



Twin Falls City Council Agenda

Monday, May 11, 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) Peace Officers Memorial Day and Police Week - Request made by the Twin Falls Police Department
- 4) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve the Accounts Payable for April 30 to May 6, 2020.
By: Amy Luna, Finance Administrative Assistant
 - b) **ACTION ITEM:** Request to approve the May 4, 2020, City Council Minutes.
By: Amy Luna, Finance Administrative Assistant
 - c) **ACTION ITEM:** Request to approve the Findings of Fact and Conclusion of Law for El Milagro Subdivision Final Plat.
By: Jonathan Spendlove, Planning & Zoning Director
 - d) **ACTION ITEM:** Request to approve the Twin Falls High School, Canyon Ridge High School, and Xavier Charter School Graduation events.
By: Sergeant Ryan Howe, Twin Falls Police Department
- 5) ITEMS OF CONSIDERATION
 - a) **PRESENTATION:** Presentation by Joshua W. Kern M.D., Vice President of Medical Affairs, St. Luke's Health System.
By: Travis Rothweiler, City Manager
 - b) **ACTION ITEM:** Request to use contingency funds to upgrade park restrooms with hand washing amenities.
By: Wendy Davis, Parks and Recreation Director
 - c) **ACTION ITEM:** Request to approve a SkyWest lease amendment deferring rent/fee payments until September 15, 2020.
By: William Carberry, Airport Manager

- d) **ACTION ITEM:** Request to approve Happy Landing Restaurant's request to excuse 3-months' rent (April-June) due to the restaurants need to close or limit services during the pandemic response.
By: William Carberry, Airport Manager
- e) **ACTION ITEM:** Request to approve a Federal Airport CARES grant offer for \$1,193,730.00.
By: William Carberry, Airport Manager
- 6) GENERAL PUBLIC INPUT: To provide public input to the City Council please send to:
Citizeninput@tfid.org
- 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.

*Offices of
Twin Falls County and the City of Twin Falls*

Proclamation

A PROCLAMATION by the County and City of Twin Falls Idaho, declaring Sunday, May 10, through Saturday, May 16, 2020, as Police Week and Wednesday, May 15, 2020, as Peace Officers Memorial Day.

WHEREAS, the Congress and President of the United States have designated the week in which May 15th falls as National Police Week; and

WHEREAS, the members of the law enforcement agencies of the County and City of Twin Falls play an essential role in safeguarding the rights and freedoms of the residents of the County and City of Twin Falls; and

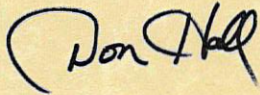
WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement agency and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agencies of the County and the City of Twin Falls unceasingly provide a vital public service;

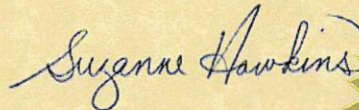
Now, therefore, we, call upon all citizens of the County and City of Twin Falls and upon all patriotic, civic and educational organizations to observe the week of May 10 through May 16, 2020, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

Furthermore, we call upon all citizens to observe May 15, 2020, as Peace Officers Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their communities or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

In witness whereof, we have hereunto set our hand and caused this seal to be affixed on this 6th day of May.



Don Hall
Chairman, Twin Falls County Commissioners



Suzanne Hawkins
Mayor of Twin Falls





**Twin Falls City Council
Minutes**

Monday, May 4, 2020, 5:00 PM

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 (by phone), Craig Hawkins, Greg Lanting, Christopher Reid (by phone) & Nikki Boyd (by phone).

Absent:

Staff Present: City Manager Travis Rothweiler, Deputy City Manager Mitch Humble, City Attorney Shayne Nope, CFO Lorie Race, Fire Chief Les Kenworthy, City Engineer Mark Holtzen, IT Director Kathy Markus, HR Director Gretchen Scott, Finance Administrative Assistant Amy Luna.

