



Twin Falls City Council Agenda

Monday, February 3, 2020, 5:00 PM

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

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

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) PROCLAMATIONS
 - a) **PRESENTATION:** Toastmasters' Club 149 80TH ANNIVERSARY - Request made by David Hanna
- 4) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve the January 27, 2020, City Council Minutes.
By: Amy Luna, Finance Administrative Assistant
 - b) **ACTION ITEM:** Request to approve the Accounts Payable for January 23 thru 29, 2020.
By: Amy Luna, Finance Administrative Assistant
 - c) **ACTION ITEM:** Request to approve the Wells Fargo Credit Commercial Card for December 2019.
By: Amy Luna, Finance Administrative Assistant
 - d) **ACTION ITEM:** Request to approve a bench donation from Jamie Tigue with MaVTEC in memory of Cindy Juker.
By: Wendy Davis, Parks and Recreation Director
 - e) **ACTION ITEM:** Request to approve a bench donation from Wendy Parrott-Carroll and Family for Dan Carroll.
By: Wendy Davis, Parks and Recreation Director
- 5) ITEMS OF CONSIDERATION
 - a) **PRESENTATION:** Swearing in ceremony for three Twin Falls Police Department Officers. It is requested that Mayor Suzanne Hawkins administer the Oath of Office to Joel Smith, Kyler Jordan and Tyler Shropshire.

Presentation of Peace Officer Standards and Training Council Certificates to Officers Anthony Rhoades, Kyle Skuza and Tyson Infanger.
By: Chief Craig Kingsbury, Twin Falls Police Department

- b) **ACTION ITEM:** Request to pass a resolution authorizing the Mayor to sign an addendum to the cooperative agreement for the FY 2019 Idaho Transportation Department ADA Curb Ramp Project.

By: Erin Steel, Staff Engineer

- c) **DISCUSSION ITEM:** Review of Rules and Regulations Related to City Council Meetings and Decisions.

By: Shayne Nope, City Attorney

6) GENERAL PUBLIC INPUT

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

8) PUBLIC HEARINGS: None

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 & Zoning Commission shall wait to be recognized by the Mayor or Chairman, approach the microphone/podium, state their name, and 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. A City Staff Report shall summarize the application and history of the request.
4. 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.
5. 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.
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.
 - Individuals are not permitted to give their time to other speakers.
 - However, five (5) or more individuals that received written notice of the public hearing may appoint, 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, received by 12:00 p.m. on the date of the hearing shall be either read into the record or displayed to the public on the overhead projector.
8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chairman, shall be allowed to question the Applicant, Staff or anyone who has testified. Responses shall be limited to answering the questions asked. The Mayor or Chairman may limit the time permitted for the answer.
10. The Mayor or Chairman shall close the Public Hearing. The City Council or Planning & 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.

*Office of the Mayor
City of Twin Falls, Idaho*

Proclamation

Toastmasters' Club 149 80th Anniversary

Whereas, Toastmasters International is known worldwide for helping millions of men and women become more confident public speakers and more effective leaders;

Whereas, the world-wide network of Toastmasters Clubs and the Toastmasters' learn-by-doing programs support individuals in becoming better speakers and leaders;

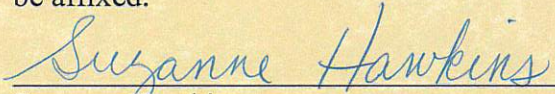
Whereas, the Twin Falls Toastmasters Club 149 has existed in our community since 1940; during which it has afforded its past and present members opportunities for personal and professional growth that have benefitted and enhanced the greater community, its businesses, organizations, agencies and residents as a whole;

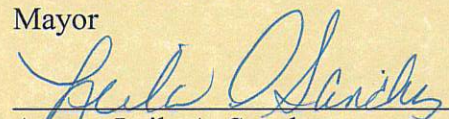
Whereas, Twin Falls Toastmasters Club 149 members benefit from learning to plan and confidently present quality speeches, to listen effectively and to provide helpful and encouraging feedback to fellow members;

Whereas, community members have grown and benefitted by becoming leaders in the Twin Falls Toastmasters' Club 149 and have thereby enhanced their professional careers and our community;

Be it therefore resolved that Mayor Suzanne Hawkins of the City of Twin Falls, Idaho, recognizes the Toastmasters' Club 149 as it commemorates its 80 years of existence in Twin Falls, Idaho.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the City of Twin Falls to be affixed.


