



Twin Falls City Council Agenda

Monday, September 21, 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
- 4) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve the Accounts Payable for September 10-16, 2020.
By: Amy Luna, Finance Administrative Assistant
 - b) **ACTION ITEM:** Request to approve the Alcohol License for Twin Beans Coffee LLC.
By: Amy Luna, Finance Administrative Assistant
 - c) **ACTION ITEM:** Recommendation on a Parks In-Lieu application for the Andrea Subdivision located on the 300 Block of Harrison St S. (Application PZ20-0099). On September 8, 2020, the Parks and Recreation Commission voted unanimously to recommend approval to City Council.
By: Jonathan Spendlove, Planning & Zoning Director
 - d) **ACTION ITEM:** Request to approve a Parks In-Lieu application for the Ensign Subdivision located at 1751 3rd Avenue East. (PZ20-0114). On September 8, 2020, the Parks and Recreation Commission voted unanimously to recommend approval to City Council.
By: Jonathan Spendlove, Planning & Zoning Director
 - e) **ACTION ITEM:** Request from Bridget Posson, on behalf of Girls on the Run. Girls on the Run is a 5K running event. This event will begin near the Visitor's Center on the Canyon Rim trail on Saturday, November 14, 2020.
By: Ryan Howe, Police Sergeant
 - f) **ACTION ITEM:** Request to hold the Trick or Treat on Main Street event.
By: Ryan Howe, Police Sergeant
 - g) **ACTION ITEM:** Request to accept the Improvement Agreement for the purpose of developing Northern Passage Subdivision 3, 4, and 5 - Phase 3C & 4.
By: Mark Holtzen, City Engineer
 - h) **ACTION ITEM:** Request from the Twin Fall School District to waive permit fees for construction and placement of a freestanding message board sign at the Robert Stewart Middle School.
By: Matthew Long, Building Official

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 approve a Resolution to amend the bylaws of the Twin Falls Youth Council.
By: Suzanne Hawkins, Mayor
- c) **INFORMATIONAL:** Update to Council on the Community Transformation Grant from the Blue Cross of Idaho Foundation for Health.
By: Mandi Thompson, Assistant to the City Manager
- d) **ACTION ITEM:** Request to accept an offer to purchase the City's half ownership share in the real property located at 303 4th Avenue East.
By: Mitch Humble, Deputy City Manager

6) GENERAL PUBLIC INPUT

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

8) PUBLIC HEARINGS

- a) **ACTION ITEM:** Public Hearing to amend the Fiscal Year 2019-2020 Budget.
By: Mathew D. Farnes, Finance Department
- b) **ACTION ITEM:** Request for a Zoning District Change from R-4 PUD to R-2 for Lot 5, Bock 1, Fieldwood Subdivision, located at 1075 Cheney Drive West c/o EHM engineers, Inc on behalf of Wills, Inc. On August 25, 2020, the Planning and Zoning Commission recommended approval to City Council by a vote of 5-0.(PZ20-0087)
By: Jonathan Spendlove, Planning & Zoning Director
- c) **ACTION ITEM:** Request to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos. On June 23, 2020, the Planning and Zoning Commission recommended approval to City Council by a vote of 5-0.(PZ20-0051)
By: Jonathan Spendlove, Planning & Zoning Director

9) ADJOURNMENT

- a) **ACTION ITEM:** REQUEST TO ADJOURN TO EXECUTIVE SESSION:

§ 74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

Any person(s) needing special accommodations to participate in the above-noticed meeting 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.



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

Print Form

Alcohol License

Please attach a copy of your state license

Business Name: Twin Beans Coffee LLC State License # 19206
Doing Business As: Twin Beans Coffee Co
Physical Address: 144 Main Ave S City, State, Zip Twin Falls, ID 83301
Legal Description of Place of Business Lot 11012 Block 103 Subdivision Twin Falls Townsite
Mailing Address: 144 Main Ave S City, State, Zip: Twin Falls, ID 83301
Contact Person: Paul Graff Phone # 208-420-4880

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

License expires June 30th

Total Fee \$ 400.00

Applicant is an: Individual ☐ Partnership ☐ Corporation ☒

If a partnership, name all partners:

Name: _____

Name: _____

Name: _____

If a corporation or association, name all officers:

Name: Paul R Graff

Title: Member

Name: Victoria L Graff

Title: Member

Name: _____
Title: _____
Name: _____
Title: _____

Date of incorporation or organization: _____ Place of incorporation or organization: _____

Principal place of business in Idaho: 144 Main Ave S

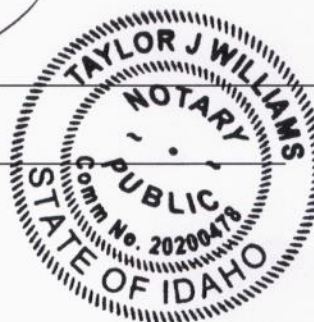
Owner of premises: Graffix LLC / Twin Beans Coffee LLC

Name of person who will manage business of selling beer at retail: Paul Graff

(If a partnership, all partners must sign)

Signature of applicant 

Name: Paul R Graff Birth date: 



Signature of applicant _____

Name: _____ Birth date: _____

Signature of applicant _____

Name: _____ Birth date: _____

Signature of applicant _____

Name: _____ Birth date: _____

Subscribed and sworn to before me this 9 day of September, 2020

Notary Public for Idaho

Residing at: Twin Falls

Notary Expiration Date: 02/07/2026

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

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

CITY STAFF USE ONLY:

Approvals:

Planning and Zoning:

Yes

see Attached

No

Comments:

Police Department:

Yes

No

Comments:

City Clerk:

Yes

No

Comments:

Idaho State Police

Premises Number: 2T-19206

Retail Alcohol Beverage License

License Year: 2021

License Number: 19206

This is to certify, that Twin Beans Coffee LLC
doing business as: Twin Beans Coffee Co

is licensed to sell alcoholic beverages as stated below at:
144 Main Ave S, Twin Falls, Twin Falls County

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

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

TOTAL FEE: \$250.00

License Valid: 07/29/2020 - 06/30/2021

Expires: 06/30/2021



[Signature]

Signature of Licensee, Corporate Officer, LLC Member or Partner

TWIN BEANS COFFEE LLC
TWIN BEANS COFFEE CO
144 MAIN AVE S

TWIN FALLS, ID 83301

Mailing Address

[Signature]

Director of Idaho State Police

Amy Luna

From: Jonathan Spendlove
Sent: Friday, September 11, 2020 4:21 PM
To: Janie Higgins; Amy Luna
Subject: RE: Alcohol License Application for Twin Beans

No Zoning issues with this "renewal".

-----Original Message-----

From: Janie Higgins
Sent: Friday, September 11, 2020 11:33 AM
To: Jonathan Spendlove <JSpendlove@tfid.org>; Craig S. Kingsbury <ckingsbury@tfid.org>; Matt Hicks <Mhicks@tfid.org>; Anthony Barnhart <ABarnhart@tfid.org>; Amy Luna <ALuna@tfid.org>
Subject: Alcohol License Application for Twin Beans

Good morning,

Twin Beans just dropped off the attached alcohol license application. He paid for the application fee and license; I'll give to Utility Billing to process today. (Amy, I'll get you a receipt)

The attached has his State license; he'll bring over the County license when available (he said it should be today)

He said he was told that since his license with the City lapsed, he could not renew, but needed to submit a new one.

My understanding is that this would need to go through Council; and it is too late for Council's agenda for Monday.

(Amy, he indicated that someone told him he could have it here as late as Monday and still get it on the agenda; would you please call him on Monday at (208) 420-4880 just to confirm if it was too late for Monday?)

I will put the original application on Amy's tall desk along the glass wall for anyone who needs to approve/sign it.

Thank you,

Janie Higgins
Accounting Specialist
City of Twin Falls
P.O. Box 1907
Twin Falls, Idaho 83303-1907
(208) 735-7331
jhiggins@tfid.org

City of Twin Falls
- 203 Main Avenue East
P.O. Box 2469
Twin Falls, ID 83303-2469

09/11/2020 03:45 PM

Twin Beans Coffee LLC
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Application Fee	50.00
Total	50.00

Cash	0.00
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DKR Sta 3 1986	50.00
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Change	0.00
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Cashier: mmartine Station: BRLJRDZ
Receipt # 02619776

City of Twin Falls
203 Main Avenue East
P.O. Box 2469
Twin Falls, ID 83303-2469

09/11/2020 03:45 PM

Twin Beans Coffee LLC
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Alcohol Catering Permit	400.00
Total	400.00

Cash	0.00
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DKR Sta 3 1987	400.00
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Change	0.00
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Cashier: mmartine Station: BRLJRDZ
Receipt # 02619777



Date: Monday, September 21, 2020
To: Parks and Recreation Commission
From: Jonathan Spendlove

ACTION ITEM

Request:

Recommendation on a Parks In-Lieu application for the Andrea Subdivision located on the 300 Block of Harrison St S. (Application PZ20-0099). On September 8, 2020, the Parks and Recreation Commission voted unanimously to recommend approval to City Council.

Time Estimate:

Presentation will take approximately 5 minutes. Staff expects a few minutes for questions and answers.

Background:

The Andrea Subdivision is a 1.8 acre development with 14 lots. The development located on the West side of the 300 Block of Harrison Street South. The Benno's Point Subdivision is located towards the East across Harrison St South.

An appraisal conducted in June, 2020 was used to establish the property value.

In accordance with City Code Section 10-12-3-11 Section F: The city council may, at their discretion, approve and accept cash contributions in lieu of park land with improvements, which contributions shall be used for park land acquisition and/or park improvements within the boundaries of the arterial streets in which the development is located. In the event that no such facilities or needs are so located, the director may propose a budgeted expenditure to apply the funds to needs identified at any such facility existing within one mile of the boundaries of the project from which the funds originated. If the director determines that no reasonable use exists within the extended geographical area, the director shall, with the approval of the parks and recreation commission, propose to the city council a specific application for the funds which need not be limited geographically, and may include such use as future land acquisition. The fee structure for cash contributions for acquisition of park land shall be the appraised value of the required land area at the time of the application. The development may qualify for a 50% reduction on their cash contribution in lieu of park land if the development met all criteria to be called an "in fill" development. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant. The fee structure for park improvements, including all costs of acquisition, construction and all related costs, shall be based upon the estimated costs of an approved improvement provided by a qualified contractor and/or vendor. (Ord. 2954, 11-3-2008)

Approval Process:

A vote by the the Commission will be forwarded to the City Council for a final decision regarding acceptance of the In-Lieu Fees.

Budget Impact:

N/A

Regulatory Impact:

A decision on the Parks In-Lieu Fee is required prior to the approval of any Plat.

History:

N/A

Analysis:

N/A

Conclusion:

Based on the proximity to existing Parks, and the limited size of the potential Park Dedication, Staff Recommends approval of this InLieu request.

The Parks Commission recommended approving the Parks In-Lieu request by unanimous vote.

The Council is tasked with making a final decision on this matter.

Attachments:

1. Parks In Lieu Contribution Application

Date: _____

PARKS IN LIEU CONTRIBUTION APPLICATION-2014

Subdivision Name: Andrea Subdivision

Number of Dwelling/Household Units/Acres: 14 Doors / 1.81 Acres

Developer: Greg & Andrea Olsen

Address/Phone #: 2689 Suncrest Cir. Twin Falls, ID 83301
(435) 279-0284

Appraiser: McKinlay & Klundt Appraisal Co.
Address/Phone #: P.O. Box 5698, Twin Falls, ID 83303
(208) 734-5522

As per Twin Falls City Code Title 10; Chapter 12; Section 3.11 ... "No residential plat shall be approved unless it includes provision for parks and stormwater retention/detention. "... The city council may, at their discretion, approve and accept cash contributions in lieu of developed park land with improvements. "

The following items shall be included with this Parks in Lieu Contribution application. It is the responsibility of the developer to see that all required information is provided to the city at the time of submittal of the Parks in Lieu Contribution application. An incomplete application will not be accepted by the City Administrator.

The City of Twin Falls allows two (2) different types of requests for Parks In Lieu cash contributions, as per TF City Code 10-12-3.11. Please mark an **X** by the type of request you are going to use; #1 or #2: -

1. ☒ **I am requesting approval of a Parks In Lieu contribution without walking/bicycle trails, using the following Contribution Formula:**

- (a) Determine the per acre appraised value of the Land in the development.
See 10-12-3-11 (F). Appraisal value of the Land: (L) 35,715
- (b) The current Park Development cost is \$31,700 per acre. (PD) \$31,700
- (c) Total the number of Household units in the development. (H) 14

1-The proposed Cash Contribution using #1: (L+PD)(H)(.01) (CC) \$ 9,438.10

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

The City of Twin Falls allows for a 50% reduction in the cash contribution, as per 10-12-3.11(G), subject to meeting ALL FIVE (5) CRITERIA:

1. The number of household units must be eight (8) or less per acre, as identified on the preliminary plat.
2. Development shall be located within city limits.
3. Development shall not border an arterial street.
4. Development shall not border the city limits.
5. Development must not have been converted from agricultural land. (Ord. 3034, 7-16-2012)

If development qualifies for the 50% reduction, divide Cash Contribution (CC) amount by two (2). _____

2. _____ I am requesting approval of a Parks In Lieu mixed contribution consisting of cash and developed walking/bicycle trails, using the following Contribution Formula:

- (a) Determine the per acre appraised value of the Land in the development.
See 10-12-3-11 (F). Appraisal value of the Land: (L) _____
- (b) The current Park Development cost is \$31,700 per acre. (PD) \$31,700
- (c) Total the number of Household units in the development. (H) _____

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

- (d) Developed Trail Cost:
- i. Cost of land underneath the trail (per square foot): (A) _____
- ii. Cost to develop the trail (per square foot): (B) _____
- Developed Trail Cost = (A + B) (total trail cost per square foot): (TC) _____

- (e) Land Portion = (L)(H)(0.01) – (TC) (LP) _____
- Note: Land portion cannot be less than 50% of (L)(H)(.01).

- (f) Park Improvement Portion = (31,700)(H)(.01): (PIP) _____

- (g) Land Portion + Park Improvement portion (LP + PIP)= _____

2-The proposed Cash Contribution using #2: (CC) \$ _____

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

Parks In Lieu contribution must be made prior to final plat recordation.

PRIOR TO SUBMITTAL OF THIS APPLICATION HAVE YOU:

- ... Talked to the Parks & Recreation Department about the requirements?
- ... Enclosed a copy of the appraiser's value for the land.
- ... Enclosed a copy of bid/material costs to construct walking path/bike trail.