Mayor Hawkins called the meeting to order at 5:00 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 Lanting 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. 7 to 0

- a) **ACTION ITEM**: Request to approve the Accounts Payable for April 23-29, 2020.
- b) **ACTION ITEM**: Request to approve the April 27, 2020, City Council Minutes.
- c) **ACTION ITEM**: Request to approve the final plat for El Milagro approximately an 8.95 (+/-) acre to develop 1 lot located at 1122 Washington Street South. c/o Ryan Hackett Desert Ridge Investments, Inc. (PZ20-0053)

5) ITEMS OF CONSIDERATION

- a) **PRESENTATION**: Presentation by Joshua W. Kern M.D., Vice President of Medical Affairs, St. Luke's Health System.

Mayor Hawkins introduced Dr. Kern, Vice President of Medical Affairs, St. Luke's Health System.

Discussion ensued on the following:

Mayor Hawkins: Asked for clarification of the number of positive cases that are still happening.

Council Member Reid: Asked about the CDC's models for the States that are re-opening.

Mayor Hawkins thanked Dr. Kern for his presentation.

- b) **ACTION ITEM**: Request to confirm the City Manager's appointment of Breanna Howard as the City of Twin Falls Chief Financial Officer position.

City Manager Rothweiler requested the confirmation of the City Manager's appointment of Breanna Howard as the City of Twin Falls Chief Financial Officer.

Discussion ensued on the following: None

MOTION: Vice Mayor Pierce moved to confirm the City Manager's appointment of Breanna Howard as the City of Twin Falls Chief Financial Officer. **Council Member Hawkins** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- c) **ACTION ITEMS:** Request approval to use Contingency for an expenditure not to exceed \$10,000.00, and to reallocate fire capital funds.

Fire Chief Kenworthy requested the approval to use Contingency for an expenditure not to exceed \$10,000.00, and to reallocate fire capital funds.

Discussion ensued on the following: None

MOTION: Council Member Hawkins moved to approve the use of Contingency for an expenditure not to exceed \$10,000.00, and to reallocate fire capital funds. **Council Member Lanting** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- d) **ACTION ITEM:** Request to approve Resolution No. 2020-006 - Authorizing the Destruction of Records
Finance Administrative Assistant Luna requested the approval of Resolution No. 2020-006 - Authorizing the Destruction of Records.

Discussion ensued on the following:

Council Member Boyd: Is this like housekeeping? Are any of the items on the list "permanent items".

City Attorney Nope: Explained the laws regarding destruction of records

MOTION: Council Member Lanting moved to approve Resolution #2020-006 - authorizing the destruction of records. **Council Member Hawkins** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- e) **ACTION ITEM:** Request to approve a resolution to designate portions of Washington Street North, Washington Street and 6th Avenue West as an approved route for vehicle combinations up to 129,000 pounds.

City Engineer Holtzen made a request to approve a resolution to designate portions of Washington Street North, Washington Street and 6th Avenue West as an approved route for vehicle combinations up to 129,000 pounds.

Discussion ensued on the following:

Council Member Lanting: Asked about the tight corner at 6th Avenue and Shoshone.

MOTION: Vice Mayor Pierce moved to approve Resolution #2020-007 designating portions of Washington Street North, Washington Street and 6th Avenue West as an approved route for vehicle combinations up to 129,000 pounds. **Council Member Hawkins** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- f) **ACTION ITEM:** Request to approve a resolution to adopt message board guidelines.

Archway Facilitator Markus made a request to approve a resolution to adopt message board guidelines.

Discussion ensued on the following:

Council Member Barigar: Asked for clarification on some items in the resolution. Spoke against the resolution as is.

Council Member Boyd: Spoke against the resolution.

Vice Mayor Pierce: Asked for clarification on the resolution wording.

Council Member Lanting: Asked for clarification of the leader board wording stipulation and voiced concern that some of the sponsors are being cut out. Asked about turning it over to another entity.