Suzanne Hawkins
Mayor


Attest: Leila A. Sanchez
Deputy City Clerk


Date



Twin Falls City Council Minutes

Monday, January 27, 2020, 5:00 PM

- AMENDED -

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

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Suzanne Hawkins, Vice Mayor Ruth Pierce, Council Member Shawn Barigar, Craig Hawkins, Christopher Reid & Nikki Boyd.

Absent: Council Member Greg Lanting

Staff Present: Deputy City Manager Mitch Humble, City Attorney Shayne Nope, CFO Lorie Race, Finance Accountant/Supervisor Bill Baxter, Police Chief Craig Kingsbury, Fire Chief Les Kenworthy, City Engineer Mark Holtzen, Environmental Engineer Jason Brown, Public Works Director Jon Caton, Water Superintendent Rob Bohling, Lead Operator Shawn Shropshire, Senior Operator Justin Ash, Building Official, Jarrod Bordi, Parks & Recreation Director Wendy Davis, Public Information Officer Josh Palmer, Finance Administrative Assistant AmyLuna.

Mayor Hawkins called the meeting to order at 5:01 PM. A quorum was present.

2) PLEDGE OF ALLEGIANCE

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

3) PROCLAMATIONS: None

4) CONSENT CALENDAR

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

- a) **ACTION ITEM:** Request to approve the January 13, 2020, City Council Minutes.
- b) **ACTION ITEM:** Request to approve the Accounts Payable for January 9-22, 2020.
- c) **ACTION ITEM:** Request to approve the Findings of Fact and Conclusions of Law for the following: Cedarpark Subdivision No. 12 Final Plat and Idaho Department of Corrections Annexation.
- d) **ACTION ITEM:** Request to accept the Improvement Agreement for the purpose of developing Rose Russell Subdivision.
- e) **ACTION ITEM:** Request to approve a Trust Agreement for Rose Russell Subdivision, placing Lot 1, Block 1 in trust.
- f) **ACTION ITEM:** Request to accept the Improvement Agreement for the purpose of developing Sundance Subdivision No. 2.
- g) **ACTION ITEM:** Request to approve a Trust Agreement for Sundance Subdivision No. 2, a PUD, placing all lots in trust.

5) ITEMS OF CONSIDERATION

- a) **ACTION ITEM:** Request to confirm the appointments of Dan Brizee, Greg McEntarffer and Steve Olsen to the Building Safety Department Advisory Committee. Request to also waive the residency requirements for Dan Brizee, Greg McEntarffer and Steve Olsen to serve on this board.

Mayor Hawkins requested to confirm the appointments of Dan Brizee, Greg McEntarffer and Steve Olsen to the Building Safety Department Advisory Committee. Request to also waive the residency requirements for Dan Brizee, Greg McEntarffer and Steve Olsen to serve on this board.

Discussion ensued on the following: None

MOTION: Council Member Barigar moved to approve the appointments of Dan Brizee, Greg McEntarffer and Steve Olsen to the Building Safety Department Advisory Committee and waive the residency requirements. **Council Member Reid** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- b) **PRESENTATION:** Reimbursement of operational expenses at the Wastewater Treatment Facility.
Environmental Engineer Brown made a presentation on the reimbursement of operational expenses at the Wastewater Treatment Facility.

Reimbursed amount: \$221,129.00.

Mayor Hawkins thanked Mr. Brown for his presentation.

- c) Consider a request for City of Twin Falls to contribute \$10,000 in matching funds for an Idaho Department of Parks and Recreation Recreational Trail Grant to complete a pedestrian bridge across the Snake River connecting Auger Falls Heritage Park and the area below Yingst Grade.

Ms. Barry of the Southern Idaho Tourism requested for Twin Falls to contribute \$10,000.00 in matching funds for an Idaho Department of Parks and Recreation Recreational Trail Grant to complete a pedestrian bridge across the Snake River connecting Auger Falls Heritage Park and the area below Yingst Grade.

Discussion ensued on the following:

Vice Mayor Pierce: Is Twin Falls County or Jerome City contributing to this as well?

Deputy city Manager Humble: Explained that the amount is not in the budget at this time but could use contingency funds if they choose to go forward.

Council Member Barigar: Spoke in favor of this partnership.

Mayor Hawkins: Who will manage and maintain this bridge upon completion? Do we contribute with the hope of the grant and if it does not go thru would we get the funds back?

