Twin Falls
US 93	71	48.838-48.930	0.092	Twin Falls
US 93	79.5	47.961-48.461	0.5	Twin Falls
US 93	127	48.469-48.670	0.201	Twin Falls
US 93	194.5	48.258-49.252	0.994	Twin Falls

Additional Data:***Bridge Data:***

Route Number: US 93
Department: Bridge Asset Management
Date: 10/3/2018

Route	From:	Intersection with Washington Street
	Milepost:	48.26
	To:	SH-25
	Milepost:	58.80

121			
Highway Number	Milepost Marker	Bridge Key	Rating^a (lbs)
93	48.66	19393	364,000
93	50.04	17580	200,000
93	56.51	17595	160,000

^a: The bridge is adequate if it has a rating value greater than 121,000 pounds or is designated as "OK EJ" (okay by engineering judgment).



CITY OF TWIN FALLS IDAHO

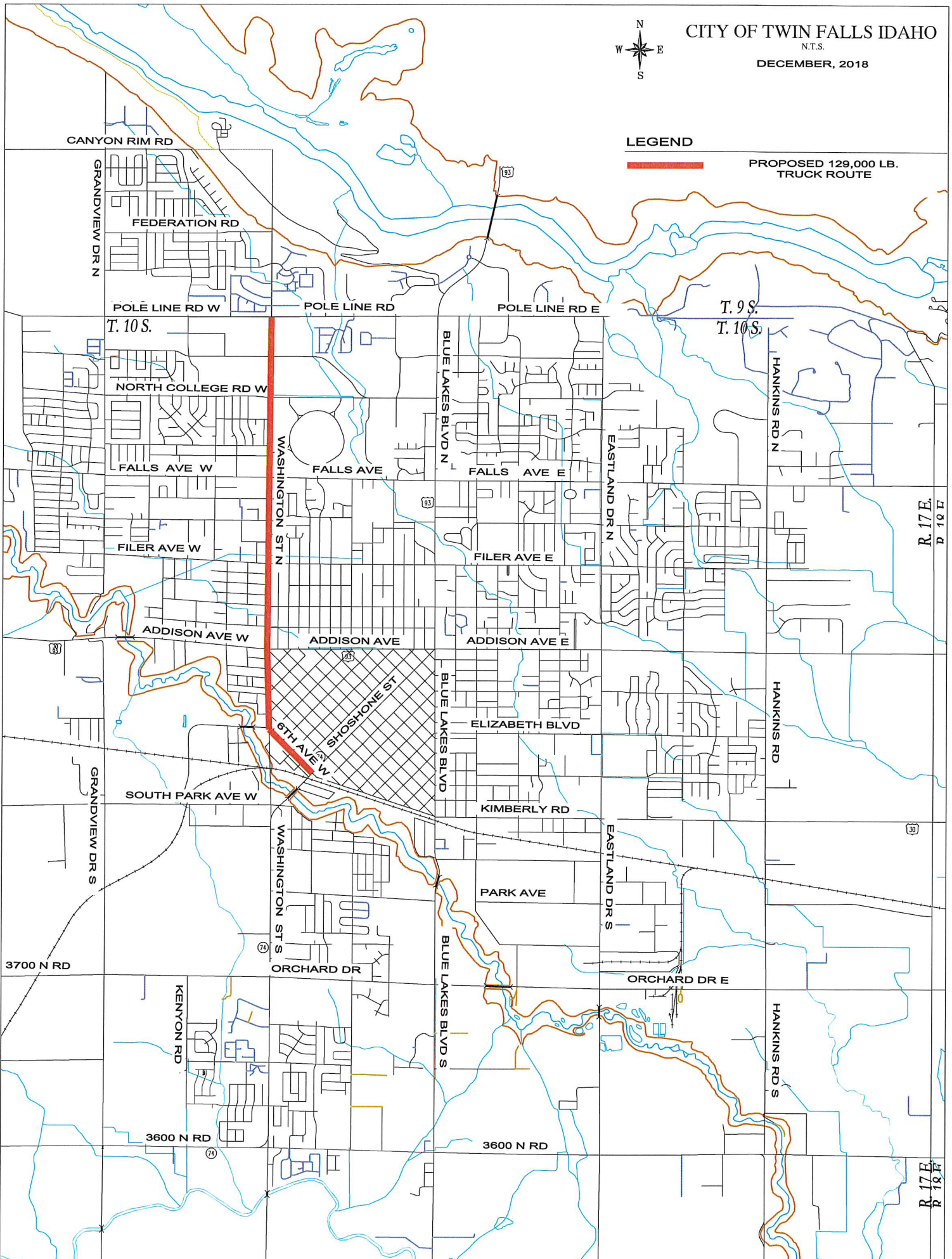
N.T.S.