Date Submitted: _____

City Council Agenda Date: _____

Application accepted by City Administrator: _____

Engineering Approval: _____



Date: Monday, September 21, 2020
To: Parks and Recreation Commission
From: Jonathan Spendlove

ACTION ITEM

Request:

Request to approve a Parks In-Lieu application for the Ensign Subdivision located at 1751 3rd Avenue East. (PZ20-0114). On September 8, 2020, the Parks and Recreation Commission voted unanimously to recommend approval to City Council.

Time Estimate:

Approximately 5-10 minutes for the presentation with questions/comments to follow.

Background:

The Ensign Meadows subdivision is approximately 0.42 acres to be subdivided into 2 lots. The plan is to construct a duplex on each of these lots.

An appraisal conducted in April, 2020 was used to establish the property value.

In accordance with City Code Section 10-12-3-11 Section F: The city council may, at their discretion, approve and accept cash contributions in lieu of park land with improvements, which contributions shall be used for park land acquisition and/or park improvements within the boundaries of the arterial streets in which the development is located. In the event that no such facilities or needs are so located, the director may propose a budgeted expenditure to apply the funds to needs identified at any such facility existing within one mile of the boundaries of the project from which the funds originated. If the director determines that no reasonable use exists within the extended geographical area, the director shall, with the approval of the parks and recreation commission, propose to the city council a specific application for the funds which need not be limited geographically, and may include such use as future land acquisition. The fee structure for cash contributions for acquisition of park land shall be the appraised value of the required land area at the time of the application. The development may qualify for a 50% reduction on their cash contribution in lieu of park land if the development met all criteria to be called an "in fill" development. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant. The fee structure for park improvements, including all costs of acquisition, construction and all related costs, shall be based upon the estimated costs of an approved improvement provided by a qualified contractor and/or vendor. (Ord. 2954, 11-3-2008)

Approval Process:

A vote by the Commission will be forwarded to the City Council for a final decision regarding acceptance of the In-Lieu Fees.

Budget Impact:

n/a

Regulatory Impact:

A decision on the Parks In-Lieu Fee is required prior to the approval of any Plat.

History:

n/a

Analysis:

n/a

Conclusion:

Based on the proximity to existing Parks, and the limited size of the potential Park Dedication, Staff Recommends approval of this In Lieu request.

The Parks Commission recommended approval of the In-Lieu request

Attachments:

1. PZ20-0114 Parls In Lieu Applcation

AUG 26 2020

Date: 8-14-2020

CITY OF TWIN FALLS
PLANNING & ZONING

PARKS IN LIEU CONTRIBUTION APPLICATION-2014

P220-0114

Number of Dwelling/Household Units/Acres: 4 Doors / 0.42 Acres

Address/Phone #: 1001 W 6th St, Filer, ID 83328

208-886-0552

Address/Phone #: --

The City of Twin Falls allows for a 50% reduction in the cash contribution, as per 10-12-3.11(G), subject to meeting ALL FIVE (5) CRITERIA:

2. _____ I am requesting approval of a Parks In Lieu mixed contribution consisting of cash and developed walking/bicycle trails, using the following Contribution Formula:

(a) Determine the per acre appraised value of the Land in the development.
See 10-12-3-11 (F). Appraisal value of the Land: (L) _____

(b) The current Park Development cost is \$31,700 per acre. (PD) \$31,700

(c) Total the number of Household units in the development. (H) _____

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

(d) Developed Trail Cost:
i. Cost of land underneath the trail (per square foot): (A) _____
ii. Cost to develop the trail (per square foot): (B) _____

Developed Trail Cost = (A + B) (total trail cost per square foot): (TC) _____

(e) Land Portion = (L)(H)(0.01) - (TC) (LP) _____
Note: Land portion cannot be less than 50% of (L)(H)(.01).

(f) Park Improvement Portion = (31,700)(H)(.01): (PIP) _____

(g) Land Portion + Park Improvement portion (LP + PIP) = _____

2-The proposed Cash Contribution using #2: (CC) \$ _____

Note: Lots large enough for duplex or larger multi-family units shall be identified as intended for development as single household dwelling units on the preliminary plat otherwise the maximum density will be used to determine number of household units/single family dwellings for the purpose of this application.

Parks In Lieu contribution must be made prior to final plat recordation.

PRIOR TO SUBMITTAL OF THIS APPLICATION HAVE YOU:

... Talked to the Parks & Recreation Department about the requirements?

... Enclosed a copy of the appraiser's value for the land.

... Enclosed a copy of bid/material costs to construct walking path/bike trail.

Date Submitted: _____

City Council Agenda Date: _____

Application accepted by City Administrator: _____

Engineering Approval: _____

PURCHASE SALE AGREEMENT

PARTIES: Kevin Thomas Ranalli, as Seller, and Ensign Construction, as Buyer, hereby agree that the Seller shall sell, and Buyer shall buy the following legally described property.

1. DESCRIPTION:

The South one-half of Lot 8, RITCHEY SUBDIVISION, Twin Falls County, Idaho, according to the official plat thereof recorded in Book 5 of Plats, page 21, records of Twin Falls County, Idaho.

- (a) Legal description of real estate: _____
- (b) Street address, if any, of the Property being conveyed is: 1751 3rd Ave E Twin Falls Idaho 83301
- (c) Personal property, free of liens, including all buildings and improvements on the property and all right, title, and interest of Seller in and to adjacent streets, roads, alleys and rights-of-way, and all existing permanently installed fixtures and fittings that are attached to the Property are included in the purchase price and transfer to the Buyer. Certain fixtures and fittings are included in the purchase price and transfer to the Buyer regardless of whether they are in fact permanently installed and attached to the Property. These fixtures and fittings include electrical, plumbing and heating fixtures, stoves, built-in appliances, screens, storm doors, storm windows, curtain rods and hardware, window treatments, attached floor coverings, hot tub, air cooler or conditioner, garage door openers and controls, fireplace inserts, storage sheds, and:
- _____

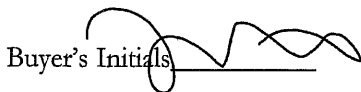
2. PURCHASE PRICE \$ Seventy Five Thousand (\$75,000)

PAYMENT:

- (a) Earnest money(s) to be held in escrow by Title One Corporation in the amount of \$ 1,000 (Credited to Buyer at closing).
- (b) Balance to close, (U.S. Cash, certified or cashier's check) subject to adjustments and prorations:
- (c) \$ 74,000.
- (d) All funds held in escrow shall be placed in an interest-bearing account at the direction of Buyer, with interest accruing to the benefit of Buyer and either applied toward the purchase price at closing or returned to Buyer in the event and for any reason the transaction does not close.

3. ESCROW & DEPOSIT: Within Three (3) calendar days after the Effective Date Buyer shall open escrow with Title One Corporation (the "Escrow Holder") by the deposit of a copy of this Agreement and a deposit of the above mentioned earnest money with the Escrow Holder. Seller and Buyer agree to prepare and execute such escrow instructions as may be necessary and appropriate to close the transaction. Should said instructions fail to be executed as required, Escrow Holder shall and is hereby directed to close escrow pursuant to the terms and conditions of this Agreement. Close of escrow (or the "Closing Date", which shall mean the date on which the deed transferring title is recorded) shall occur on or before 4/17/2020. Escrow fee shall be paid fifty percent by Seller and fifty percent by Buyer.

Buyer's Initials

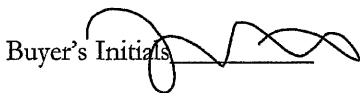


Seller's Initials



4. **TITLE INSURANCE:** Within 10 business days from the Effective Date, Buyer may at his option and at his expense, purchase a standard coverage owner's title insurance policy in an amount equal to the purchase price.
5. **TITLE CONDITION:** All mortgages, judgments and liens shall be paid or satisfied by the Seller at or prior to closing unless otherwise provided herein. Seller agrees that no additional encumbrances, restrictions, easements or other adverse title conditions will be placed against the title to the Property after the effective date of the preliminary title commitment approved by the Buyer.
6. **CONTINGENCIES:**
- a. **FINANCING CONTINGENCY:** This Agreement is contingent upon the Buyer obtaining a new first loan. Said loan shall be secured by a new first mortgage or deed of trust on the Property. Financing shall be obtained by the closing date or this Agreement shall be terminated, and earnest money will be refunded to Buyer.
- b. **TITLE CONTINGENCY:** Within 6 business days from the Effective Date, Seller, at Seller's sole expense, shall cause a title insurance company mutually acceptable to the Parties to issue and deliver to Buyer a preliminary title commitment ("Title Commitment") accompanied by one copy of all documents affecting the Property, and which constitute exceptions to the Title Commitment. Buyer shall give Seller written notice on or before 2 days from the date of receipt of the Title Commitment, if the condition of title as set forth in such Title Commitment is not satisfactory in Buyer's sole discretion. If the condition of title is not acceptable, Buyer shall state which exceptions to the Title Commitment are unacceptable. Seller shall have 2 days to undertake and use its best efforts to eliminate or modify all unacceptable matters to the reasonable satisfaction of Buyer. In the event Seller is unable or unwilling to satisfy said objections before Closing Date, Buyer may, at its option: (i) extend the time period for Seller to satisfy said objections, (ii) accept title subject to the objections raised by Buyer, without an adjustment in the purchase price, in which event said objections shall be deemed to be waived for all purposes, or (iii) rescind this Agreement, whereupon half the earnest money described herein shall be returned to Buyer and this Agreement shall be of no further force and effect.
8. **PRORATION OF TAXES AND HOA FEES:** Taxes and HOA fees for the year of the closing, shall be prorated to the date of closing.
9. **RISK OF LOSS:** Risk of loss is assumed by the Seller through the time of closing.

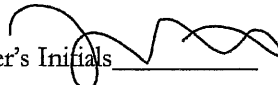
Buyer's Initials



Seller's Initials



10. **MAINTENANCE:** Between Effective Date and Closing Date, all personal property on the premises and real property, including lawn, shrubbery, and pool, if any, shall be maintained by Seller in the condition they existed as of Effective Date, ordinary wear and tear excepted, and Buyer or Buyer's designee will be permitted access for inspection prior to closing to confirm compliance with this standard.
11. **CONVEYANCE AND POSSESSION:** Seller shall convey the Property by warranty deed free of liens and encumbrances except for those approved by Buyer. Upon recording of the deed Seller shall deliver to Buyer possession of the Property.
12. **DEFAULT BY SELLER:** In the event that Seller should fail to consummate the transaction contemplated herein for any reason, except Buyer's default: (i) Buyer may enforce specific performance of this Agreement in a court of competent jurisdiction and in such action shall have the right to recover damages suffered by Buyer by reason of the delay in the acquisition of the Property, or (ii) Buyer may bring suit for damages for breach of this Agreement, in which event, the deposit made hereunder shall be forthwith returned to Buyer, or (iii) Buyer may declare a default, demand and receive the return of the deposit. All rights, powers, options, or remedies afforded to Buyer either hereunder or by law shall be cumulative and not alternative and the exercise of one right, power, option, or remedy shall not bar other rights, powers, options or remedies allowed herein or by law.
13. **DEFAULT BY BUYER:** In the event Buyer should fail to consummate the transaction contemplated herein for any reason, except default by Seller or the failure of Seller to satisfy any of the conditions to Buyer's obligations, as set forth herein, Seller shall be entitled to retain the earnest money deposit, such sum being agreed upon as liquidated damages for the failure of Buyer to perform the duties and obligations imposed upon it by the terms and provisions of this Agreement and because of the difficulty, inconvenience, and uncertainty of ascertaining actual damages, and no other damages, rights or remedies shall in any case be collectible, enforceable, or available to Seller other than as provided in this Section, and Seller agrees to accept and take said deposit as Seller's total damages and relief hereunder in such event.
14. **CONSENT TO DISCLOSE INFORMATION:** Buyer and Seller hereby consent to the disclosure by Buyer, Seller, and Salespersons and other parties having interests essential to this Agreement, of all information reasonably necessary to consummate the transaction anticipated by this Agreement. Seller consents to disclose all known adverse material facts concerning the Property. If required by Title 55, Chapter 25 Idaho Code Seller shall within 5 business days after the Effective Date of this Agreement provide to Buyer Seller's Property Condition Disclosure Form or other acceptable form. Seller agrees to disclose Books and Records to Buyer which are reasonably necessary for the above

Buyer's Initials 

Seller's Initials 

mentioned inspections. Books and Records shall include but not be limited to tax records, operating statements and rent rolls.

15. **TIME FOR ACCEPTANCE AND EFFECTIVE DATE:** If this offer is not executed by both parties hereto on or before 3/27/2020 at 1200, the aforesaid deposit(s) shall be, at the option of the Buyer, returned to him and this offer shall thereafter be null and void. The Effective Date of Agreement shall be the date when the last one of the Seller and Buyer has signed this offer.
16. **BUYER'S COMMITMENT:** Buyer agrees to purchase the above-described Property on the terms and conditions set forth herein. Buyer may withdraw this offer at any time prior to Buyer being notified of Seller's written acceptance.
17. **SELLERS COMMITMENT:** Seller agrees to sell and convey to Buyer the above described Property on the terms and conditions set forth herein.
18. **FENCE:** Buyer and Seller agree that a fence will be installed along the east side of this S1/2 LOT 8. Buyer agrees to purchase the materials for and Seller agrees to construct and install to industry building standards said fence in accordance with Exhibit A - Fence Diagram. Buyer agrees to purchased materials for said fence in accordance with Exhibit A - Fence Diagram within 60 days of the close of this sale. If Buyer fails to purchase the required materials within 60 days of the close of this sale, Seller may at Sellers discretion purchase required materials and charge Buyer 120% of expenses incurred by Seller as shown on Seller receipts. Seller agrees that Said fence shall be constructed and installed to industry building standards in accordance with Exhibit A - Fence Diagram within 90 days of the close of this sale. If Seller fails to cause the fence to be constructed and installed as above explained within 90 days of the close of this sale, Buyer may at Buyers discretion construct and install the fence as above explained and charge Seller the fair market value for said labor. Buyer and Seller agree to pay own expenses, legal or otherwise, arising from disputes concerning this "Fence" clause. "Exhibit A - Fence Diagram," which must accompany this Purchase and Sale Agreement.



Kevin Thomas Ranalli

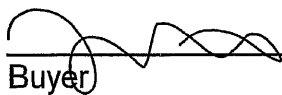
3/26/2020 at 9:30 pm

Seller

Date/Time

Seller

Date/Time



Jason Horsley, Partner Ensign Construction 3/26/2020 at 1952

Buyer

Date/Time

Buyer

Date/Time

Buyer's Initials

Seller's Initials





Date: Monday, September 21, 2020, Council Meeting

To: Honorable Mayor and City Council

From: Sergeant Ryan Howe, Twin Falls Police Department

Request:

Consideration of a request from Bridget Posson, on behalf of Girls on the Run. Girls on the Run is a 5K running event. This event will begin near the Visitor's Center on the Canyon Rim trail on Saturday, November 14, 2020.