Vice Mayor Pierce: Would other businesses be able to use the sign for "offsite advertising"?

Council Member Barigar: Made suggestions on how to go forward.

Mayor Hawkins: Asked if they wanted to discuss fees now or later.

Council Member Barigar: No fee's until we know exactly what we are going to do.

Council Member Reid: Would like to see the fee's offset the costs

MOTION: **Council Member Lanting** moved to table this resolution at this time. **Vice Mayor Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

6) GENERAL PUBLIC INPUT: To provide public input to the City Council please send to: Citizeninput@tfid.org

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

City Manager Rothweiler spoke on moving forward with the reopening of the City services.

Council Member Lanting: Spoke about fishing at Dierkes Lake.

Council Member Boyd: Spoke about voting in Twin Falls. Go to Idahovotes.gov.

8) PUBLIC HEARINGS: None

9) ADJOURNMENT

The meeting adjourned at 06:14 PM

Amy Luna, Finance Administrative Assistant



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Final Plat Application,</u>	)	FINDINGS OF FACT,
	)	
<u>El Milagro Subdivision</u>	)	
<u>c/o Desert Ridge Investments, Inc.</u>	)	CONCLUSIONS OF LAW,
<u>Applicant(s).</u>	)	
	)	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **Monday, May 4, 2020** for consideration of the final plat of the **El Milagro Subdivision**, approximately **8.95 (+/-)** acres to develop 1 lot located at 1122 Washington Street South, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the **El Milagro Subdivision**, approximately **8.95 (+/-)** acres to develop 1 lot located at 1122 Washington Street South.
2. The property in question is zoned **R-4 ZDA & R-4 NCO ZDA** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Town Neighborhood & Neighborhood Commercial** in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, **Residential**; to the south, **Residential**; to the east, **Washington St. S./Residential & Commercial**; to the west, **Residential**.
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

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

CONCLUSIONS OF LAW

1. The final plat of the **El Milagro Subdivision**, approximately **8.95 (+/-)** acres to develop 1 lot located at 1122 Washington Street South is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the **El Milagro Subdivision**, approximately **8.95 (+/-)** acres to develop one (1) lot located at 1122 Washington Street South is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

DATE

“EXHIBIT NO. A”

1. Subject to the Parks in lieu contribution being made for Phase 1 in the amount of \$21,850.78.
2. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.



Date: Monday, May 11, 2020, Council Meeting

To: Honorable Mayor and City Council

From: Sergeant Ryan Howe, Twin Falls Police Department

Request:

Request to approve the Twin Falls High School, Canyon Ridge High School, and Xavier Charter School Graduation events.

Time Estimate:

Staff recommends this item be placed on the consent calendar.

Approval Process:

Consent of the City Council.

The Twin Falls Police Department has received requests from Xavier Charter School, Twin Falls High School and Canyon Ridge High School for assistance with alternative graduation ceremony parades at each of their locations.

Twin Falls High School plans on holding a parade with approximately 300 private vehicles traveling from the Magic Valley Mall to Twin Falls High School on May 18, at 7:00 p.m.

Canyon Ridge High School would like to have their parade on May 19, at 7:00 p.m. The parade will have approximately 300 private vehicles and will begin at Sunway Soccer Complex and travel to Canyon Ridge High School.

Xavier Charter School will have an event on May 28, at 3:00 p.m. There will be approximately 35 private vehicles that will travel from Xavier Charter School, to the Sunway Soccer parking lot, to the College of Southern Idaho, and then return to the Xavier Charter School.

After each of the events, students and families have been asked not to congregate or meet in the area. Each of the schools will have several volunteers in the area to help ensure social distancing occurs and that the students do not violate the Governor's order at any of the locations.

The Twin Falls Police Department will provide traffic control at key intersections during each of the events. We will also be available to assist after the events for additional traffic control.

Budget Impact:

The City of Twin Falls will fund minimal overtime for traffic control by the Twin Falls Police Department at each of the events.