MOTION: Council Member Barigar moved to approve the request for a contribution of \$10,000.00 in matching funds for an Idaho Department of Parks and Recreation Recreational Trail Grant to complete a pedestrian bridge across the Snake River connecting Auger Falls Heritage Park and the area below Yingst Grade, contingent to getting the grant and using funds from the contingency fund.

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

- d) **PRESENTATION:** 2020 Annual Back-flow Report
Water Distribution Employees Bohling, Shropshire & Ash presented the 2020 Annual Back- Flow Report.

Discussion ensued on the following:

Vice Mayor Pierce: Why would a test pass and then another one fail? How are the testers weeded out?

Mayor Hawkins thanked the presenters for their presentation.

- e) **PRESENTATION:** A presentation on the finances of the City of Twin Falls for three months of fiscal year 2019-2020. This presentation will be an overview of the tax-supported funds and the three major enterprise funds: Water, Wastewater and Sanitation.

CFO Race presented on the finances of the City of Twin Falls for three months of fiscal year 2019-2020.

Discussion ensued on the following:

Mayor Hawkins: Does the Sales Tax Revenue include the internet sales tax?

Vice Mayor Pierce: Asked for explanation on the Wastewater Income.

Council Member Hawkins: Asked for explanation on the income.

Mayor Hawkins thanked Mrs. Race for her presentation.

6) GENERAL PUBLIC INPUT

Citizen Nick Mattison spoke about the prosecuting heroin addicts.

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS: None

8) PUBLIC HEARINGS: None

9) ADJOURNMENT

a) REQUEST TO ADJOURN TO 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.

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

MOTION: **Council Member Reid** moved to ADJOURN TO 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. (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement. **Vice Mayor Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 6 to 0.

The meeting adjourned at 06:00 PM



Date: Monday, February 3, 2020
To: Parks and Recreation Commission
From: Wendy Davis, Parks and Recreation Director

ACTION ITEM

Request:

ACTION ITEM: Request to approve a bench donation from Jamie Tigue with MaVTEC in memory of Cindy Juker.

Time Estimate:

Background:

July 20, 2009, Twin Falls City Council approved the Parks and Recreation Department's donation policy to allow additional text on inscriptions. The policy states:

Donations may dedicate to, honor, or memorialize, a person; or directly relate to the history of the community; or may be donated by groups with longstanding ties to the community, and shall be of any type (types of donations - reference to page 1), so long as its placement enhances the recreational value of its setting, considering factors including, but not limited to, safety and aesthetics.

Identification – Donations are typically identified by a plaque of durable material such as metal plate or stone, of modest size and set in concrete or fixed to a permanent object. The plaque may be placed at the base of, or adjacent to the memorial. Approved plaques are purchased and ordered by the donor and the installation is coordinated with the Twin Falls Parks & Recreation Department. In the case of trees, the plaque shall be not less than 8" by 16" and flush mounted in the ground. Design and placement of plaques must be approved by the Twin Falls Parks & Recreation Department. Damaged plaques are replaced at no additional charge to the donor.

Inscription –The text of memorials to individuals may include the name of the person being dedicated to, honored, or memorialized, the dates of the birth and death of that person or the date of the dedication or when honored. Any additional text and any inscription for other donations must be directly related to the history of the community, and may identify groups or persons with longstanding ties to the community.

The Council directed staff to have all requests reviewed by the Parks and Recreation Commission to determine if the additional text meets the conditions outlined in the policy.

The Parks and Recreation Commission approved the donation request at the December 10, 2019 meeting, and denied the additional text request at the January 14, 2020 meeting.

Please see the attached Donation Request Form from Jamie Tigue and MaVTEC.

Approval Process:

A simple majority will approve this request

Budget Impact:**Regulatory Impact:**

Council approval will allow the donors to proceed with bench installation.

History:

N/A

Analysis:

N/A

Conclusion:

The Parks and Recreation Commission recommends council approve this donation request.

Attachments:

1. Juker bench for council_Redacted



TWIN FALLS PARKS AND RECREATION

136 Maxwell Ave. • PO Box 1907 • Twin Falls, ID 83303 • Phone: 208-736-2265 • Fax: 208-736-1548

DONATION REQUEST FORM

Date: 11/21/19

Requested by: Jaime Tighe, MAUTECH Director

Address: PO Box 5632

Street Address

Twin Falls Id 83301
City State Zip Code

Home Phone: [REDACTED]
(Area Code)

Work Phone: [REDACTED]
(Area Code)

Donation Requested: Bench

(Tree, bench, drinking fountain, picnic tables, playground equipment, picnic shelters, etc.)