Time Estimate:

Staff is requesting that this item be placed on the Consent Calendar.

Background:

This event is to celebrate the conclusion of the girl's season of lessons and activities that include running. These activities are used to increase self-esteem and communication skills. The program is a small non-profit that provides after school programs. The non-profit has recently expanded to Twin Falls.

The Girls on the Run Celebratory 5K will begin near the Visitor's Center and travel east towards Eastland Drive. The runners will then turn around and end at the start/finish line. The event is anticipated to have approximately 75 people participating. There may be additional volunteers cheering along the route. The participants will be girls from the 3rd to the 8th grades and the girls will be accompanied by adults.

Parking will be at or near the Visitor's Center and carpooling will be encouraged.

The run will begin at 10:00 a.m. and will conclude at 12:00 p.m.

Approval Process:

Consent of the Council

Budget Impact:

There is no budget impact.

Regulatory Impact:

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, September 21, 2020, Council Meeting
To: Honorable Mayor and City Council
From: Sergeant Ryan Howe, Twin Falls Police Department

Request:

Consideration of a request to hold the Trick or Treat on Main Street event.

Time Estimate:

Staff requests this item be placed on the consent calendar.

Background:

Susan Hall, representing multiple Main Avenue merchants, has submitted a special event application requesting to hold the Trick or Treat on Main Ave event. This event is scheduled to take place on Main Ave from Gooding Street to Jerome Street on Saturday, October 31, 2020 from 2:00 p.m. until 4:00 p.m. This event will take place during daylight hours.

The Trick or Treat on Main Street is the annual, family friendly, trick or treat hosted by the downtown merchants on Main Ave. Merchants will distribute candy and other items to children from their storefronts. This event has traditionally attracted between 4,000 and 5,000 people.

The event organizers will be responsible for clean-up within the Main Ave area and other areas affected by the event.

This year, the theme will be a mask parade where decorated Covid-19 masks will be encouraged. The Twin Falls Police Department Staff and other relevant City Staff members have reviewed the application and recommend its approval.

Approval Process:

Consent of the Council

Budget Impact:

Twin Falls Police Department Staff does not feel there is a need for the Twin Falls Police Department to provide security therefore there is no budget impact. On duty Twin Falls Police Department officers will be assigned to monitor this event throughout its duration.

Regulatory Impact:

N/A

Conclusion:

Staff recommends that the City Council approve the Special Event Application submitted for the Trick or Treat on Main Street event based on the information provided.

Attachments:

N/A



Date: Monday, September 21, 2020
To: Honorable Mayor and City Council
From: Mark Holtzen, City Engineer

ACTION ITEM

Request:

Request to accept the Improvement Agreement for the purpose of developing Northern Passage Subdivision 3, 4, and 5 - Phase 3C & 4.

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. Improvement Agreement - Northern Passage Subd. 3, 4, & 5 -Phase 3C & 4

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 Northern Passage, Inc. hereinafter called "Developer" for the purpose of constructing certain improvements on property sought to be developed for the following Development Northern Passage Subd. 3, 4, and 5 - Ph. 3C & 4.

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: 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.

WITNESSETH

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 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, pressure irrigation lines, storm drainage lines, sewer lines constructed under the terms of this Agreement in any public rights-of-way or easements and to provide water, sewer, and pressure irrigation service to the Developer's real property, subject to all ordinances, rules and regulations governing sewer, water service, and pressure irrigation. (3) To maintain non-pressure irrigation lines only where they cross City streets. (4) Storm water facilities will be maintained in an easement, if there exists a safety hazard the City has an entitlement to maintain. 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 minimum term length shall be two (2) years or until the bond is released by the City, whichever is later.

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 City Council.
 5. The escrow agreement shall be drawn and furnished by the subdivider to the satisfaction of the City Council.
- b. Cash Deposit, Certified Check, Negotiable Bond, or Irrevocable Bank Letter of Credit.
1. Treasurer, Escrow Agent or Trust Company - A cash deposit or certified check shall be deposited into the City's development escrow account. After the improvements have been accepted, the funds will be returned. A negotiable bond or an irrevocable bank letter of credit, shall be held by the City until the improvements are accepted.
 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.
- c. Trust Agreements.
1. Per the terms of the trust agreement.
 2. Trust agreement must be approved by City Council.

III.

Developer agrees to retain a Professional Engineer, hereinafter called the Developer's Engineer, licensed 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. If improvements are not completed within two (2) years, the Developer shall provide an updated, current version of the updated plans and specifications to current city standards. The Developer may request an extension of the approvals previously given for another two (2) years.
- c. Engineer of record shall notify the City in writing of schedule before construction begins.
- d. Perform construction surveying, staking, testing, inspection and administer the construction of all facilities required by this contract.
- e. 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.
- f. 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.
- g. 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 Mylar sheets and an electronic media copy

of the plans in current ACAD using City standard format shall be provided within thirty (30) days after completion of the project.

- h. 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 confirmation testing for conformance with City standards, but it shall be the responsibility of Developer's Engineer or other certified individuals to provide all necessary quality control and required testing during construction. All tests shall be taken at a frequency based upon Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the Specifications and Standard Drawings.

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 identifying lots and blocks associated with construction phase 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 Idaho Transportation Department (ITD) 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 Transportation Master 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 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 within two (2) years, the Developer shall provide an updated, current version of the developer's agreement and financial guarantee for City Council consideration along with updated plans and specifications to current city standards. The Developer may request an extension of the approvals previously given for another two (2) years.

VII.

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.

VIII.

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, sewer lines, or pressure irrigation 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 Transportation Master Plan. Requirements for larger water, sewer and pressure irrigation lines shall be based on the citywide sewer, water, and pressure irrigation system sizing guidelines and based on modeling, if applicable.

IX.

The City shall provide no compensation for the cost of an oversize water, sewer line, and pressure irrigation. In the case of water, sewer, or pressure irrigation lines extended adjacent to or outside the limits of development, the Developer shall be eligible for payback from adjacent property owners pursuant to Ordinance No. 2979. The Developer shall also be eligible for compensation when a private developer extends or connects to any water, sewer, pressurized irrigation or street system previously installed by private developer, pursuant to Resolutions 2017-13.

X

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 accepted by the Developer's Engineer, the City Engineer or the Engineer's authorized inspector. All such inspections shall be scheduled in accordance with Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the 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. The Developer shall submit a Right-of-Way permit and Traffic Control Plan to be approved by the City of Twin Falls prior to any road or sidewalk closures.

XI.

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 three feet (33') wide with an eight inch (8") gravel course and two and a half inch (2.5") asphaltic concrete surface course on all public street rights-of-way serving residential use property.
- (3) Residential, private streets, and service roads, private parking and maneuvering will be equal to or greater than the residential street sections as specified in the City of Twin Falls revisions to ISPWC.
- (4) A standard collector street forty eight feet (48'), wide per Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the Specifications and Standard Drawings, 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) Arterial typical sections will be designed by the developer's Engineer and approved by the City Engineer.
- (6) A sidewalk, per Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the Specifications and Standard Drawings, is required on all public pedestrian rights-of-way. Four foot (4') sidewalks, by special permission of the City Engineer, are allowed by ISPWC and the City of Twin Falls Revisions to the Specifications and Standard Drawings for minor residential streets under certain conditions.
- (7) Landscaping and sidewalk placement required adjacent to arterial and collector streets: A portion 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 as Right-of-Way. Within that Right-of-Way the developer shall install a five feet (5') landscape strip with a sprinkler system to the City of Twin Falls Parks and Recreation standards and shall also

install a six foot (6') sidewalk. The landscaping will be maintained by the city and funded through a fee added to the utility 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 per ISPWC and the City of Twin Falls revisions thereto

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 eight inch (8") 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. Any water main connections closer than 150' to each other will not be considered looped without prior City approval. 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 shall comply with the minimum standards set by the Fire Rating Bureau, American Water Works Association, and the International Fire Code. The maximum length of dead end fire lines shall be one hundred and fifty feet (150'). Fire hydrants are required in all developments.
- (5) One water service line shall be constructed to each building site at the time the water mains are installed. The design shall minimize the length of the service line and shall terminate at the Right-of-Way. Service taps are not allowed in intersections.

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.

All new water service lines made from new water mains to serve any new development will be the responsibility of the Developer. The developer shall complete all work except when connecting to a live waterline. The City will make the necessary main line taps after payment of the required water connection 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. Multi-units less than three may be approved for additional service lines. It is understood and agreed that the City will make all service line taps on live lines, and that the

fee paid by the developer for a Water Connection Permit will reimburse the City for such work. All other work to be completed by the Developer.

- (7) It is further understood and agreed that the City will make all connections to the existing water system. The developer will disinfect the water system and submit testing results to the City prior to making the system live.
- (8) All water valves shall be provided with a gravel access 12" thick where no public roadway currently exists.

(b) City Costs

- (1) None.

(c) Required Inspections

- (1) All inspections and testing shall be as required per ISPWC and the City of Twin Falls Revisions thereto.

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 (4") high.
- (5) All manholes shall be provided with a gravel access 12" thick where no public roadway currently exists.

(b) City Costs

(1) None.

(c) Required Inspections and Testing

(1) All inspections and testing shall be as required per ISPWC and the City of Twin Falls revisions thereto.

STORM 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.

(3) If storm run-off cannot be conveyed 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, the storm drain shall be piped to the retention facility.

(4) All retention areas are to be on private property or tracts.

(b) City Costs

(1) None.

(c) Required Inspections and Testing

(1) The City will inspect all dry wells for geometry and materials. With prior written approval from the City Engineer other individuals may be authorized to inspect the work. Rock will be submitted for approval prior to placement in dry wells. A request for inspection shall be called in, forty eight (48) hours in advance or two (2) working days whichever is greater.

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 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. Fences will not be located on top of irrigation facilities.

(b) City Costs

- (1) None.

(c) Required Inspections and Testing

- (1) All inspections and testing shall be as required per ISPWC and the City of Twin Falls revisions thereto.

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 ZDA, or any development of any parcel of land of two (2) acres or larger that is not part of a subdivision or ZDA. One (1) share of Twin Falls Canal Company Water for each acre of property within the subdivision shall be transferred to the City of Twin Falls before the filing of the final plat for use in the City's pressurized irrigation system.
- (2) Pressure irrigation water mains and fittings shall be six inch (6") minimum diameter or larger irrigation pipe 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 or found in the current Pressurized Irrigation master plan.
- (3) Pressure irrigation 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) Pressurized irrigation 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. The design shall minimize the length of the service line and shall terminate at the Right-of-Way. Service taps will not be allowed in intersection. 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, enclosures, delivery system to the station from the TFCC head gate and away from the station on the historical path, storage, 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 and shall be according to the Idaho Standard for Public Works Construction (ISPWC) and the City of Twin Falls Revisions to the Specifications and Standard Drawings.
 - (7) The Pressure Irrigation System shall be located within easements, right-of-ways and/or property deeded to the City of Twin Falls.
 - (8) Private Pressure Irrigation Systems shall be located outside City Right-of-Way and within easements. No Public infrastructure will be associated with a private Pressure Irrigation System.
- (b) City Cost.
 - (1) None
 - (c) Required Inspections and Testing

- (1) All inspections and testing shall be as required per ISPWC and the City of Twin Falls revisions thereto.

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

Street sections and utility installation shall be per the approved construction plans with the exception of the all base gravels shall be 3/4" Type I Aggregates and plantmix pavement shall be 1/2" HMA Superpave per the submitted phasing plans on file with the City Engineering Department.

- b) City Costs

- (1) None.

XIII.

The developer shall submit an Improvement Agreement with each individual construction phase.

The two (2) year time limit, (indicated in Section VI of the Agreement) for completing the required improvements shall begin from the date of the recordation of this agreement. The Developer may request an extension of the approvals previously given for another two (2) years.

XIV.

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

XV.

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.

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:

Northern Passage 3, 4, & 5

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, 203 Main Ave E, Twin Falls, Idaho 83301.

CITY OF TWIN FALLS, IDAHO

City Clerk

Mayor

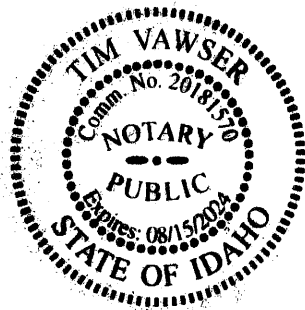
Developer
Northern Passage, Inc.

[Signature]

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

On this 4th day of September, 2020, before me, the undersigned, a Notary Public for Idaho, personally appeared Steve Shotwell, 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.



[Signature]

Notary Public for Idaho

Residing Kimberly, Idaho



Date: Monday, September 21, 2020
To: Honorable Mayor and City Council
From: Matthew Long

ACTION ITEM

Request:

Request from the Twin Fall School District to waive permit fees for construction and placement of a freestanding message board sign at the Robert Stewart Middle School.

Time Estimate:

This item is on the consent agenda, so no presentation is planned.

Background:

The School District has submitted this request to waive the sign and electrical permit fees for a new freestanding electronic message board at Robert Stuart Middle School. This message board is being installed to replace a very old and small sign at Robert Stuart Middle School. The fees for this project are \$100 for the sign permit and \$50 for the electrical permit. Although not a tremendous cost, the fee waiver would allow the District to use these funds for this and other future projects.

The City and the District have a great partnership. We have a shared facility use agreement that saves both the City and District tax dollars. We share resources to provide school resource officers. We often waive small building permit fees for the District on these types of remodel or addition projects. It is important that the City and the District maintain that strong partnership to help save our shared tax payer's money. In that spirit of cooperation and partnership, staff supports this request and recommends that the Council approve the request.

Approval Process:

Approval of this request will require a simple majority vote of the Council.

Budget Impact:

N/A

Regulatory Impact:

If approved, the City will not collect the permit fees from the District when the permit is issued.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that the Council waive the permit fees for the for the new freestanding electronic message board at Robert Stuart Middle School.

Attachments:

1. Letter to City - Permit Waiver for RSMS Message Board



Twin Falls School District #411
201 Main Ave. W
Twin Falls, ID 83301

P 208.733.6900
F 208.733.6987
www.tfsd.org

Ryan Bowman. Operations & Educational Technology Director

September 15, 2020

Mr. Mathew Long
Certified Building Official
203 Main Avenue East
P.O. Box 1907
Twin Falls, ID 83303-1907

Dear Mathew:

First, I want to thank you for your support of the Twin Falls School District. Few communities enjoy the high level of cooperation that exists between the City of Twin Falls and the Twin Falls School District #411. We have a shared facilities use agreement and have representation on the various committees within the city and school district. In addition, the city has faithfully waived building permit fees and other fees associated with building projects by the school district. This has allowed the district to maximize our taxpayer dollars to benefit the children of our community. On behalf of the TFSD #411 Board of Trustees, I want to thank the City of Twin Falls for that spirit of cooperation.