Regulatory Impact:

N/A

Conclusion:

The Twin Falls Police Department Staff have discussed these events and recommends that each event be approved.



Date: Monday, May 11, 2020
To: Honorable Mayor and City Council
From: Wendy Davis, Parks and Recreation Director

ACTION ITEM

Request:

ACTION ITEM: Request to use contingency funds to upgrade park restrooms with hand washing amenities.

Time Estimate:

Staff presentation will take approximately 10 minutes. Allow a few minutes for questions and discussion.

Background:

Historically, restrooms in our park facilities have had minimal features, and no soap dispensers or hand towels or hand dryers. More recent restrooms have hand dryers installed, but it has not been our practice to supply soap. Last summer it was brought to our attention by South Central Health District that permanent concession stands attached to a restroom must have warm water and soap available in the restrooms for the concession stand employees. The Parks department included those upgrades as part of the 2021 budget request.

As part of our efforts to support healthy behaviors in our community, providing amenities in our restrooms to support good hand hygiene makes good sense. As we prepare to open our facilities and comply with the Governor's rebound plan, good hand hygiene is a priority. Our park system has 21 restroom facilities. This request will upgrade all facilities with the necessary amenities to promote good hand hygiene, including installing soap dispensers, hand dryers, and hand sanitizer dispensers in our vault style restrooms. Please see the attached sheet with the breakdown of the expense.

We believe that FEMA or COVID 19 relief funds can be used to reimburse for this project.

Approval Process:

A simple majority will approve this request

Budget Impact:

If approved, \$52,357 will be allocated from contingency funds to make the upgrades. Staff is researching federal assistance opportunities for reimbursement.

Regulatory Impact:

Approval will dedicate contingency funds for use in the project.

History:

N/A

Analysis:

N/A

Conclusion:

Staff believes this project will support healthy behaviors and is the right thing to do, and therefore recommends council approve this request.

Attachments:

1. City of Twin Falls Park Restroom Upgrade

City of Twin Falls Park Restroom Upgrade

Upgrade power supply and install hot water heaters in 5 restrooms with concession stands	\$17,792
Purchase stainless steel hand dryers (16)	16,000
Power upgrades to 6 restrooms for hand dryers	9,000
Install 16 hand dryers	5,000
Purchase 36 soap dispensers	1,440
Purchase 100 gallons of soap (1 year supply) for all restrooms	1,300
Purchase 3 hand sanitizer dispensers for vault restrooms	<u>300</u>
	\$50,832
3% contingency	<u>1,525</u>
Total	\$52,357



Date: Monday, May 11, 2020
To: Honorable Mayor and City Council
From: Bill Carberry, Airport Manager

Request:

Consideration of a SkyWest lease amendment deferring rent/fee payments until Sept. 15, 2020.

Time Estimate:

The staff presentation will take approximately 5 minutes, with possibly additional time for questions.

Background:

I receive a request from SkyWest Airlines on April 17th asking for a deferment of rents/fees due to the unprecedented impact due to the Covid 19 pandemic and severe impacts to air travel. They have been making this request to all of the cities they serve.

The request included:

1. May, June, and July rents are deferred until September 15, 2020, and
2. April, May, and June Landing and ARFF (firefighting) Fees are deferred until Sept. 15, 2020.

I worked with City Attorney, Shayne Nope, to draft the attached lease amendment for your consideration.

SkyWest Airlines would like me to relay their appreciation to the City Council for your consideration of their request

Approval Process: A majority vote of the Council is needed to approve the request.

Budget Impact:

The amendment to the lease would not impact the amount owed by SkyWest, just the timing of its remittance.

Regulatory Impact:

The guidance from the FAA would allow for this type of local decision be made by the City Council.

Conclusion:

Staff recommends that the City Council approve the request to amend the SkyWest lease agreement to defer rent & fees until September 15, 2020.