DECEMBER, 2018

LEGEND



PROPOSED 129,000 LB.
TRUCK ROUTE



BACKGROUND

The State of Idaho has long permitted trucks with a gross vehicle weight (GVW) of 80,000-pounds to operate on all its roads and highways. The permitted truck configurations – truck length, axle weights and axle spacings – are regulated by the Idaho Transportation Department (ITD).

Longer trucks weighing up to 105,500-pounds have also long been permitted on specific routes designated by ITD after evaluating these routes to ensure that bridges and culverts can carry the 105,500-pound trucks and that the longer trucks can negotiate curves along the routes without creating safety issues.

In 2013, the state enacted legislation permitting ITD to allow trucks weighing 105,500 to 129,000-pounds GVW on 35 designated routes on state highways in Idaho. That legislation also authorized local highway jurisdictions to allow trucks weighing up to 129,000-pounds on additional routes approved by each jurisdiction.

The following sections provide some insights on the characteristics of the 129,000-pound trucks.

AXLE LOADS FOR 129,000-POUND TRUCKS

All the truck configurations permitted by ITD – 80,000-pounds and 105,500-pounds up to 129,000-pounds – satisfy a criterion known as the Federal Bridge Formula B. This criterion governs axle weights and spacings, originally for the safety of bridges on U.S. highways. This formula requires more axles on trucks carrying heavier loads. The result is that individual axle loads for trucks weighing from 105,500 to 129,000-pounds do not exceed the axle loads for the 80,000

pound trucks or the agricultural exempt trucks permitted on Idaho highways (see Figures 1, 2, 3, and 4).

EQUIVALENT SINGLE AXLE LOADS (ESALs) FOR 129,000-POUND TRUCKS

The ESALs are used to estimate the effect of truck load on pavement structures. “The damaging effect of the passage of an axle of any mass can be represented by a number of 18,000-pounds single axle loads”. [AASHTO Guide for Design of Pavement Structures]. The ESAL provides a comparison between an axle load and a standard 18 kip axle. For example, the ESALs for the 80,000-pounds truck is 2.38 and for the 129,000-pounds truck is 1.87. This means that the impact of the 129,000-pound truck on pavement structure is less than the 80,000-pounds truck by 21.4%. Full details about the comparison between 80,000-pound trucks and 129,000-pound trucks ESALs are provided in Appendix B.

TOTAL LENGTH FOR 129,000-POUND TRUCKS

In most configurations, trucks weighing up to 129,000-pounds are within the same length range as the 105,500-pound trucks and are still limited to 115 ft. maximum length. Accordingly, they can also negotiate the same curves as they must meet the same offtracking requirements (see Figures 1, 2, 3, and 4).

BRAKING CAPABILITIES OF 129,000-POUND TRUCKS

The additional axles on the 129,000-pound trucks are outfitted with brakes providing extra stopping power for the truck compared to 80,000-pound trucks.