Location Requested: Either 1) By MAUTECH/Trail sign @ Eastland/POBline
Parking lot or 2) sign by Evel Knievel site

Alternative Location: _____

Plaque Inscription: Life is not about weathering the storm, it's about
learning to dance in the rain!
In memory of Cindy Juker, ~~MAUTECH~~ Fearless friend
of MAUTECH. 2019

If you are requesting additional text, please describe how the group or person has longstanding ties to the community or is directly related to the history of the community.

The Benefits are Endless...

*denied
1/14/20*

Wendy Davis

From: Jaime Tigue <magicvalleytrails@gmail.com>
Sent: Thursday, December 19, 2019 12:14 PM
To: Wendy Davis
Subject: Re: Cindy Juker Memorial Bench

[EXTERNAL SENDER]

Since I hand gave you the application, will you add this justification please?

Cindy Juker, dedicated supporter of the community and long-standing member of Twin Falls Community Foundation, as a volunteer with MaVTEC helping to raise funds for connecting the trail.

Let me know if you need anything else.

On Fri, Dec 13, 2019 at 1:23 PM Wendy Davis <wdavis@tfid.org> wrote:

Jaime,

Your application for the bench donation is missing the justification for the additional text on the plaque. It has been pulled from the agenda for Monday night. Your options are to go with a name and date, or fill out the application and include the justification for the additional text, and we can take it back to the P&R Commission in January, and then to council the following Monday. I attached the application with the area highlighted that needs to be addressed.

I should have caught this. I am so sorry.....

Wendy Davis

Parks and Recreation Director

City of Twin Falls

O: 208.736.2265 C: 208.490.0665

www.tfid.org

From: Jaime Tigue <magicvalleytrails@gmail.com>
Sent: Wednesday, December 11, 2019 2:05 PM
To: Wendy Davis <wdavis@tfid.org>
Cc: Jeff Martin <jeffmartin@jmkitchens.com>; Michelle Martin <mcm021701@gmail.com>
Subject: Re: Cindy Juker Memorial Bench



Date: Monday, February 3, 2020
To: Parks and Recreation Commission
From: Wendy Davis, Parks and Recreation Director

ACTION ITEM

Request:

ACTION ITEM: Request to approve a bench donation from Wendy Parrott-Carroll and Family for Dan Carroll.

Time Estimate:

Background:

July 20, 2009, Twin Falls City Council approved the Parks and Recreation Department's donation policy to allow additional text on inscriptions. The policy states:

Donations may dedicate to, honor, or memorialize, a person; or directly relate to the history of the community; or may be donated by groups with longstanding ties to the community, and shall be of any type (types of donations - reference to page 1), so long as its placement enhances the recreational value of its setting, considering factors including, but not limited to, safety and aesthetics.

Identification – Donations are typically identified by a plaque of durable material such as metal plate or stone, of modest size and set in concrete or fixed to a permanent object. The plaque may be placed at the base of, or adjacent to the memorial. Approved plaques are purchased and ordered by the donor and the installation is coordinated with the Twin Falls Parks & Recreation Department. In the case of trees, the plaque shall be not less than 8" by 16" and flush mounted in the ground. Design and placement of plaques must be approved by the Twin Falls Parks & Recreation Department. Damaged plaques are replaced at no additional charge to the donor.

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The Council directed staff to have all requests reviewed by the Parks and Recreation Commission to determine if the additional text meets the conditions outlined in the policy.

The Parks and Recreation Commission approved the donation request at the December 10, 2019 meeting, and denied the additional text request at the January 14, 2020 meeting.

Please see the attached Donation Request Form from Wendy Parrott-Carroll and Family.

Approval Process:

A simple majority will approve this request.

Budget Impact:**Regulatory Impact:**

Council approval will allow the donor to proceed with bench installation on the Canyon Rim Trail.

History:

N/A

Analysis:

N/A

Conclusion:

The Parks and Recreation Commission recommends council approve this donation request.