Attachments: SkyWest lease amendment

AMENDMENT TO THE
AIRPORT LEASE AGREEMENT - AIRLINE

Whereas, the City of Twin Falls, Idaho (“Lessor”) and Skywest Airlines, Inc (“Lessee”) entered into an AIRPORT LEASE AGREEMENT – AIRLINE (“Lease”) on the 1st day of November 2016; and,

Whereas, Lessee and Lessor have had a good working relationship for flights in and out of Joslin Field – Magic Valley Regional Airport (“Airport”); and,

Whereas, the COVID-19 pandemic has resulted in unprecedented volume of travel disruptions across the United States and for the Airport; and,

Whereas, Lessee has asked to defer rents and fees required under the Lease until September 15, 2020 and Lessor desires to accommodate this request; and,

Whereas, Section 35 of the Lease requires that amendments to the Lease be made in writing and signed by both parties.

Now therefor, the Lease is hereby amended as follows:

1. May, June, and July rents are deferred until September 15, 2020, and
2. April, May, and June Landing and ARFF Fees are deferred until September 15, 2020.

IN WITNESS WHEREOF, Lessor and Lessee have executed this Amendment to the Airport Lease Agreement, as of, the latest date listed on the signature lines below.

LESSOR:

City of Twin Falls, Idaho,
a municipal corporation,

By _____ Date: _____
Mayor – Suzanne Hawkins

LESSEE:

SkyWest Airlines, Inc.

By _____ Date: _____
Its _____



Date: Monday, May 11, 2020
To: Honorable Mayor and City Council
From: Bill Carberry, Airport Manager

Request:

Consideration of Happy Landing Restaurant's request to excuse 3-months' rent (April-June) due to the restaurants need to close or limit services during the pandemic response.

Time Estimate:

The staff presentation will take approximately 5 minutes, with possibly additional time for questions.

Background:

I receive a request from Tammy Boring, operator of the Airport's Happy Landing restaurant, April 28th. The request asks for the City Council's consideration to excuse the restaurant for rent due April, May and June 2020. Ms. Boring discussed with me the financial effects of closing or limiting services during the pandemic response requirements imposed on restaurants. She is hopeful that they will be able to rebound during the summer and fall months.

Approval Process:

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

Budget Impact:

Current rent for the restaurant is \$653.16 per month. Excusing the rent for 3 months would total \$1,959.48

Regulatory Impact:

The guidance from the FAA would allow for this type of local decision be made by the City Council.

Conclusion:

Staff recommends that the City Council consider the request to excuse 3 months' rent, April thru June, for the Happy Landing Restaurant.

Attachments: Request Letter- Happy Landing Restaurant

Happy Landing Restaurant
524 Airport Loop
Twin Falls, ID 83301

Bill Carberry
Airport Manager
Joslin Field MVRA
492 Airport Loop
Twin Falls, ID 83301

April 28, 2020

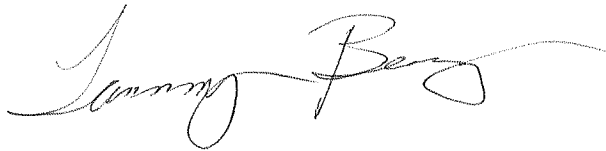
Re: Happy Landing Rent Relief for April, May, and June 2020.

Dear Bill,

Due to the Covid -19 health pandemic, and the Idaho Governor's mandate for restaurant businesses to close or limit services, we request that you please assist us during our current financial slowdown and excuse us from rent due for the months of April, May, and June of 2020.

We are hopeful that business will slowly build back over the upcoming summer and fall months.

Sincerely,

A handwritten signature in black ink, appearing to read "Tammy Boring", with a long, sweeping horizontal line extending to the right.

Tammy Boring, Owner
Happy Landing Restaurant



Date: Monday, May 11, 2020
To: Honorable Mayor and City Council
From: Bill Carberry, Airport Manager

Request: Consideration of a Federal Airport CARES grant offer for \$1,193,730.00

Time Estimate: The staff presentation will take approximately 5 minutes, with possibly additional time for questions.