The purpose of this letter is to request a waiver of the sign and electrical fees for the new freestanding electronic message board at Robert Stuart Middle School. This message board is being installed to replace a very old and small sign at Robert Stuart Middle School. The fees for this project are \$100 for the sign permit and \$50 for the electrical permit. Although not a tremendous cost, this would allow us to use these funds for this and other future projects.

Thank you for taking the time to consider this request. If you have any questions or require additional information, please call me.

Sincerely,

Ryan Bowman
Operations & Educational Technology Director

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING THE BYLAWS OF THE TWIN FALLS YOUTH ADVISORY COUNCIL AND SETTING FORTH THE REVISED BY-LAWS PURSUANT TO WHICH SAID COUNCIL SHALL OPERATE.

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, THAT THE FOLLOWING BY-LAWS REVISED AS OF THIS DATE ARE HEREBY ADOPTED FOR THE CITY OF TWIN FALLS YOUTH ADVISORY COUNCIL:

Our Mission is to improve the lives of current and future generations in the Magic Valley through positive leadership and interaction while promoting youth involvement and supporting the mission of the City of Twin Falls.

BY-LAWS OF THE TWIN FALLS YOUTH ADVISORY COUNCIL
OF THE CITY OF TWIN FALLS, IDAHO

WHEREAS the youth of the City of Twin Falls, Idaho (hereinafter “the City”) constitute an underutilized resource of ideas, knowledge and experience with respect to the City and its affairs; and,

WHEREAS the Mayor and City Council of the City of Twin Falls (hereinafter “the Council”) desires and seeks input from the youth into the affairs and issues of the City through a Twin Falls Youth Advisory Council; and,

WHEREAS the high school students of Twin Falls are willing to devote their time and energy into improving the City and the community through a Twin Falls Youth Advisory Council;

NOW THEREFORE, the Mayor and the City Council of the City of Twin Falls hereby establish the Twin Falls Youth Advisory Council and adopt the following By-Laws.

ARTICLE I. INTENT

The intent in preparing and adopting these By-Laws is to provide a framework for organization of the Twin Falls Youth Advisory Council, its actions and agenda. It is not the intent of the City, or the officers and members hereinafter described, to create a legal entity of any sort including without limitation, a corporation, non-profit corporation, limited liability company, partnership, nor any other business, public or quasi-public entity.

ARTICLE II. OFFICES

The principal location of the Twin Falls Youth Advisory Council shall be the Office of the City Manager, 203 Main Ave East, P.O. Box 1907, Twin Falls, Idaho 83303-1907. The

Commented [SN1]: Updated the address

**RESOLUTION AMENDING AND RESTATING THE BYLAWS OF THE TWIN FALLS
YOUTH ADVISORY COUNCIL - 1**

Twin Falls Youth Advisory Council may have such other offices as the Executive Council may designate or as the business of the Twin Falls Youth Advisory Council may require from time to time.

ARTICLE III. MEMBERS

Section 1. General Membership Meetings. The Twin Falls Youth Advisory Council shall hold ten (20) General Membership meetings during the school year: One each in the months of September through June. The General Membership meetings shall be held at 4:00 immediately preceding the second and fourth City Council Meeting of the Month, generally Mondays unless otherwise noticed pursuant to these By-Laws. The May General Membership meeting shall include the annual election of the Executive Officers and general business. The September meeting shall include the introduction of prospective members, goals, annual report of prior year activities, and general business.

Commented [SN2]: Changed from 10 to 20 total meetings. Also added "and fourth"

Section 2. Special Meetings. Special meetings of the members, for any purpose or purposes, may be called by the President or, a majority vote of the Executive Council.

Section 3. Place of Meeting. The Executive Council may designate any place as the place of meeting for any meeting called by the Executive Council. If no designation is made, or if a special meeting be otherwise called, the place of meeting shall be the principal location of the Twin Falls Youth Advisory Council.

Section 4. Notice of Meeting. Written or printed notice stating the place, day and hour of the meeting and, shall, unless otherwise prescribed by statute, be delivered not less than forty-eight (48) hours nor more than thirty (30) days before the date of the meeting, either personally, by e-mail, or by regular mail, by or at the direction of the President, or the Clerk, to each member of record entitled to vote at such meeting. The notice of a regular or special meeting of the Twin Falls Youth Advisory Council shall specify the purpose of the meeting, including amendment to these By-Laws, or business to be transacted at such meeting, and the Agenda to be considered.

Section 5. Quorum. At least 25% plus one (1) of the members shall constitute a quorum at a General Membership meeting. If less than a quorum of such members is represented at a meeting no general membership business may continue; however, if there is a quorum of the Executive Council, the Executive Council may continue with any business of the Executive Council. The members present at a duly organized meeting may continue to transact business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum, but only if a quorum was present at the time the agenda has been approved and attendance of the members has been taken. If a quorum is present at the time the agenda has been approved and attendance of the members has been taken, a majority of the members comprising the quorum is required for the Twin Falls Youth Advisory Council to take action upon any item set forth in the approved agenda. Should the votes be evenly split, the City Council Representative shall cast a deciding vote.

Section 6. Proxies. Proxies shall not be allowed.

Section 7. General Membership and Voting Rights. Any full-time student, in good standing, or an accredited home school student located within the limits of the Twin Falls City Area of Impact may apply for general membership. Membership shall be granted to the applicant following confirmation of their standing as a high school student and after the applicant has attended a minimum of one (1) regular meeting and be present at the meeting to consider the

applicant's application. Any member in good standing is entitled to vote on general membership issues.

Section 8. Termination of Membership. Any member of the Twin Falls Youth Advisory Council may resign at any time provided, however, that for courtesy and efficiency purposes, notice of resignation shall be in writing and copies given to the Youth Council President and the Mayor. Any member of the Twin Falls Youth Advisory Council shall be deemed to have voluntarily resigned his/her membership automatically upon the occurrence of any of the following: 1) failing to be present at any three (3) or more regular meetings over a five (5) month period, unless a reasonable excuse acceptable to both a majority of the Executive Council and the Mayor is provided; 2) failing to be enrolled at a qualified High School or Home School program; and 3) failing to maintain good standing at the school in which such member is enrolled; provided, however, that a graduating senior may retain membership on the Twin Falls Youth Advisory Council through August following such senior's graduation, at which time they will become a Member Emeritus. A Member Emeritus is a non-voting past honored member in good standing.

ARTICLE IV. EXECUTIVE COUNCIL

Section 1. General Powers and Duties. The business and affairs of the Twin Falls Youth Advisory Council shall be managed by the Executive Council. The Executive Council shall be responsible for planning the agenda for the school year and for each of the General Membership and Executive Council meetings of the Twin Falls Youth Advisory Council, setting and proposing potential ad hoc committees, and discharging any other responsibilities assigned by the Executive Council or determined by majority vote of a quorum of the members of the Twin Falls Youth Advisory Council.

Section 2. Number, Tenure, and Qualifications. The number of members on the Executive Council shall be Five (5) members of the Twin Falls Youth Advisory Council. Executive Council Members shall be elected by secret ballot at the June General Membership meeting, and the term of office of each member shall be one (1) year, commencing July 1, and continuing to June 30, of the following year, or until the first regular meeting of members of the following school year and the election and qualification of successors. The Executive Council shall consist of a President, a Vice-President, Clerk and two (2) Executive Council Directors, each of whom shall be elected by secret ballot of the voting members of the Twin Falls Youth Advisory Council.

Section 3. Regular Executive Council Meetings. A regular meeting of the Executive Council may be held without other notice than these by-laws, during or immediately following, and at the same place as each of the ten (10) regular meetings of the General Membership. The Executive Council shall provide, by Resolution, the time and place for the holding of two (2) additional Executive Council meetings during the months of June, July, or August immediately following the school year without other notice than such Resolution. Additional regular meetings shall be held at the principal office of the Twin Falls Youth Advisory Council in the absence of any designation in the Resolution.

Section 4. Special Meetings. Special meetings of the Executive Council may be called by or at the request of the President or other Executive Council member and shall be held at the principal office of the Twin Falls Youth Advisory Council or at such other place as the Executive Council may determine.

Commented [SN3]: Changed to 20

Section 5. Notice. Notice of any additional or special meeting of the Executive Council shall be given as outlined above in Article III, Section 2 of these By-Laws. The notice shall specify the purpose of, or business to be transacted at, such a meeting and the Agenda thereof.

Section 6. Quorum. A majority of the number of Executives fixed by these By-Laws shall constitute a quorum for the transaction of business at any meeting of the Executive Council, but if less than such majority is present, the attending Executives may adjourn the meeting.

Section 7. Election and Term of Office. The Executives to be elected by the members shall be elected annually by the members at the May meeting. Nominations for Executive Council positions can only be made by voting members. Each member of the Executive Council shall hold office until resignation or termination in the manner herein provided.

Section 8. Vacancies. Any vacancy occurring on the Executive Council because of resignation, removal, disqualification, or otherwise, shall be filled by secret ballot of a majority of the remaining voting members of the Executive Council. A member so elected to fill a vacancy shall be elected for the unexpired term of the predecessor in office.

Section 9. Powers and Duties. The powers and duties of the Officers shall be as provided from time to time by Resolution or Directives of the members.

The President shall preside over and conduct all meetings of the Twin Falls Youth Advisory Council and of the Executive Council, determine agendas for the regular meetings of the Twin Falls Youth Advisory Council and the Executive Council, act as spokesperson for the Twin Falls Youth Advisory Council, act as signatory on all documents for which the Twin Falls Youth Advisory Council provides authorization to sign, delegate authority to any Executive or member of the Twin Falls Youth Advisory Council if circumstances so warrant, and act upon any other matters and in the manner authorized by the Twin Falls Youth Advisory Council.

The Vice-President shall act in the place of the President upon the President's absence or inability to act as authorized herein, and take action as delegated by the President. In the event a vacancy occurs in the position of the President, the Vice President shall ascend to the position of President and the Vice President's position shall be considered vacant and subject to election to fill the vacancy.

The Clerk shall act as the record keeper of all activities of the Twin Falls Youth Advisory Council, keep minutes, archives, and arrange for public notices of all meetings. The Clerk shall prepare the minutes of each meeting of the Twin Falls Youth Advisory Council and Executive Council prior to the next regular meeting, prepare and mail the notices of each meeting and prepare and enclose the agendas for each meeting with the notice of such meetings. The Clerk shall also act in the place of the President upon the President's and Vice-President's absence or inability to act as authorized herein, and take action as delegated by the President.

The two remaining Executive Council Directors shall be appointed by the President to chair the two standing committees: The Finance Committee and the Member Relations Committee. The Finance Committee Chair shall be responsible for all financial matters of the Twin Falls Youth Advisory Council including the budget, financial reports, vouchers, and the books or ledgers, in conjunction with the City of Twin Falls Finance Department. The Membership Relations Chair shall be responsible to prepare public relations notices and media releases to keep the membership and public aware of Youth Council Activities, as well as new membership growth and education.

A member of the Executive Council who fails or refuses to fulfill the duties associated with his/her position may be removed from the Executive Council by a two-thirds (2/3) majority vote of the voting members of the Youth Advisory Council.

RESOLUTION AMENDING AND RESTATING THE BYLAWS OF THE TWIN FALLS YOUTH ADVISORY COUNCIL - 4

Section 10. Agendas. Any member of the Twin Falls Youth Advisory Council may submit a request for placement of an item on the agenda to any member of the Executive Council for consideration at the next following regular meeting. Such request shall be placed on the agenda at the discretion of the President and, if placed upon the agenda, shall be considered at a regular meeting determined by the Executive Council, provided adequate and sufficient notice of the item for consideration has been given as set forth herein.

ARTICLE V. SUBCOMMITTEES

Section 1. Standing Committees. The following committees shall be standing committees, and their term shall be perpetual: the Executive Council, Finance Committee, and the Public Relations Committee.

Section 2. Ad hoc committees. Any other subcommittees the Twin Falls Youth Advisory Council determines are necessary shall be created for the limited term of the remainder of the school year and shall continue during such school year at the discretion of the Twin Falls Youth Advisory Council. Such subcommittees shall be created by a majority vote of a quorum of Executive Council members.

ARTICLE VI. AMENDMENTS

These By-Laws may be altered, amended, or repealed, and new By-Laws may be adopted by the Twin Falls Youth Executive Council with prior written notice to the members as provided herein; provided, however, that such alterations, amendments or repeals first be authorized by a two-thirds (2/3) vote of all voting /members of the Twin Falls Youth Advisory Council, and provided further that vote by proxy shall not be permitted.

ARTICLE VII. ADOPTION AND EFFECTIVE DATE

The foregoing By-Laws were regularly adopted at the charter meeting of the Twin Falls Youth Advisory Council, attested to by those members in attendance or within two (2) weeks of that date, and thereafter ratified at a meeting of the City Council of the City of Twin Falls. These By-Laws shall be effective as of the date signed below.”

PASSED BY THE CITY COUNCIL , 2020

SIGNED BY THE MAYOR , 2020

Suzanne Hawkins, Mayor

ATTEST:

Deputy City Clerk

**RESOLUTION AMENDING AND RESTATING THE BYLAWS OF THE TWIN FALLS
YOUTH ADVISORY COUNCIL - 5**



Date: Monday, September 21, 2020
To: Honorable Mayor and City Council
From: Mandi Thompson, Assistant to the City Manager

INFORMATIONAL

Request:

Update to Council on the Community Transformation Grant from the Blue Cross of Idaho Foundation for Health.

Time Estimate:

10 minutes

Background:

Twin Falls was awarded a Community Transformation Grant in 2019 by the Blue Cross of Idaho Foundation for Health through its High Five initiative. The goal of the Community Transformation Grant is to initiate programs, projects, policies and partnerships that improve the health of our children by increasing physical activity and access to healthy, affordable foods.

Leaders from the city, county, education and healthcare systems, business, nonprofits, and others have spent the last year meeting monthly to learn more about Twin Falls and public health as it related to youth in Twin Falls. This Impact Team is guiding the Community Transformation Grant. The first action the Impact Team is taking is a Request for Proposal from area organizations to develop and implement projects with CTG funds to improve the health of youth in the community. Proposals should fall in the \$5,000 to \$50,000 range. A total of \$50,000 in funding will be available. The RFP will be released on Monday, October 5 and proposals must be submitted by October 30, 2020. Grants will be awarded the week of December 4, and funds must be spent between January 1, 2021 and December 31, 2021.

An informational meeting will be held on Monday, September 21, where organizations interested in submitting a proposal can ask questions of the Impact Team on the funding and the overall goals of the grant.

Approval Process:

N/A

Budget Impact:

None at this time.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

The City of Twin Falls is acting as the fiscal agent for this grant, and therefore will be awarding the funds to the selected organizations. Council will be advised of the organizations that will receive funding.