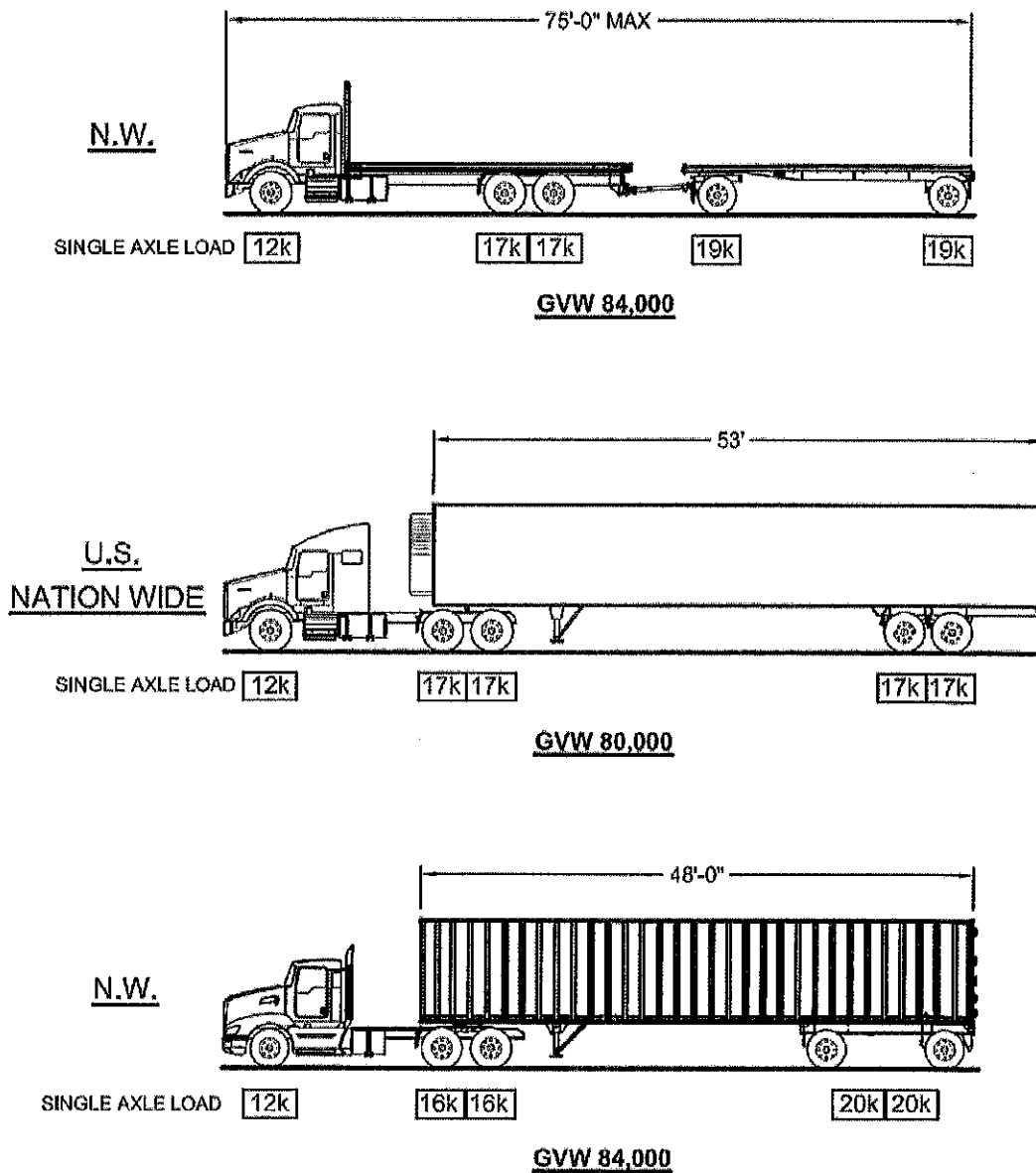


Figure 2: Examples of 5-Axle trucks with GVW of 80,000 and 84,000-pounds (figures are not to scale)

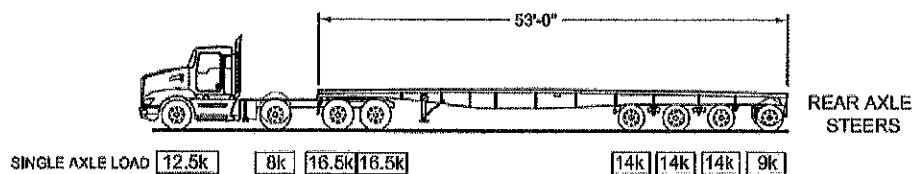
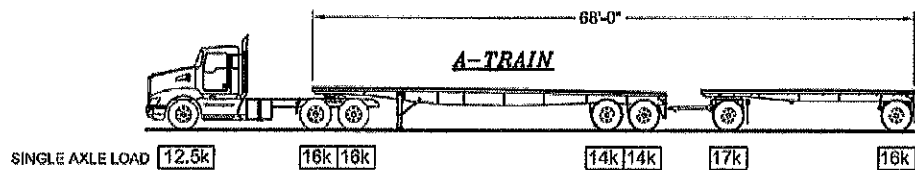
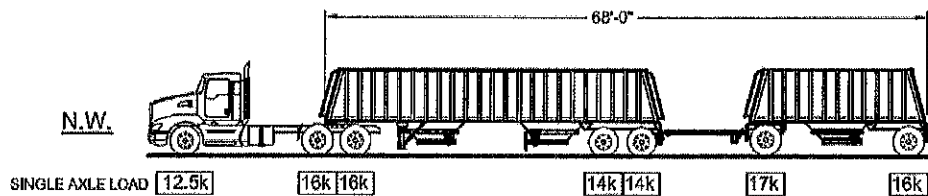
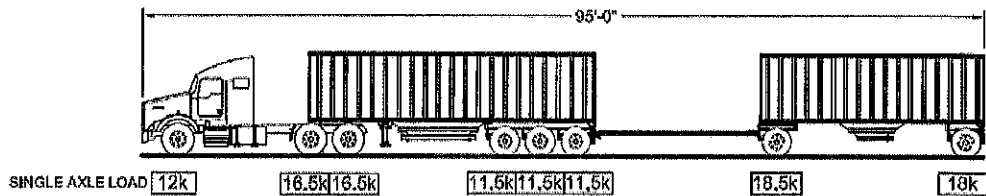
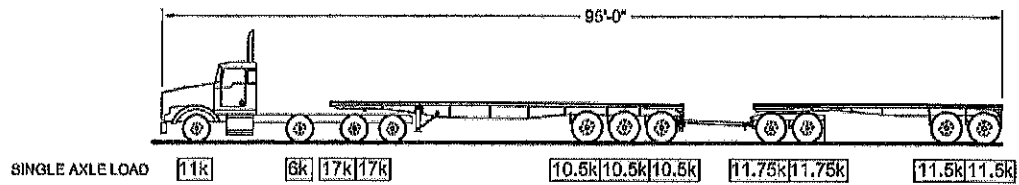
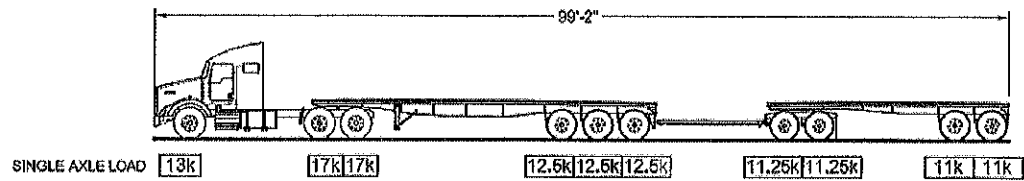
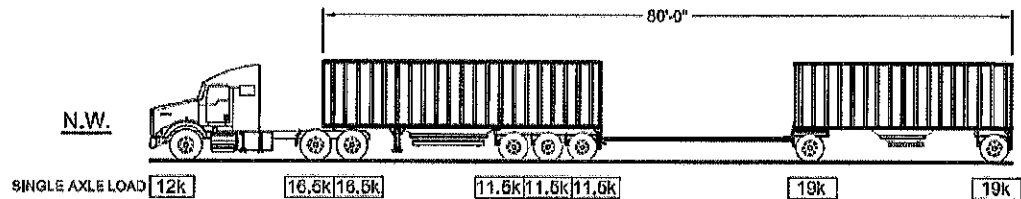