Background: Due to the Corona virus pandemic the U.S. Congress passed the CARES act in order to provide relief and economic stimulus to the U.S. economy. Included in the support there are funds to help support the operations of most airports in the Country. There were appropriation formulas for funding based on an airport's percentage of enplanements of the total U.S. enplanement levels, this is the area in which our grant offer is funded. There are also other appropriations that were funded based on an airport's debt service and level of reserves. With our airport not having any debt service, this funding formula was not part of our grant offer (see attached).

The Magic Valley Regional Airport, like most commercial service airports, is seeing significant impacts to operating revenue associated with declining airline and passenger activity such as landing fees, firefighting service fees, fuel flowage fees and car rental fee revenues. With the extent and duration of the downturn difficult to forecast, the CARES grant is a welcome source of funding to help insulate the airport's operating revenue from potential declines for a period of time.

Approval Process: A majority vote of the Council is needed to approve the request.

Budget Impact: The funding requires no local match, and is intended to be used to assist with the airport's operations budget. The grant funding will allow the airport to maintain normal operations and not have to draw on reserves or additional support from the City and County property tax funds to make up any deficits.

The funding for the grant is coming from the U.S. general fund and transferred to the U.S. DOT to be distributed through the existing FAA airport grant process as is done with the Airport Improvement Program (AIP) funding. We will draw down on the grant by submitting all expenses associated with the airport's operating fund (personnel, supplies, utilities, etc...) as expended over the next year approximately.

Regulatory Impact: The grant assurances will not have all the same requirements as the typical grants associated with development projects. The City Attorney will review the grant offer.

Conclusion: Staff recommends that the City Council approve acceptance of the CARES grant offer in the amount of \$1,193,730.00, and authorize the Mayor to sign the pending grant offer.

Attachments: CARES Grant FAQ information



U.S. Department of Transportation
Federal Aviation Administration

Coronavirus Aid, Relief, and Economic Security Act (CARES Act)

Public Law 116-136

Airport Grants

April 2020



Coronavirus Aid, Relief, and Economic Security (CARES) Act

Airport Grants Overview

- What are CARES Act provisions?
- Which airports are eligible?
- What expenditures are eligible?
- What are the CARES Act grant amount formulas?
- How to apply and execute a grant?
- How to request and process grant payments?
- What are the documentation and audit requirements?



CARES Act Airport Grants

What are CARES Act provisions?

- **March 27, 2020**
- **Nearly \$10 billion** to eligible U.S. airports to prevent, prepare for, and respond to coronavirus impacts, including support for continuing airport operations
- **Funds available to:**
 - **Keep** airports in reliable, safe operation to serve the aviation industry, the travelling public, and support the economy
 - **Keep** airport and aviation workers employed
 - **Keep** airport credit ratings stable



CARES Act Airport Grants

What are CARES Act provisions?

- **Not** Airport Improvement Program (AIP) grants
- **Appropriated from General Fund** and not from the Airport and Airway Trust Fund
- **FAA will award funds** on expedited basis
- **FAA encourages sponsors** to spend funds expeditiously
- **Workforce retention requirements** for large, medium, and small hub airports



CARES Act Airport Grants

Which airports are eligible?

- **Eligible airports** in the National Plan of Integrated Airport Systems (NPIAS), including commercial service airports, reliever airports and some public-owned general aviation airports
- **Over 3,000 airports**, ranging from large airports such as Dallas Fort Worth International Airport to small general aviation airports such as Salem, Indiana



CARES Act Airport Grants

What expenditures are eligible?