Attachments:

None



Date: Monday, September 21, 2020
To: Honorable Mayor and City Council
From: Mitch Humble

ACTION ITEM

Request:

Request to accept an offer to purchase the City's half ownership share in the real property located at 303 4th Avenue East.

Time Estimate:

the presentation for this request should take less than five minutes. Some time for discussion will be needed following the presentation.

Background:

In 1999, The City purchased a half share of the property located at 303 4th Ave East, Twin Falls Townsite Block 47, Lot 9. See the attached aerial photo location map. This lot contains a small parking lot that the City intended to use as overflow parking for the City Council Chambers, located a block away at 305 3rd Ave East. Users of the Council Chambers building never really used the parking lot much, as there is much more convenient parking on the streets nearby and at the former City Hall site. Since the Council Chambers have been moved into our new City Hall on Main Ave East, the City's use of this parking lot has almost entirely disappeared. Currently, the parking lot represents a maintenance and parking enforcement burden for the City with no real advantage at all.

Toward the end of 2019, the City Council declared the property as surplus and directed staff to go through the process to dispose of it. The Council set a minimum bid price of \$15,000 for the property at that time. The public auction process concluded in January 2020 with no one bidding on the property. There was one party who was interested, the owner of the other half share of the same property, but they were not willing to submit a bid that met the minimum bid price. The Council then directed staff to attempt to negotiate the sale of the property with that party.

Jim Stephenson represented the interested party. Staff began having negotiation conversations with Jim, but the COVID-19 pandemic delayed those conversations for a few months. Staff recently reached out to Jim to begin again the conversations, and we have made progress. The Stephensons recently submitted an offer of \$5,000 to purchase the City's share of the property. That is significantly less than the \$15,000 that the Council hoped to get for the sale of the property. However, there has been no interest from another party. We also believe that it is in the City's best interest to dispose of the property, as it is only a drain on City resources right now, without any real benefit at all. City staff is spending time maintaining the weeds on the property and enforcing parking use on the property. In the last year, Code Enforcement staff have had to ticket and tow several cars using the lot inappropriately. So, while the offer is less than desired, there will be an added savings that comes to the City if we were to accept the offer.

Approval Process:

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

Budget Impact:

If this item is approved, staff will proceed to sell the property as discussed. the revenue from the sale will be received as "unanticipated."

Regulatory Impact:

If this request if approved, staff will take the necessary steps to transfer the City's half ownership share of the property to the Stephensons.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends that the Council review and accept the offer, or provide direction regarding a counter offer.

Attachments:

1. Location Map



Subject Property
– 303 4th Ave East

Idaho St East

4th Ave East

Former City
Council Chambers
– 305 3rd Ave East

Police Station –
321 2nd Ave East





September 21, 2020 City Council Meeting

To: Honorable Mayor and City Council

From: Mathew D. Farnes, Finance Department

Request:

Public Hearing to amend the Fiscal Year 2019-2020 Budget.

Time Estimate:

City Staff will provide a brief presentation. The presentation will take approximately 5 minutes, plus any additional time needed to address questions presented by Council members.

Background:

Idaho Code 50-1006 states a City cannot spend funds in excess of appropriated amounts. Adopting an ordinance to amend the budget is the process we go through at year end to ensure compliance with this code. The majority of expenditures included in the budget amendment have been previously reviewed and approved by Council, but there are some additions that have not.

Approval Process:

A majority vote of Council is required to adopt the ordinance amending the budget.

Budget Impact:

The budget amendment will increase the net budget by \$4,178,173. The table below lists expenditures and revenue sources.

Description:	Expenditure:	Revenue Source:
Street Fund		
Canyon Spring Grade	\$1,441,523	Reserves
School Sidewalk Projects	\$366,013	Reserves
Locust Street	\$306,482	Reserves
Child Pedestrian Safety Grant	\$248,000	Reserves - State Grant Revenue (LHTAC)
Falls & Eastland Intersection	\$119,944	Reserves
Mill and Inlay	\$105,090	Reserves
Street Light Fund		
Street Light Installation	\$75,000	Reserves
Capital Improvement Fund		
Fire Department Aid Car/Quick Response Unit	\$199,000	Reserves - \$134,000 Fire District Revenue - \$65,000
Software for Dispatch	\$123,305	Reserves - State Grant Revenue
Impact Fee Fund		
Traffic Signal at Falls and Madrona	\$56,840	Reserves
Breckenridge Trail Extension	\$19,197	Reserves
Historic Preservation Comm. Fund		
CLG Grant Expenses	\$2,000	CLG Grant Revenue
Airport Construction Fund		
AIP Construction Projects	\$860,000	Federal Grant Revenue
Common Area Maintenance Fund		
Contract Services	\$7,500	Unanticipated Revenue

Golf Fund		
Storage Shed	\$110,000	Reserves
Engineering for Golf Course Bridges	\$15,500	Reserves from CI Fund
Sanitation Fund		
PSI, Recycling, Landfill	\$60,000	Unanticipated Revenue
Shop Fund		
Fleet Master Plan	\$62,779	Reserves

Conclusion:

Adopting Ordinance 2020-014 amends the Fiscal Year 2019-2020 Budget. This ensures expenditures do not exceed appropriations, and the City of Twin Falls is in compliance with State code.

Attachments:

1. Ordinance #2020-014

ORDINANCE NO. 2020-014

AN ORDINANCE OF THE CITY OF TWIN FALLS, IDAHO, AMENDING ORDINANCE NO. 2019-005, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; APPROPRIATING ADDITIONAL MONIES THAT ARE TO BE RECEIVED BY THE CITY OF TWIN FALLS, IDAHO, IN THE SUM OF \$4,178,173; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Ordinance No. 2019-005, the appropriation ordinance for the City of Twin Falls, Idaho, for the fiscal year commencing October 1, 2019, and ending September 30, 2020, be and the same is hereby amended as follows:

That the additional sum of \$4,178,173 be appropriated out of the following revenues:

Street Fund - Reserves	\$2,339,052
Street Fund - Reserves - State Grant Revenue (LHTAC)	\$248,000
Street Light Fund - Reserves	\$75,000
Capital Improvement Fund - Reserves	\$134,000
Capital Improvement Fund - Reserves - State Grant Revenue	\$123,305
Capital Improvement Fund - Fire District Revenue	\$65,000
Impact Fee Fund - Reserves	\$76,037
Historic Preservation Comm. Fund - CLG Grant Revenue	\$2,000
Airport Construction Fund - Federal Grant Revenue	\$860,000
Common Area Maintenance Fund - Unanticipated Revenue	\$7,500
Golf Fund - Reserves (\$15,500 from CI Fund)	\$125,500
Sanitation Fund - Unanticipated Revenue	\$60,000
Shop Fund - Reserves	\$62,779
TOTAL Revenues	<u>\$4,178,173</u>

That the expenditures to be paid by these funds are as follows:

Street Fund - Canyon Springs Grade	\$1,441,523
Street Fund - School Sidewalk Projects	\$366,013
Street Fund - Locust Street	\$306,482
Street Fund - Child Pedestrian Safety Grant	\$248,000
Street Fund - Falls & Eastland Intersection	\$119,944
Street Fund - Mill and Inlay	\$105,090
Street Light Fund - Street Light Installation	\$75,000
Capital Improvement Fund - Fire Department Aid Car/Quick Response Unit	\$199,000
Capital Improvement Fund - Software for Dispatch	\$123,305
Impact Fee Fund - Traffic Signal at Falls and Madrona	\$56,840
Impact Fee Fund - Breckenridge Trail Extension	\$19,197
Historic Preservation Comm. Fund - CLG Grant Expenses	\$2,000
Airport Construction Fund - AIP Construction Projects	\$860,000
Common Area Maintenance Fund - Contract Services	\$7,500
Golf Fund - Storage Shed	\$110,000
Golf Fund - Engineering for Golf Course Bridges	\$15,500
Sanitation Fund - PSI, Recycling, Landfill	\$60,000
Shop Fund - Fleet Master Plan	\$62,779
TOTAL Expenditures	<u>\$4,178,173</u>

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE CITY COUNCIL
SIGNED BY THE MAYOR

September 21, 2020
September 21, 2020

Mayor Suzanne Hawkins

ATTEST:

Deputy City Clerk
PUBLISH: Thursday, September 24, 2020



Date: Monday, September 21, 2020
To: Honorable Mayor and City Council
From: Jonathan Spendlove

ACTION ITEM

Request:

Request for a Zoning District Change from R-4 PUD to R-2 for Lot 5, Block 1, Fieldwood Subdivision, located at 1075 Cheney Drive West c/o EHM engineers, Inc on behalf of Wills, Inc. On August 25, 2020, the Planning and Zoning Commission recommended approval to City Council by a vote of 5-0.(PZ20-0087)

Time Estimate:

Approximately 5-10 minutes for the presentation with questions/comments to follow.

Background:

The applicant is requesting to rezone Lot 5, Block 1 of the Fieldwood Subdivision with the intent to further subdivide the property into 5 lots with an R-2 zoning designation.

Approval Process:

A public hearing shall be held before the Commission for a recommendation to City Council. After receiving the recommendation, the Council may amend the zoning district and the zoning map, amend with recommendations, or deny the request.

Budget Impact:

NA

Regulatory Impact:

Per City Code 10-7-20: Public Hearing Notice Requirements: The applicant must follow all public notice requirements per state and city regulations.

Per city code 10-14-1 thru 8: Any application for a zoning district change shall follow the procedures outline in these sections. The commission shall ensure any favorable recommendations are in accordance with the objectives and goals of the adopted Comprehensive Plan.

History:

This property has undergone various zoning changes in the last 10 years. Those changes included Rezones from R-2 to R-4, and R4 PRO PUD; and a couple Subdivisions/Plats. Most recently in 2019, this particular property was re-platted as the Fieldwood Subdivision, following the R-4 PRO Fieldstone Professional PUD regulations.

Analysis:

This request will remove Lot 5 Block 1 from the Fieldstone Professional PUD and rezone it with a R-2 designation. Allowing development to follow the R-2 Zoning District uses and development standards.

Due to the access locations and possible permitted/special uses in the desired R2 Zone, Staff does not anticipates this request to create unreasonable impacts to the surrounding properties.

Conclusion:

The Council is tasked with making a final decision on this matter. The Council may approve the item as requested, approve the item with conditions, deny the item, or table the item for additional information.

Attachments:

1. PZ20-0087 PZ Staff Report
2. Vicinity Map
3. Narrative
4. Exhibit
5. Photos
6. Pages from 08-25-20 PZC MINUTES DRAFT



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Lisa Strickland, City Planner

Request: for a Zoning District Change and Zoning Map Amendment from R-4 PRO to R-2 on property located at Cheney Drive West and Fieldstone Way.

Application: PZ20-0087

Applicant & Representative:

EHM Engineers on behalf of Brad Wills
c/o Tim Vawser
621 N College Rd, Ste 100
Twin Falls, ID 83301
208-734-4888

Public Hearing: August 25, 2020

Analysis:

The applicant is requesting to rezone Lot 5, Block 1 of the Fieldwood Subdivision with the intent to further subdivide the lot into 5 duplex lots with an R-2 zoning designation.

History:

In 2019 this property was re-subdivided as Fieldwood Subdivision, within the Fieldstone Professional PUD with a zoning designation of R-4 PRO.

Approval Process:

A public hearing shall be held before the Commission for a recommendation to City Council. After receiving the recommendation, the Council may amend the zoning district and the zoning map, amend with recommendations, or deny the request.

Per City Code 10-7-20: Public Hearing Notice Requirements: The applicant must follow all public notice requirements per state and city regulations.

Per city code 10-14-1 thru 8: Any application for a zoning district change shall follow the procedures outline in these sections. The commission shall ensure any favorable recommendations are in accordance with the objectives and goals of the adopted Comprehensive Plan.

Analysis/Potential Impacts:

This request will remove Lot 5 Block 1 from the Fieldstone Professional PUD and rezone it with a R-2 designation. Allowing development to follow the R-2 Zoning District uses and development standards.

and staff does not anticipates this request, if approved, would create negative impacts to the surrounding properties.

Conclusions:

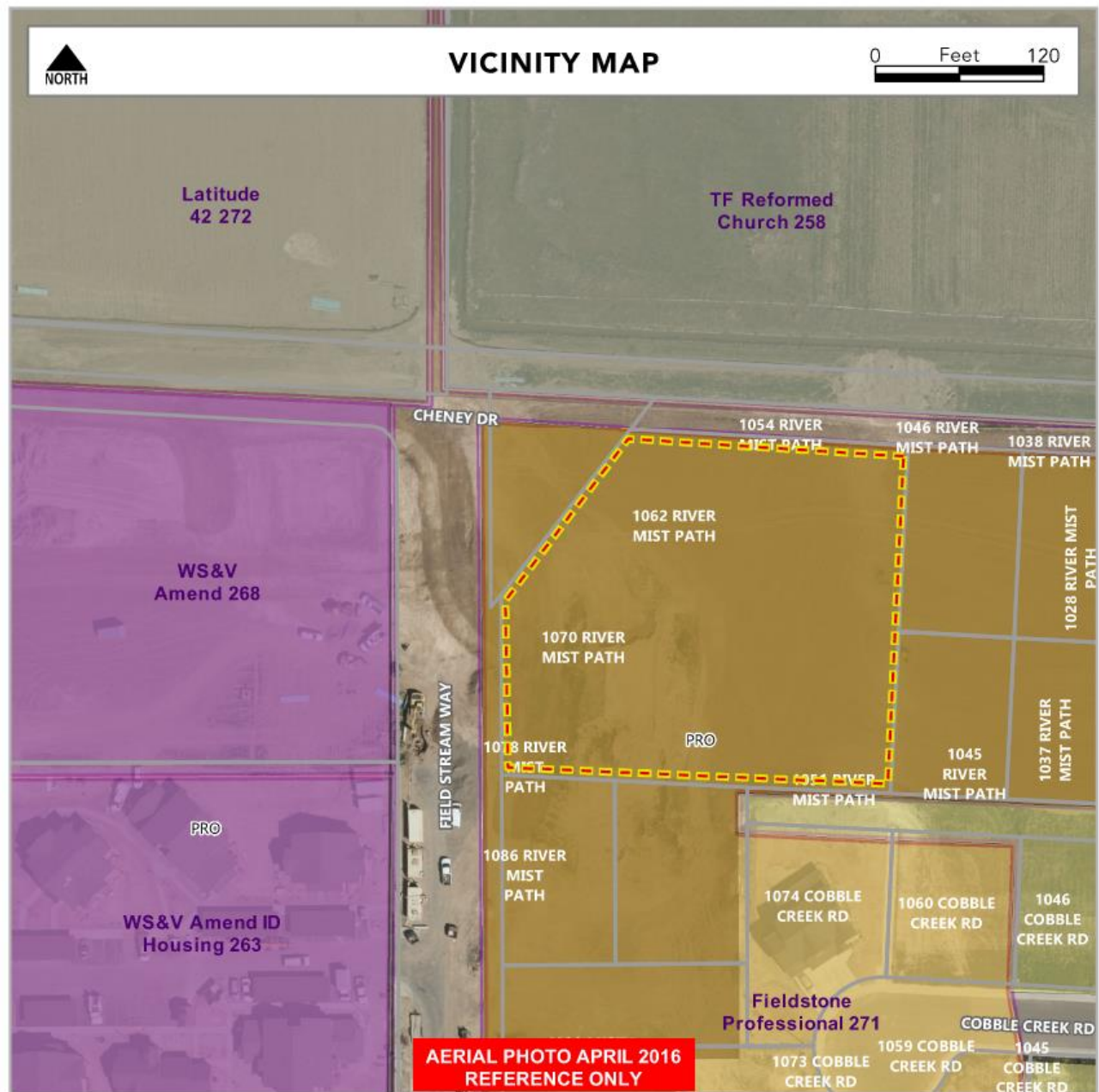
The Commission is tasked with making a recommendation to the City Council. You may recommend approval as requested; recommend a modification or recommend denial.