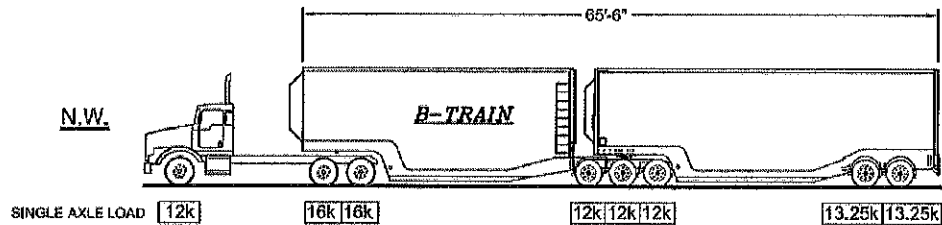
Figure 3: Examples of trucks with overall length less than 95-feet and offtracking value less than 5.5-feet. (figures are not to scale)



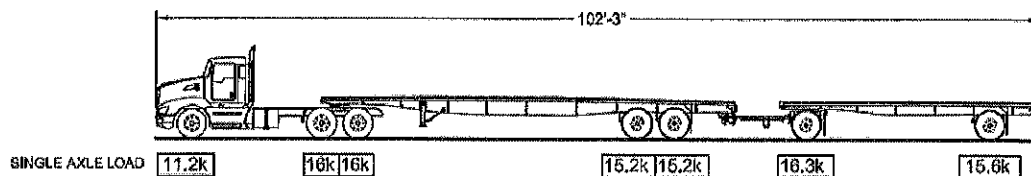
GVW 129,000
VEHICLE OFF TRACK = 6.08 FEET



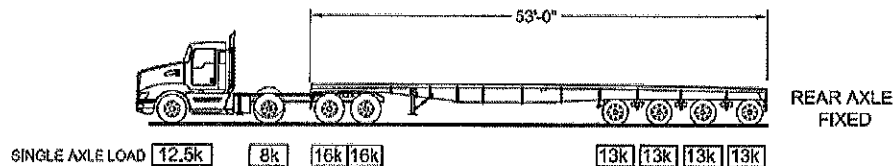
GVW 118,000
VEHICLE OFF TRACK = 6.16 FEET



GVW 108,500
VEHICLE OFF TRACK = 5.60 FEET



GVW 105,500
VEHICLE OFFTRACK IS 6.26 FEET.



GVW 104,500
VEHICLE OFFTRACK IS 6.07 FEET

Figure 4: Examples of trucks with overall length less than 115-feet and offtracking values less than 6.5-feet. (figures are not to scale).