- **Available for** any purpose for which airport revenues may lawfully be used
- **Generally available** for expenditures allowed by the FAA's Policy and Procedures Concerning the Use of Airport Revenue (Revenue-Use Policy)
- **Additional requirements** for new contracts for airport development, (construction or real property acquisition), such as safety and security, Davis-Bacon Act, Buy American, National Environmental Policy Act (NEPA) and other specific requirements for new airport development under CARES Act



CARES Act Airport Grants

How are funds allocated?

The CARES Act divides the \$10 billion into four groups:

- **Group 1:** Increasing the Federal Share to 100% for FY 2020 AIP and FY 2020 Supplemental Discretionary grants – **At least \$500 million**
- **Group 2:** Commercial Service Airports – **At least \$7.4 billion**
- **Group 3:** Primary Commercial Airports – **Up to \$2 billion**
- **Group 4:** General Aviation Airports – **At least \$100 million**



CARES Act Airport Grants

Funding Groups and Formula Development – GROUP 1

- **100% Federal share** for FY 2020 grants, including AIP grants already announced
- **No change to** grants funded under FY 2018 or FY 2019 appropriation



CARES Act Airport Grants

Funding Groups and Formula Development – GROUP 2

Grantee formula for commercial service airports:

- **50% based** on each airport's percentage of enplanements for all commercial service airport enplanements during calendar year 2018
- **25% based** on each sponsor's percentage of debt service* for the combined debt service for all commercial service airports for fiscal year 2018
- **25% based** on the sponsor's fiscal year 2018 ratio of unrestricted reserves* to its respective debt service

*As defined in AC 150/5100-19, Airport Financial Reporting Advisory Circular



CARES Act Airport Grants

Funding Groups and Formula Development – GROUP 2

50% based on each airport's percentage of enplanements for all commercial service airport enplanements during calendar year 2018

	Enplanements	As % of Total	Resulting Allocated Funds
Airport A	2,501	0.038064%	\$190,320
Airport B	8,000	0.121756%	\$608,782
Airport C	10,000	0.152195%	\$760,977
Airport D	50,000	0.760977%	\$3,804,885
Airport E	500,000	7.609770%	\$38,048,849
Airport F	1,000,000	15.219540%	\$76,097,698
Airport G	5,000,000	76.097698%	\$380,488,489
Totals	6,570,501	100%	\$500,000,000

← Purely Illustrative Figure



CARES Act Airport Grants

Funding Groups and Formula Development – GROUP 2

25% based on each sponsor's percentage of debt service for the combined debt service for all commercial service airports for fiscal year 2018

	Line 15.1 Debt Service, Excluding Coverage	As % of Total	Resulting Allocated Funds
Airport A	\$0	0%	\$0
Airport B	\$25,000	0.060790%	\$151,976
Airport C	\$100,000	0.243161%	\$607,903
Airport D	\$1,000,000	2.431611%	\$6,079,027
Airport E	\$5,000,000	12.158055%	\$30,395,137
Airport F	\$10,000,000	24.316109%	\$60,790,274
Airport G	\$25,000,000	60.790274%	\$151,975,684
Totals	\$41,125,000	100%	\$250,000,000

← Purely Illustrative Figure



CARES Act Airport Grants

Funding Groups and Formula Development – GROUP 2

25% based on the sponsor's fiscal year 2018 ratio of unrestricted reserves to its respective debt service