Attachments:

1. Vicinity Map
2. Narrative
3. Rezone Exhibit
4. Photos

Applicable Regulations or Codes:

As this area has developed it has become more residential in nature



Current Zoning: R-4 PRO

Comprehensive Plan: Town Neighborhood

Existing Land Use: Undeveloped

Proposed Land Use: Residential-Duplex

Surrounding Zoning Designations & Land Use(s)

North: Cheney Drive West

East: Residential, Residential

South: Residential

West: Fieldstream Way, Residential

Applicable Regulations

10-1-4, 10-1-5, 10-4-4, 10-12-2-3



July 7, 2020

Jonathan Spendlove, Planning & Zoning Director
City of Twin Falls
203 Main Avenue East
Twin Falls, Idaho 83301

RECEIVED

JUL 08 2020

CITY OF TWIN FALLS
ENGINEERING DEPT.

Re.: *Fieldwood Subdivision*
Rezone Application

Dear Jonathan,

Accompanying is an application and supplemental data for a proposed rezone of Lot 5, Block 1, of Fieldwood Subdivision. The property is owned by Brad Wills and it is his intent to ultimately further subdivide the parcel into 5 duplex lots with the R2 Residential zoning designation.

Please place this item on the Commission's next available agenda for consideration of approval. Please feel free to call me if you have any questions or need additional information.

Sincerely,

Tim Vawser
EHM Engineers, Inc.

621 North College Rd., Suite 100 • Twin Falls, Idaho 83301 • [208] 734-4888 • Fax [208] 734-6049
3501 W. Elder St., Suite 100 • Boise, Idaho 83705 • [208] 386-9170 • Fax [208] 386-9076

IN THE FIELDS OF:
PLANNING • SURVEYING • HIGHWAYS • WATER • SEWAGE • STRUCTURAL • SUBDIVISIONS • BRIDGES • ENVIRONMENTAL • QUALITY CONTROL • CONSTRUCTION MGMT.

LATITUDE 42
SUBD. No. 1
ZONE: C-1

TWIN FALLS REFORM CHURCH
ZONE: C-1



Cheney Drive West

7005

FIELDSTONE
SUBD.
ZONE: R-2

FIELDWOOD SUBD.
LOT 5, BLOCK 1
EXISTING ZONE: R-4 PRO
PROPOSED ZONE: R-2

FIELDWOOD SUBD.
ZONE: R-4 PRO

FIELDSTONE SUBD.
ZONE: R-2

FIELDWOOD SUBD.
ZONE: R-4 PRO

FIELDSTONE PROFESSIONAL SUBD.
ZONE: R-4 PRO

WS & V SUBD. FIRST AMENDED
ZONE: R-6

Fieldstream Way

Boundary Legend

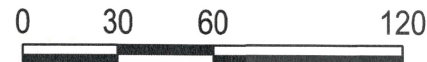
SURVEY BOUNDARY LINE



ADJACENT PROPERTY LINE



CENTERLINE OF STREET



SCALE IN FEET

1

JOB NO.: 220-20
DESIGN
DRAWN: MHL
DATE: JULY 2020
SCALE: SHOWN
V 220-20 EXH-ZONE
Sheet No.:

REZONE EXHIBIT
FIELDWOOD SUBDIVISION No. 2
TWIN FALLS, IDAHO



EHM Engineers, Inc.

BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

Engineers / Surveyors / Planners

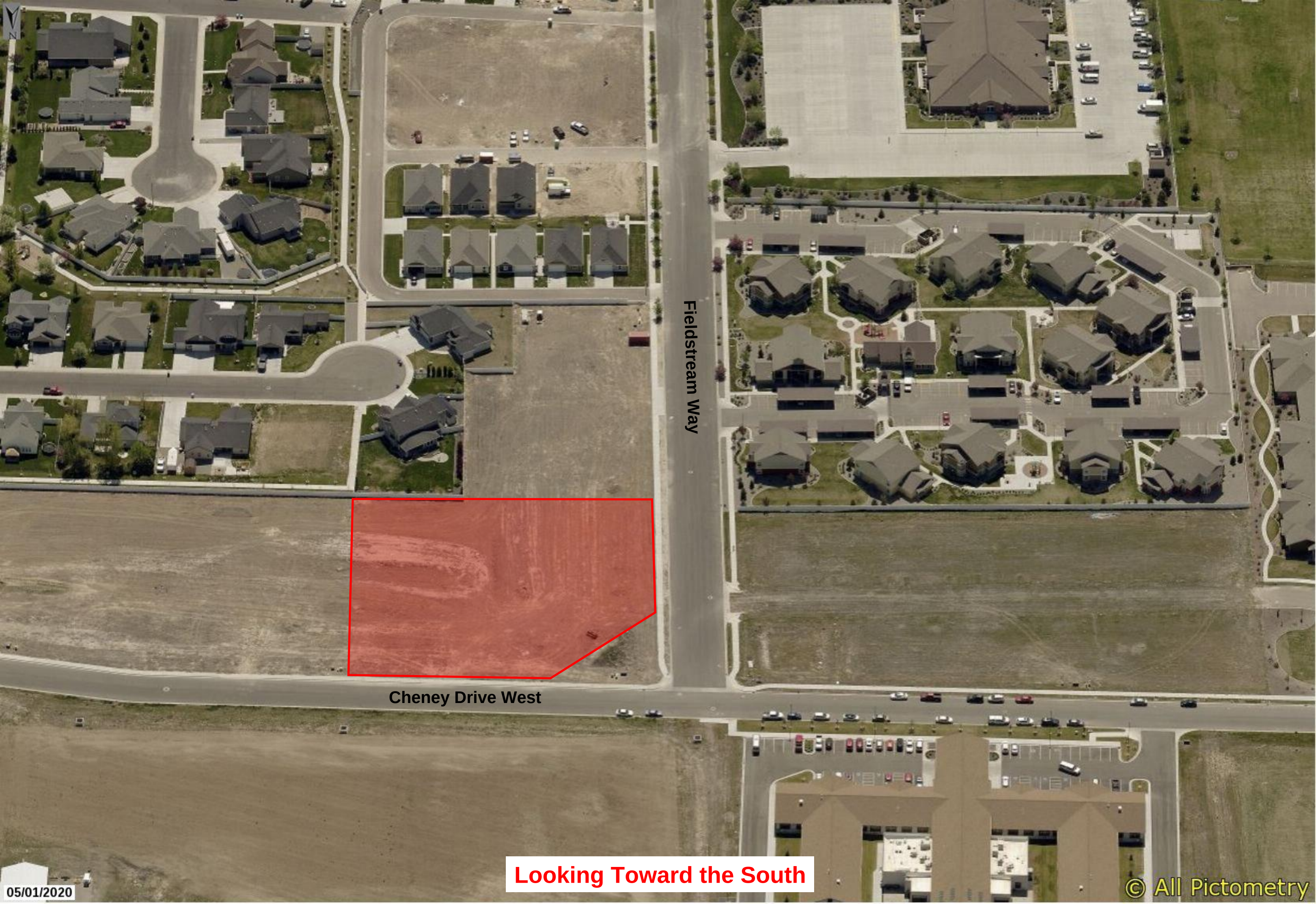
621 North College Road, Suite 100 Twin Falls, Idaho 83301
p (208)-734-4888 fax (208)-734-6049 web: ehminc.com



Cheney Drive West

Fieldstream Way

Looking Toward the North



Fieldstream Way

Cheney Drive West

Looking Toward the South

© All Pictometry

05/01/2020

unfinished product.

PZ/Questions & Comments: none

5) Public Hearings

- a) Request for a Zoning District Change and Zoning Map Amendment from R-4 PRO to R-2 on property located at Cheney Drive West and Fieldstone Way, c/o EHM Engineers, Inc. on behalf of Wills, Inc. (PZ20-0087)

Staff Presentation:

City Planner Strickland presented the request for a Zoning District Change and Zoning Map Amendment from R-4 PRO to R-2 on property located at Cheney Drive West and Fieldstone Way.

The applicant is requesting to rezone Lot 5, Block 1 of the Fieldwood Subdivision with the intent to further subdivide the lot into 5 duplex lots with an R-2 zoning designation.

In 2019 this property was re-subdivided as Fieldwood Subdivision, within the Fieldstone Professional PUD with a zoning designation of R-4 PRO.

A public hearing shall be held before the Commission for a recommendation to City Council. After receiving the recommendation, the Council may amend the zoning district and the zoning map, amend with recommendations, or deny the request.

Per City Code 10-7-20: Public Hearing Notice Requirements: The applicant must follow all public notice requirements per state and city regulations.

Per city code 10-14-1 thru 8: Any application for a zoning district change shall follow the procedures outline in these sections. The commission shall ensure any favorable recommendations are in accordance with the objectives and goals of the adopted Comprehensive Plan.

This request will remove Lot 5 Block 1 from the Fieldstone Professional PUD and rezone it with a R-2 designation. Allowing development to follow the R-2 Zoning District uses and development standards.

As this area has developed it has become more residential in nature and staff does not anticipate this request, if approved, would create negative impacts to the surrounding properties.

The Commission is tasked with making a recommendation to the City Council. You may recommend approval as requested; recommend a modification or recommend denial.

Applicant Presentation:

Tim Vawser, EHM Engineers, presented the request for a Zoning District Change and Zoning

Map Amendment from R-4 PRO to R-2 on property located at Cheney Drive West and Fieldstone Way. He stated this zoning change will be more harmonious to surrounding properties.

PZ/Questions & Comments: none

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

MOTION: Commissioner Bolton moved to recommend approval to City Council for the request for a Zoning District Change and Zoning Map Amendment from R-4 PRO to R-2 on property located at Cheney Drive West and Fieldstone Way, as presented, with staff recommendations.

Commissioner Musser seconded the motion.

Unanimously approved by a vote of 5 to 0.

6) Upcoming Meeting(s)

- a) Tuesday, September 22, 2020

7) Adjournment

The meeting adjourned at 6:17 pm.

Kelli Ebersole, Administrative Assistant



Date: Monday, September 21, 2020
To: Honorable Mayor and City Council
From: Jonathan Spendlove

ACTION ITEM

Request:

Request to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos. On June 23, 2020, the Planning and Zoning Commission recommended approval to City Council by a vote of 5-0.(PZ20-0051)

Time Estimate:

Five (5) to ten (10) minutes for staff presentation; Five (5) minutes for public hearing; Five (5) minutes for commission questions, discussion, and decision.

Background:

NA

Approval Process:

All procedures will follow the process as described in TF City Code 10-16-1. Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

Budget Impact:

NA

Regulatory Impact:

NA

History:

NA

Analysis:

This is a request to vacate a public utilities, cross access, drainage, landscape, and irrigate easement located on property at Perrine Pointe Subdivision blocks 2, 3, and 4. Per the applicant the purpose of the proposed vacation is to eliminate the large public utility cross access, drainage, landscape and irrigation easements that no longer accommodate the development plans for the neighborhood commercial project.

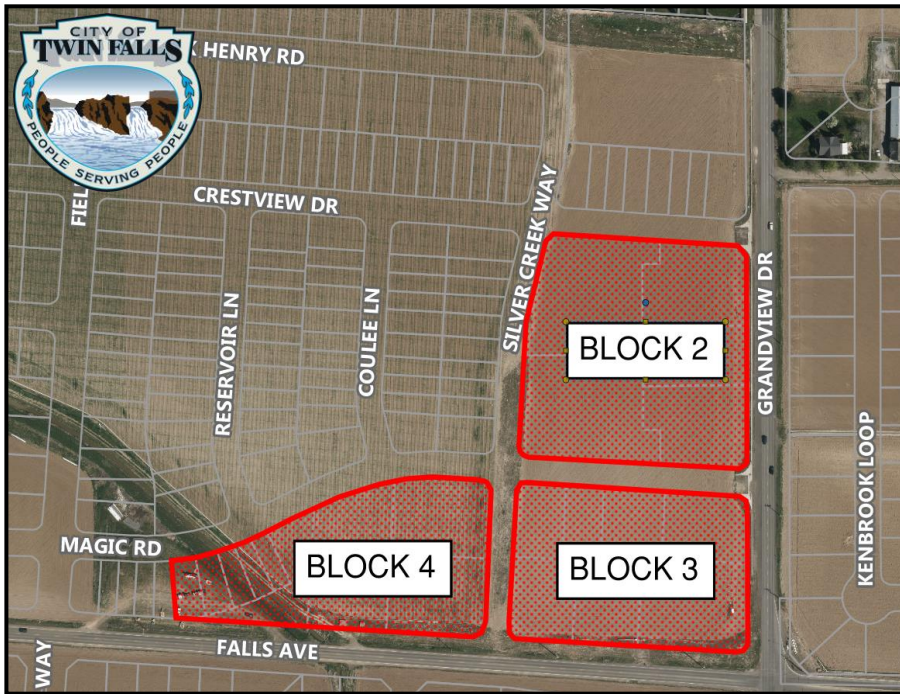
Conclusion:

On June 23, 2020, the Planning and Zoning Commission recommended approval to City Council by a vote of 5-0.

City Council is tasked with making a final decision on this request, the Council may approve the request as presented, approve the request with conditions, deny the request, or table the request for additional information.

Attachments:

1. PZ20-0051 VAC Staff Report
2. 1 - Vicinity Map
3. 2 - Narrative
4. 3 - Vacation Exhibit
5. 4 - Photos
6. Pages from 06-23-20 PZ Minutes



Comprehensive Staff Report

To: Planning & Zoning Commission

Presenter: Jonathan Spendlove,
P&Z Director

Request: To **Vacate** a public utilities, cross access, drainage, landscape, and irrigation easement located on property at Perrine Pointe Subdivision blocks 2, 3, and 4.