Attachments:

1. Carroll bench for council_Redacted

The Benefits are Endless...

each excursion with his wife and many family members. Dan became the official "greeter" on the trail, for humans and dogs alike. He met many folks from not only the Magic Valley, but Idaho, the United States and world wide. He often provided

Send this form to Twin Falls Parks & Recreation, P.O. Box 1907, Twin Falls, ID 83303.
For further information, please contact the Parks & Recreation office at (208) 736-2265.

FOR OFFICE USE ONLY

Donation Name: _____

Site: _____ Type: _____

Completion Date: _____

Suggestions on local attractions, hotels and eateries. He took many photographs of not only the amazing Shoshone Falls, but the wildlife, fowl and fish. Watching the eagles and their nests brought him much joy. He often sat on one of the canyon side benches to watch the sun rise and commune with God.



Date: Monday, February 3, 2020
To: Honorable Mayor and City Council
From: Mark Holtzen, City Engineer

ACTION ITEM

Request:

ACTION ITEM: Request to pass a resolution authorizing the Mayor to sign an addendum to the cooperative agreement for the FY 2019 Idaho Transportation Department ADA Curb Ramp Project.

Time Estimate:

5 Minutes

Background:

In February of 2018, City staff applied for and was awarded an Idaho Transportation Department (ITD) grant in the amount of \$60,000. The purpose of this grant is to assist municipalities by updating ADA curb ramps on State Highways without using local funds.

In the summer, staff released a project (for bid) consisting of 11 ADA curb ramp on the state highway system. Only one bid was received in the amount of \$97,850. This bid was \$37,850 more than the awarded grant amount. Staff came to council on November 25, 2019 to ask to reject bids in order to rebid it later and hopeful get a better price.

Staff requested from ITD a one-year extension of this grant with hopes of completing the project this next summer. The City was granted a one-year time extension by ITD. Staff hopes to combine these 11 ramps with another state ramp grant (11 ramps). With a total of 22 ramps and by bidding earlier in the season, staff anticipates bids to return to an acceptable price.

ITD requires a cooperative agreement to delineate shared responsibilities on their projects. They also require a resolution to confirm the City's acceptance of the agreement. In February of 2018 the original resolution was passed authorizing the mayor to sign the agreement. The addendum granting the one-year extension has the same requirements and needs a resolution to be passed modifying the original agreement and authorizing the mayor to sign the addendum.

Approval Process:

A majority vote by council will pass the resolution authorizing the Mayor to sign the addendum for the 2019 ITD ADA Curb Ramp Project.

Budget Impact:

The only cost is for staff to administer the project.

Regulatory Impact:

None

History:

N/A

Analysis:

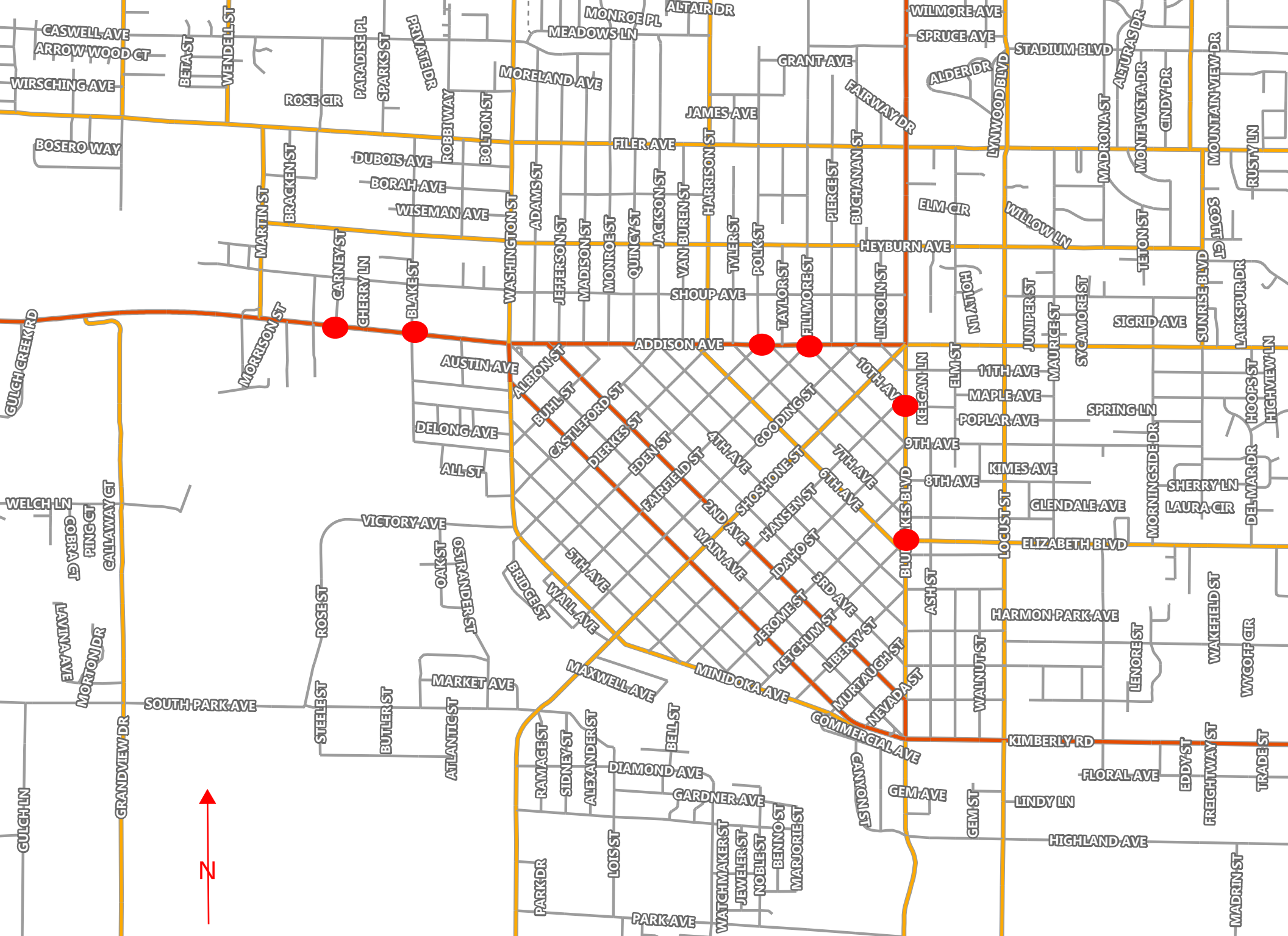
N/A

Conclusion:

Staff recommends that council pass the resolution and authorize the Mayor to sign the addendum.

Attachments:

1. ITD Grant ADA Ramp Locations Vicinity Map
2. 20369 Extension Add Coop Agree 2020
3. 11-25-19 Staff report
4. Cooperative Agreement Project NO. A020(369) City of Twin Falls



N
↑
N.T.S

**ADDENDUM TO
COOPERATIVE AGREEMENT
PROJECT NO. A020(369)
FY19 TWIN FALLS 11 ADA RAMPS
TWIN FALLS COUNTY
KEY NO. 20369**

PARTIES

THIS ADDENDUM is made and entered into this _____ day of _____, _____, by and between the **IDAHO TRANSPORTATION DEPARTMENT**, hereafter called the State, and the **CITY OF TWIN FALLS**, hereafter called the City.

PURPOSE

This Addendum will modify the Cooperative Agreement entered into on the 1st day of March, 2018, (hereinafter "Agreement") between the same parties.

The parties agree to the following revisions:

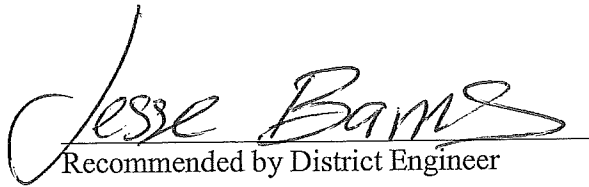
- A. Section II of the Agreement will be amended by revising Paragraph 7 to read as follows:
 - 7. Refund to the State the amount paid under this Agreement if the project is terminated prior to completion or if the project is not completed within three (3) years of the effective date of this Agreement.
- B. All other terms and conditions previously agreed to and set forth in the Agreement shall remain in full force and effect.

EXECUTION

This Addendum is executed for the State by its Highways Construction & Operations Division Administrator, and executed for the City by the Mayor, attested to by the City Clerk, with the imprinted corporate seal of the City of Twin Falls.

IDAHO TRANSPORTATION DEPARTMENT

Approved by the Division Administrator
Highways Construction & Operations


Recommended by District Engineer

ATTEST:

CITY OF TWIN FALLS

City Clerk

Mayor

(SEAL)

By regular/special meeting
on _____.