	Line 13.0 Unrestricted Cash and Investments	Line 15.1 Debt Service, Excluding Coverage	Calculated Ratio	Initial Resulting Allocation %	Resulting Allocated Funds	Ratios Used in Allocation	Resulting Allocation %	Resulting Allocated Funds	
Airport A	\$0	\$2,000,000	0.000000	0.000000%	\$0	0.000000	0.000000%	\$0	
Airport B	\$400,000	\$1,600,000	0.250000	0.070484%	\$211,453	0.250000	0.227919%	\$683,757	
Airport C	\$800,000	\$1,400,000	0.571429	0.161107%	\$483,322	0.571429	0.520958%	\$1,562,873	
Airport D	\$1,600,000	\$1,200,000	1.333333	0.375917%	\$1,127,751	1.333333	1.215568%	\$3,646,704	
Airport E	\$3,200,000	\$1,000,000	3.200000	0.902201%	\$2,706,603	3.200000	2.917363%	\$8,752,089	
Airport F	\$6,400,000	\$800,000	8.000000	2.255503%	\$6,766,508	8.000000	7.293408%	\$21,880,223	
Airport G	\$12,800,000	\$600,000	21.333333	6.014674%	\$18,044,023	21.333333	19.449087%	\$58,347,262	
Airport H	\$25,600,000	\$400,000	64.000000	18.044023%	\$54,132,068	25.000000	22.791899%	\$68,375,697	
Airport I	\$51,200,000	\$200,000	256.000000	72.176090%	\$216,528,271	25.000000	22.791899%	\$68,375,697	
Airport J	\$10,000,000	\$0	Cannot be calculated mathematically			25.000000	22.791899%	\$68,375,697	
Totals	\$112,000,000	\$9,200,000	354.688095	100.000000%	\$300,000,000	109.688095	100.000000%	\$300,000,000	Purely Illustrative Figure

Capping these ratios at no more than 25.0 prevents disproportionately high award levels.

Setting this otherwise incalculable ratio at the same level (25.0) supports statutory consistency.

Adding the ratios together creates an index for calculating the allocation %. Each individual ratio is compared against the total index to derive their percentage allocation from this portion of the available funds.



CARES Act Airport Grants

Funding Groups and Formula Development – GROUP 3

- **Allocation for** large, medium, small and non-hub **primary airports** and non-primary commercial service airports with 8,000 – 9,999 passenger boardings
- **Based on** statutory AIP primary apportionment formulas to include:
 - Doubling of apportioned fund for primary airports only
 - Exceptions include:
 - No \$26 million limit for primary airports
 - No reduction for imposing passenger facility charges



CARES Act Airport Grants

Funding Groups and Formula Development – GROUP 4

- **Available to GA airports** based on a percentage of the aggregate eligible development of each GA category published in the National Plan of Integrated Airport Systems (NPIAS) eligible development
- **Funds divided evenly among** eligible airports in each category, rounding up to the nearest thousand dollars



CARES Act Airport Grants

How does an airport sponsor apply?

- **No application** for Federal share increase – FAA will adjust grant amounts
- **Secretary announces** amounts allocated to each airport sponsor under Groups 2, 3, and 4
- **Simplified application** to claim these funds, OMB Form 424
- **Grant Agreements** will be issued in April 2020 and will not contain standard AIP grant assurances but contain CARES Act and standard Federal grant conditions



CARES Act Airport Grants

What requirements apply to a CARES grant?

- **CARES Act Airport Grant Agreements** require:
 - 2 CFR part 200
 - Exclusive Rights prohibitions
 - Title VI, Civil Rights
- **For airport development projects**, additional requirements such as:
 - Prevailing wage
 - Buy American
 - Veterans' Preference
 - Disadvantaged Business Enterprises
 - Environmental review
 - Other requirements to protect airport safety



CARES Act Airport Grants

How to request and process payments?

- **Reasonable and customary documentation** for payroll, operational, and debt service costs
- **Additional documentation** for new airport development:
 - construction, modifications, or real property acquisition
- **Additional documentation** for payments for:
 - Airfield installations, equipment, signage and markings
 - Payments to sponsor's non-airport accounts
- Grant payments requested under the CARES Act will be in accordance with 2 CFR part 200



CARES Act Airport Grants

Are there documentation and audit requirements?

- Sponsor and FAA accountability is imperative
- All payment requests require supporting documentation similar to the level of detail required for AIP grants
- Sponsors must retain complete records to support all grant payments
- Grants subject to audit to prevent improper payments



Thank you

Please visit
www.faa.gov/airports/cares_act/
for more information and continuous updates.

Send general questions to
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