Application: PZ20-0051

Applicant & Representative:

Tres Gringos, LLC
621 North College
Twin Falls, ID 83301

Public Hearing: June 23rd, 2020

Analysis

This is a request to vacate a public utilities, cross access, drainage, landscape, and irrigate easement located on property at Perrine Pointe Subdivision blocks 2, 3, and 4. Per the applicant the purpose of the proposed vacation is to eliminate the large public utility cross access, drainage, landscape and irrigation easements that no longer accommodate the development plans for the neighborhood commercial project.

Approval Process

All procedures will follow the process as described in TF City Code: 10-16-1

Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

Comprehensive Plan Compliance

The 2016 Comprehensive Plan "Grow With Us" designates this area as Town Neighborhood and Neighborhood Commercial. The request complies with City Comprehensive Plans.

Regulatory Impacts

Approval of this request will remove the limitation, or entitlement, for the specific area, as described on the Plat. This area will become private property, and subject to current rules and regulations for taxes, zoning code compliance, and development.

Conclusion

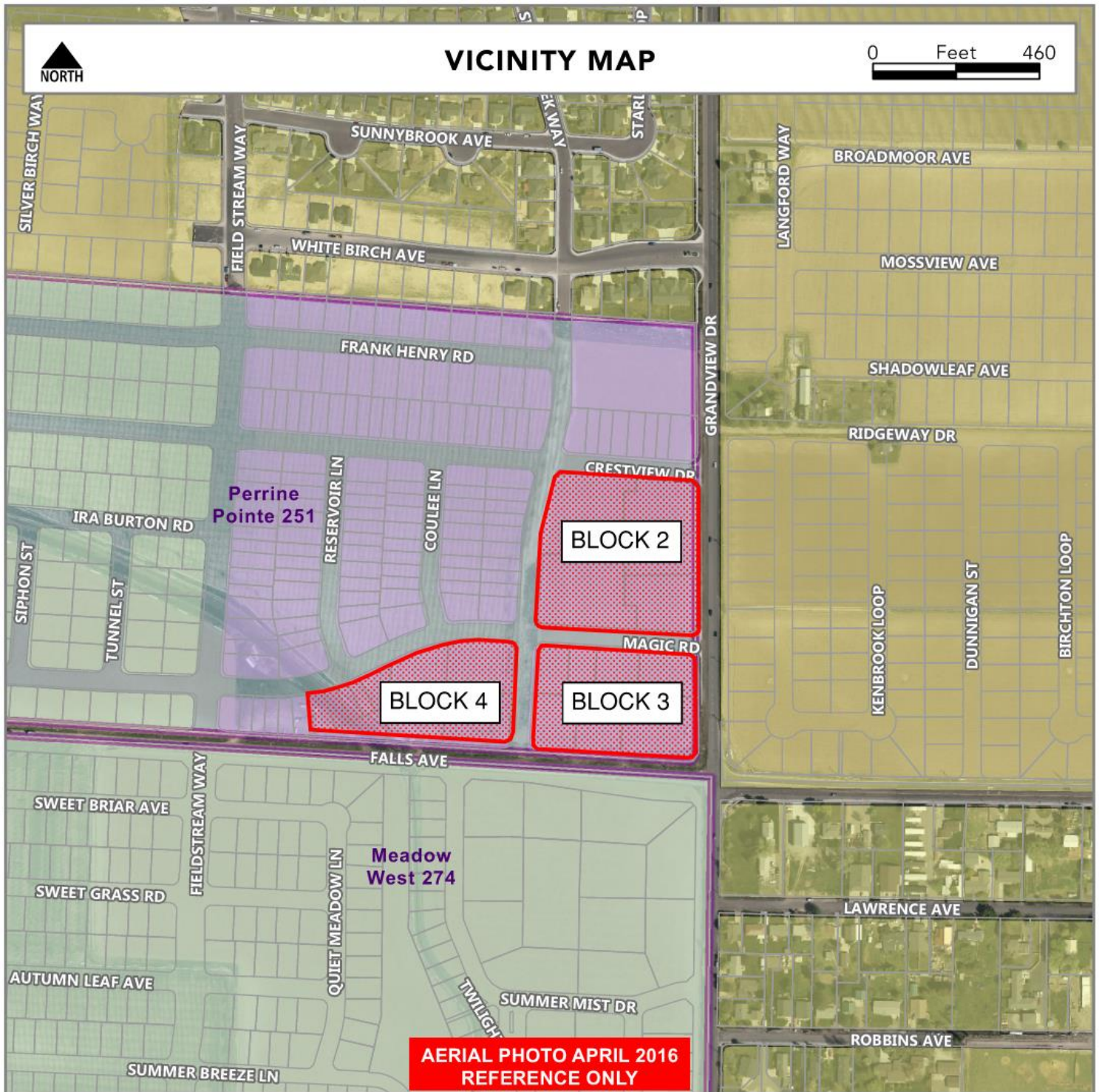
Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to the applicant providing written statements from all utility companies on company letterhead indicating whether or not they agree with vacating the requested easement prior to this item being heard by City Council.

Attachments

1. Vicinity Map
2. Narrative
3. Vacation Exhibit
4. Photos

Public Hearing: June 23rd, 2020



 PUD  R-6

 R-2

Current Zoning: R-6 PUD
Comprehensive Plan: Town Neighborhood &
Neighborhood Commercial

Existing Land Use: Residential / Vacant
Proposed Zoning Action: Vacation

Surrounding Zoning Designations & Land Use(s)

North: R-6 PUD, Residential
South: R-2 PUD, Residential

East: R-2, Residential
West: R-6 PUD, Transit Center

Applicable Regulations
10-1-4, 10-1-5, 10-16-1

Gerald Martens, P.E.

621 N. College Road, Ste 100, Twin Falls, ID 83301
208.420.2461 cell • 208.734.6049 fax • gmartens@ehminc.com



Date: April 20, 2020

To: Idaho Power
Cable One
Century Link
Intermountain Gas
Twin Falls Canal Company

From: Gerald Martens, P.E.

A handwritten signature in black ink, appearing to read 'Gerald Martens', written over the printed name.

Regarding: Vacation of Easement

Tres-Gringos, owner of the property is requesting vacation of the color coded easements in Blocks 2,3, and 4 of the Perrine Pointe Subdivision. The public utilities adjacent to the streets will not be vacated.

The retained easements are shown on pages 2 and 3.

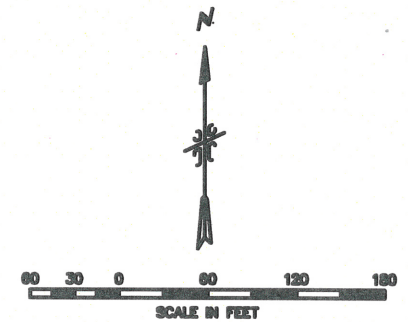
This is a commercial project and additional easements if required will be provided at time of development.

The city requests a written response to proceed with the vacation process..

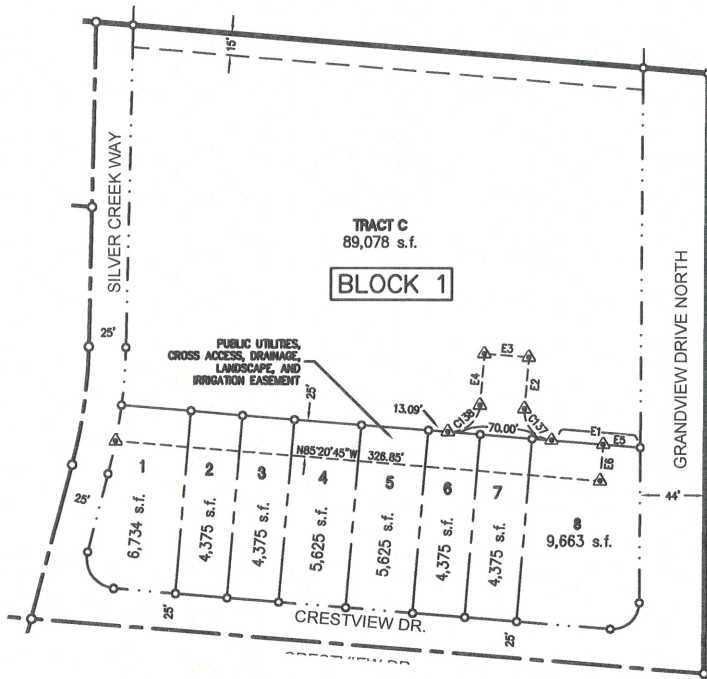


Plat Showing
PERRINE POINT SUBDIVISION
 Situated in the South 1/2 of the Southeast 1/4 of Section 6,
 Township 10 South, Range 17 East, B.M., City of Twin Falls,
 Twin Falls County, Idaho
 2008

INGRESS, EGRESS, UTILITY, DRAINAGE & EMERGENCY VEHICLE ACCESS
 EASEMENT INFORMATION
 **SEE SHEET 9 OF 13 FOR CURVE AND
 LINE TABLES



 - EASEMENTS TO BE VACATED

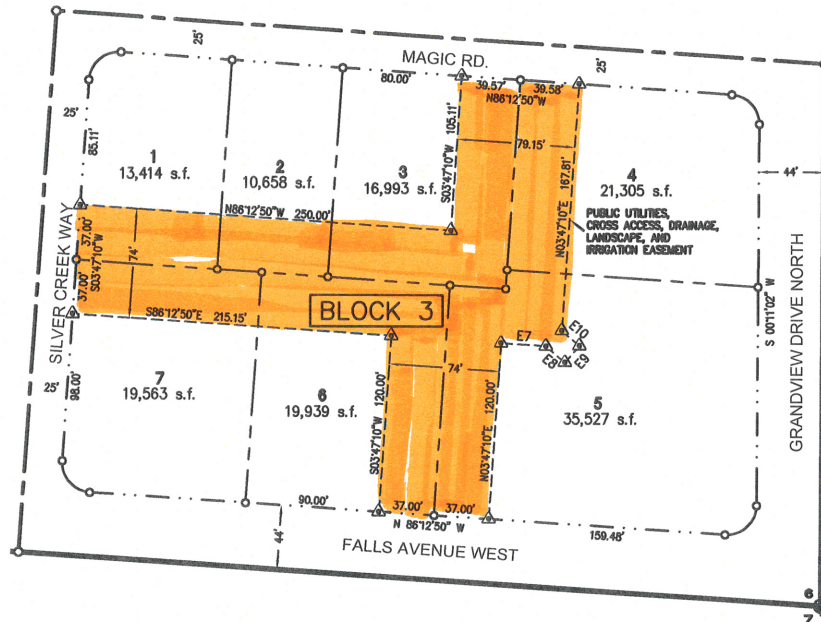
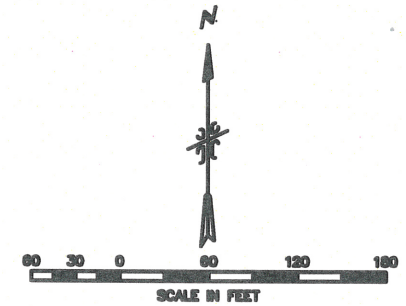


Owner/Developer
 GREENRIDGE DEVELOPMENT, LLC
 14510 BIG BASIN WAY #240
 SARATOGA, CALIFORNIA, 95070
 PHONE: (408) 872-1240

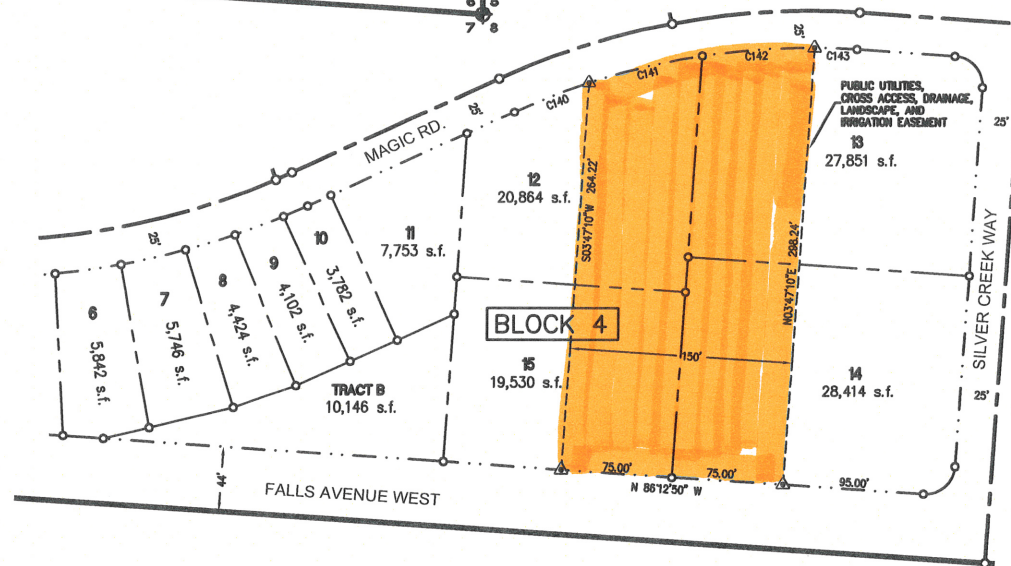
	THE LAND GROUP, INC.	
	- Land Surveying - Civil Engineering - Site Planning - Landscape Architecture - Golf Course Engineering - Graphic Communication	140 River Vista Place Twin Falls, Idaho 83301 Phone (208) 733-4041 Fax (208) 733-4045 www.thelandgroupinc.com

Plat Showing
PERRINE POINT SUBDIVISION
 Situated in the South 1/2 of the Southeast 1/4 of Section 6,
 Township 10 South, Range 17 East, B.M. City of Twin Falls,
 Twin Falls County, Idaho
 2008

INGRESS, EGRESS, UTILITY, DRAINAGE & EMERGENCY VEHICLE ACCESS
 EASEMENT INFORMATION
 **SEE SHEET 9 OF 13 FOR CURVE AND
 LINE TABLES