RESOLUTION

WHEREAS, the Idaho Transportation Department, hereafter called the **STATE**, has submitted an Addendum to the Agreement stating obligations of the **STATE** and the **CITY OF TWIN FALLS**, hereafter called the **CITY**, for upgrades to ADA Ramps; and

NOW, THEREFORE, BE IT RESOLVED:

1. That the Addendum to the Agreement for upgrading ADA Ramps is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the addendum on behalf of the **CITY**.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a *regular, duly* called special (X-out non-applicable term) meeting of the City Council, City of Twin Falls, held on _____, _____

(Seal)

City Clerk



Date: Monday, November 25, 2019
To: Honorable Mayor and City Council
From: Mark Holtzen, City Engineer

ACTION ITEM

Request:

ACTION ITEM: Request to reject bids for the 2019 ADA Curb Ramp Project.

Time Estimate:

5 Minutes

Background:

In February of 2018, City staff applied for and was awarded an Idaho Transportation Department (ITD) grant for \$60,000. The purpose of this grant is to assist municipalities by updating ADA Curb Ramps on state highways without using local funds. Staff has applied for and won 6 of these grants in the past 6-7 years.

Recently, staff informally bid one of these grants consisting of 11 ADA Curb Ramps along Addison Avenue West and Blue Lakes proper. Only one bid was received by Doug Hemingway Construction for \$97,850.00. Staff believes this bid amount is very high. With each ramp costing nearly \$9,000. Historically prices are in the range of \$3,500-\$4,000 a ramp. After discussing the lack of bids and high price with different contractors it appears there is an abundance of work and a small project such as this is difficult to find contractors willing to complete the project. Staff has requested through ITD a one-year extension of this grant, this will allow 2 additional (previously awarded) State ADA Curb Ramp grants to be added to this project.

With a total of nearly 33 ramps and bidding this winter we feel the prices will return to historical levels and we believe we will receive a competitive bid allowing us to complete the curb ramps on ITD routes. The extension request is being considered by ITD and while the transportation department staff looks favorably on the request it will ultimately be decided by the board. This project is contingent on the ITD board decision, without the extension this project will not be completed.

Approval Process:

A majority vote of the Council will allow staff to reject all bids and re-bid the project at a later date.

Budget Impact:

None

Regulatory Impact:

None

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that City Council reject all bids for the 2019 ADA Curb Ramp Project.

Attachments:

1. ITD Grant ADA Ramp Locations Vicinity Map
2. 2017- ADA Application - City of Twin Falls

**COOPERATIVE AGREEMENT
PROJECT NO. A020(369)
FY19 TWIN FALLS 11 ADA RAMPS
TWIN FALLS COUNTY
KEY NO. 20369**

PARTIES

This Agreement is made and entered into this _____ day of _____, _____, by and between the **IDAHO TRANSPORTATION BOARD** by and through the **IDAHO TRANSPORTATION DEPARTMENT**, hereafter called the State, and the **CITY OF TWIN FALLS**, hereafter called the City.

PURPOSE

The City of Twin Falls wishes to upgrade the following curb ramps within the City limits.

D4_03121	D4_03353	D4_03475
D4_03122	D4_03354	D4_03479
D4_03129	D4_03355	D4_03480
D4_03130	D4_03356	

The State has agreed to participate in the cost of this work. This Agreement will provide for the responsibilities of the parties in this project.

Authority for this Agreement is established by Section 40-317 of the Idaho Code.

It is mutually agreed and understood by the Parties that:

SECTION I That the State will:

1. Upon execution of this Agreement and receipt of a written request from the City, pay to the City the amount of Sixty Thousand Dollars (\$60,000) to be used for Americans with Disabilities Act (ADA) curb ramp improvements as identified above. The amount paid under this agreement is a lump sum payment. No additional funds will be paid for this work.
 - a. Payment will be divided into two parts. The State will pay 75% of the above-mentioned amount upon the initial written request. The remaining 25% will be paid upon the completion of the project provided that the work is completed to the State's satisfaction.
2. At its discretion, perform an inspection of the work upon notification from the City of completion of the work.

3. At its discretion, audit the project records to ensure the funds paid to the City were utilized as intended by this Agreement.