EASEMENTS TO BE VACATED

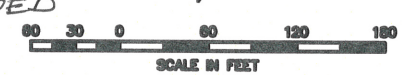


Owner/Developer

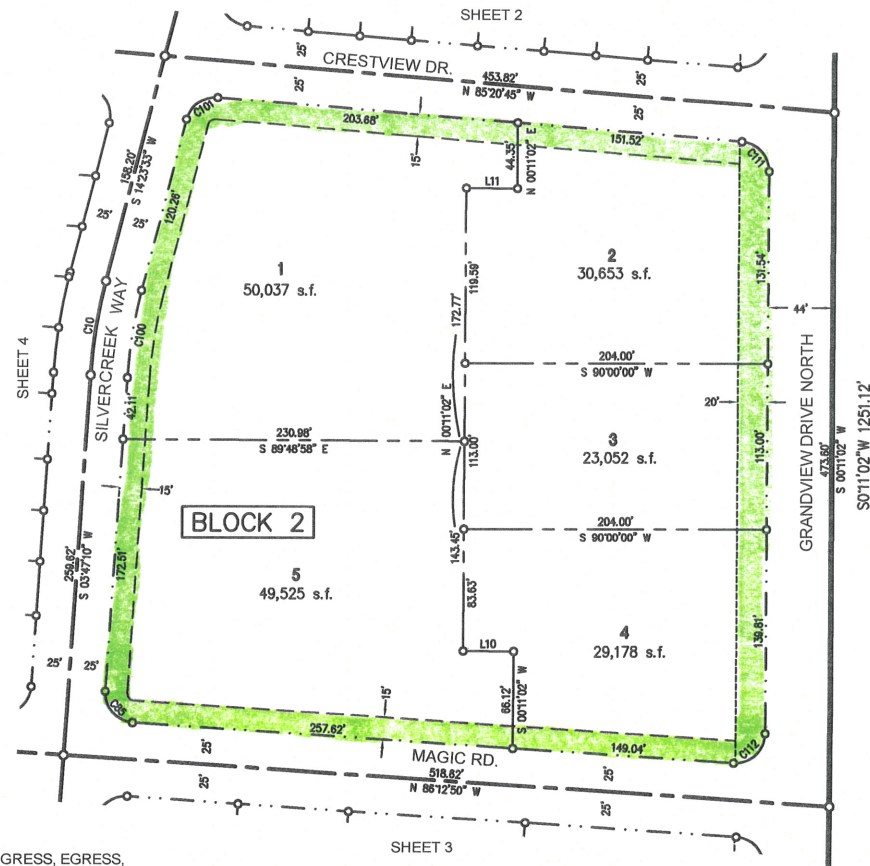
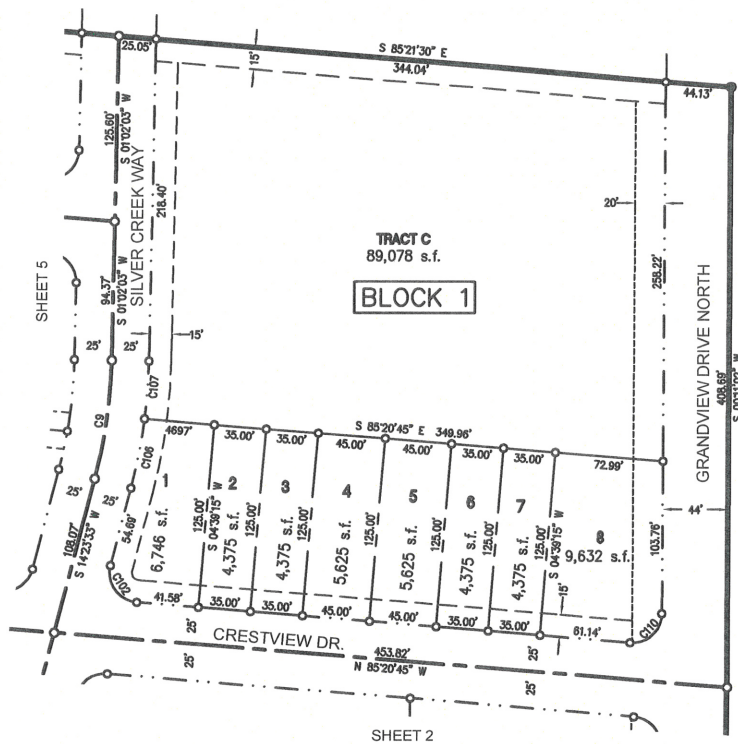
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Plat Showing
PERRINE POINT SUBDIVISION
 Situated in the South 1/2 of the Southeast 1/4 of Section 6,
 Township 10 South, Range 17 East, B.M. City of Twin Falls,
 Twin Falls County, Idaho
 2008



EASEMENTS TO BE RETAINED



**SEE SHEET 10 FOR INGRESS, EGRESS,
 UTILITY, DRAINAGE & EMERGENCY VEHICLE
 ACCESS EASEMENT INFORMATION AND
 SIDEWALK EASEMENTS
 **MATCHLINES ARE CENTERLINE OF STREETS
 **SEE SHEET 9 OF 13 FOR CURVE AND
 LINE TABLES



Owner/Developer

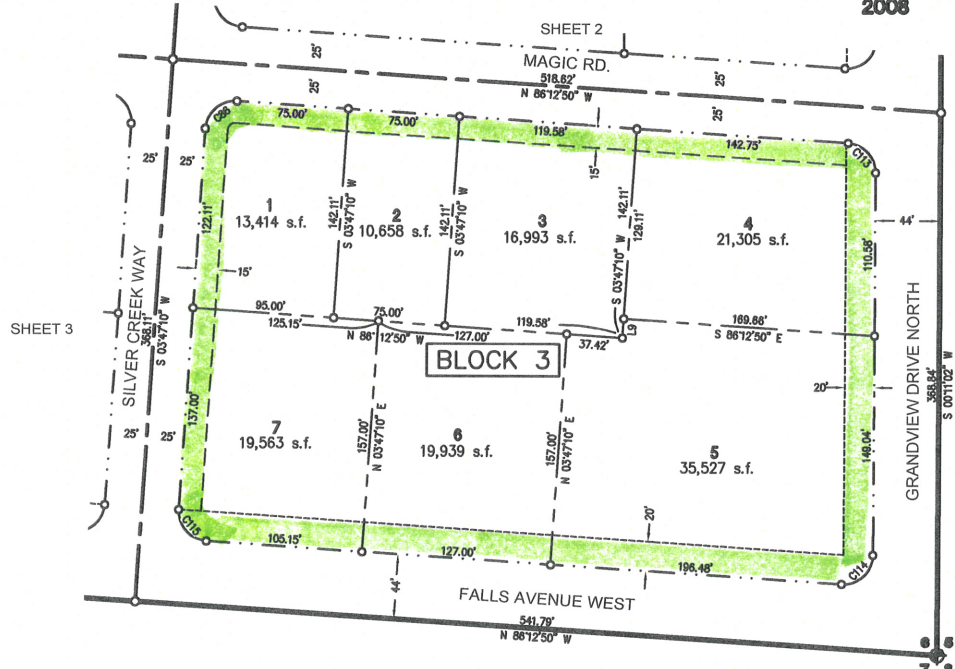
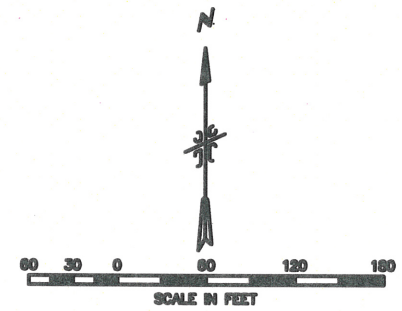
GREENRIDGE DEVELOPMENT, LLC
 14510 BIG BASIN WAY #240
 SARATOGA, CALIFORNIA, 95070
 PHONE: (408) 872-1240

THE LAND GROUP, INC.

- Land Surveying
- Civil Engineering
- Site Planning
- Landscape Architecture
- Golf Course Engineering
- Graphic Communication

140 River Vista Place
 Twin Falls, Idaho 83301
 Phone (208) 733-4041
 Fax (208) 733-4045
www.thelandgroupinc.com

**Plat Showing
PERRINE POINT SUBDIVISION**
Situated in the South 1/2 of the Southeast 1/4 of Section 6,
Township 10 South, Range 17 East, BM, City of Twin Falls,
Twin Falls County, Idaho
2008



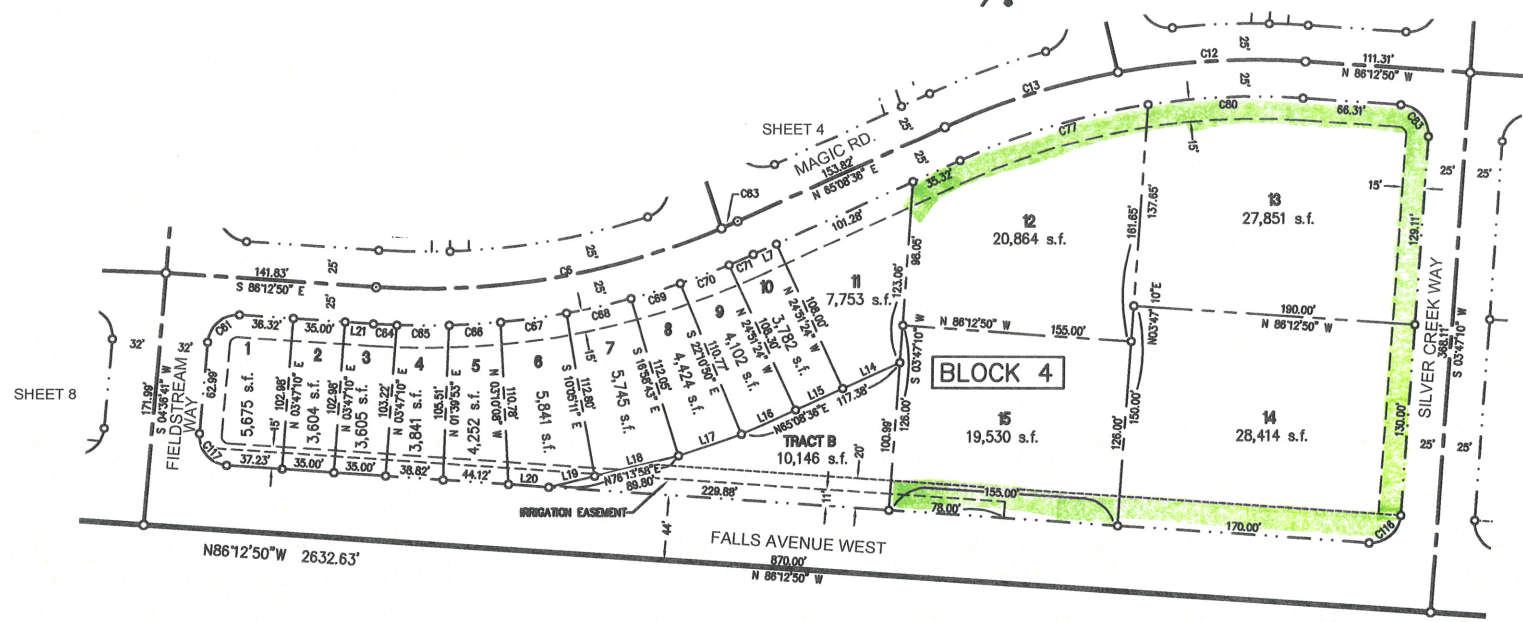
- EASEMENTS TO BE RETAINED

**SEE SHEET 10 FOR INGRESS, EGRESS,
UTILITY, DRAINAGE & EMERGENCY VEHICLE
ACCESS EASEMENT INFORMATION AND
SIDEWALK EASEMENTS
**MATCHLINES ARE CENTERLINE OF STREETS
**SEE SHEET 9 OF 13 FOR CURVE AND
LINE TABLES



Owner/Developer

GREENRIDGE DEVELOPMENT, LLC
14510 BIG BASIN WAY #240
SARATOGA, CALIFORNIA, 95070
PHONE: (408) 872-1240



THE LAND GROUP, INC.

- Land Surveying
- Civil Engineering
- Site Planning
- Landscape Architecture
- Golf Course Engineering
- Graphic Communication

140 River Vista Place
Twin Falls, Idaho 83301
Phone (208) 733-4041
Fax (208) 733-4045
www.thelandgroupinc.com



SE Corner looking NW



NE Corner looking SE



NW Corner Looking SE



SE Corner looking NW

Unanimously approved by a vote of 5-0.

5) Public Hearings

- a) Request for a recommendation to City Council to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos. (PZ20-0051)

Staff Presentation:

PZ Director Spendlove presented the Request for a recommendation to City Council to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos. (PZ20-0051)

All procedures will follow the process as described in TF City Code 10-16-1. Vacations & Dedications require a public hearing before the Planning Commission where the public and the applicant will have the opportunity to make a presentation, ask questions, or voice their concerns. The Planning & Zoning Commission will make a recommendation to the City Council that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

This is a request to vacate a public utilities, cross access, drainage, landscape, and irrigate easement located on property at Perrine Pointe Subdivision blocks 2, 3, and 4. Per the applicant the purpose of the proposed vacation is to eliminate the large public utility cross access, drainage, landscape and irrigation easements that no longer accommodate the development plans for the neighborhood commercial project.

Should the Commission recommend approval to the City Council as presented, staff recommends approval be subject to the following conditions:

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.
2. Subject to the applicant providing written statements from all utility companies on company letterhead indicating whether or not they are in agreement with vacating the requested easement.

Applicant Presentation:

Tim Vawser, EHM Engineers, representing applicant, presented the request for a recommendation to City Council to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision. He stated this property was recorded in 2008, and the development plans have changed. He stated the current easements restrict the footprint of the property. The applicant is asking to vacate all easements at once.

PZ/Questions & Comments:

- Commissioner Detweiler asked if all utility letters have been submitted.
- Mr. Vawser stated they have not been submitted, but will be before the vacation is approved by City Council.

Public Hearing: Opened and closed without input

Discussions Followed: without concerns

Motion:

Commissioner Hansen made a motion to recommend approval to vacate portions of platted utility easements for Blocks 2, 3, and 4 of the Perrine Pointe Subdivision c/o Tres Gringos, as presented, with staff recommendations.

Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 5-0.

- b) Request for a Special Use Permit to allow for an outdoor theater, amplified music/sound, and extended hours of operation on property located at 210 2nd Avenue South c/o David Buddecke. (app. PZ20-0060)

Staff Presentation:

City Planner Strickland presented the Request for a Special Use Permit to allow for an outdoor theater, amplified music/sound, and extended hours of operation on property located at 210 2nd Avenue South c/o David Buddecke. (app. PZ20-0060)

The Special Use Permit process requires a public hearing in which interested persons can be heard, with regards to the application.

The Commission shall decide on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

No applicable zoning history exists for this location. The building has historically housed various businesses including Krengle's Hardware Store and most recently the Salvation Army.

The property is located along a downtown commercial corridor where there is a substantial amount of traffic. Although, staff and the applicant anticipate this land use will bring increased traffic to the area we do not anticipate any negative impacts to the surrounding properties.

Amplified music could be a concern after hours when things quiet down around the area however this property is surrounded by commercial businesses and the stage will be located adjacent to 2nd Avenue South, therefore this should not present a problem. Neighbors are encouraged to notify the applicant should a problem arise and if necessary, they may contact city staff.