SECTION II That the City will:

1. Provide for design and construction of the improvements as identified above.
2. Design and construct the project to State Standards as defined in the current version of the Idaho Transportation Department's Design Manual, or as subsequently revised. The current Design Manual can be viewed at the following web site: <http://apps.itd.idaho.gov/apps/manuals/manualsonline.html>.
3. Provide all funding necessary for the work over and above the funds paid by the State under Section I, Paragraph 1 above.
4. Upon completion of the work:
 - a. Notify the State and provide the opportunity for inspection of the completed project by the State;
 - b. Request project acceptance by the State
 - c. Complete and submit an ITD-0288 (ADA Ramp Inspection) form for each ramp constructed. The form(s) can be either mailed to the Idaho Transportation Department, Contracting Services Section, PO Box 7129, Boise, ID 83707-1129, or sent to the following e-mail address: ITDAltContracting@itd.idaho.gov, and
 - d. Request final payment upon receipt of project acceptance by the State.
5. Maintain all project records, including source documentation for all expenditures, for a period of three (3) years from the date of final acceptance. If any litigation, claim, negotiation, or audit has been started before expiration of the three-year period, the records shall be retained until completion of the action and resolution of all issues that arise from it.
6. Comply with all other applicable State and Federal regulations.
7. Refund to the State the amount paid under this Agreement if the project is terminated prior to completion or if the project is not completed within two (2) years of the effective date of this Agreement.
8. At its own expense, correct any ramps constructed under this Agreement that do not meet ADA requirements.

9. To the extent permitted by Idaho law and as provided by the Idaho Tort Claims Act, indemnify, save harmless the State, regardless of outcome, from the expenses of and against suits, actions, claims or losses of every kind, nature and description, including costs, expenses and attorney fees that may be incurred by reason of any act or omission, neglect or misconduct of the Sponsor or its consultant in the design, construction and maintenance of the work which is the subject of this Agreement, or Sponsor's failure to comply with any state or federal statute, law, regulation or rule. Nothing contained herein shall be deemed to constitute a waiver of the State's sovereign immunity, which immunity is hereby expressly reserved.

GENERAL:

1. This Agreement shall become effective on the date the parties entered into this Agreement, and shall remain in full force and effect until amended or replaced upon the mutual written consent of both parties.

EXECUTION

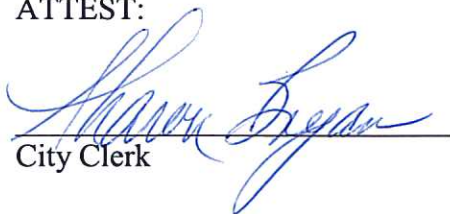
This Agreement is executed for the State by its Engineering Services Division Administrator, and executed for the City by the Mayor, attested to by the City Clerk, with the imprinted corporate seal of the City of Twin Falls.

IDAHO TRANSPORTATION DEPARTMENT

Approved by Engineering Services
Division Administrator

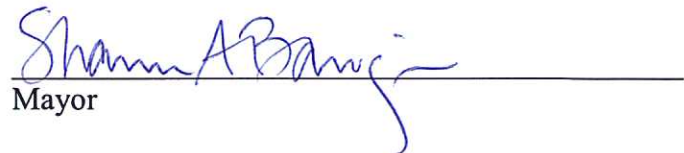
Recommended by District Engineer

ATTEST:



City Clerk

CITY OF TWIN FALLS



Mayor

By regular/special meeting held
on February 20, 2018

hm:20369 COOP (ADARamps).docx

RESOLUTION 2018-002

WHEREAS, the Idaho Transportation Department, hereafter called the **STATE**, has submitted an Agreement stating obligations of the **STATE** and the **CITY OF TWIN FALLS** hereafter called the **CITY**, for ADA improvements on US-93; and

WHEREAS, the **STATE** is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal-aid Highway System; and

WHEREAS, the **CITY** and the **STATE** are providing funds for this project; and

NOW, THEREFORE, BE IT RESOLVED:

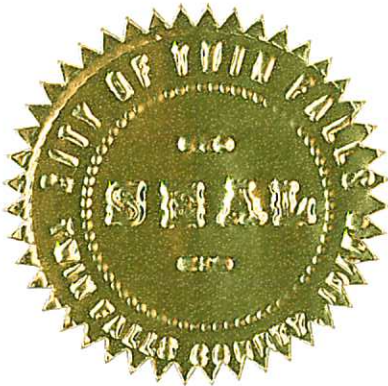
1. That the Cooperative Agreement to construct ADA improvements on US-93 within city limits is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the **CITY**.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a *regular, duly* called special (X-out non-applicable term) meeting of the City Council, City of Twin Falls, held on

February 20, 2018.

(Seal)




City Clerk