Twin Falls City Council
Agenda

Monday, July 19, 2021, 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: None

4) CONSENT CALENDAR

   a) **ACTION ITEM:** Request to approve Accounts Payable for July 8 thru 14, 2021.
   By: Amy Luna, Finance Administrative Assistant

   b) **ACTION ITEM:** Request to approve July 12, 2021, City Council Minutes.
   By: Amy Luna, Finance Administrative Assistant

   c) **ACTION ITEM:** Request to approve a Parks In-Lieu application for the Federation Point Subdivision located at 211 Federation Road. (PZ21-0077). On July 13, 2021, the Parks and Recreation Commission voted unanimously to recommend approval to City Council.
   By: Ian Zollinger, City Planner

   d) **ACTION ITEM:** Request to approve a Parks In-Lieu application for the Kenyon Meadow Subdivision located at the 1500 & 1600 blocks of Kenyon Road South (PZ21-0086). On July 13, 2021, the Parks and Recreation Commission voted unanimously to recommend approval to City Council.
   By: Elizabeth Hart, Senior Planner

   e) **ACTION ITEM:** Request to accept the Improvement Agreement for the purpose of developing **Vista Rim Townhomes Subdivision, a ZDA.**
   By: Josh Baird, City Engineer

   f) **ACTION ITEM:** Request to approve a Trust Agreement for **Vista Rim Townhomes Subdivision, a ZDA**, placing all lots in trust.
   By: Josh Baird, City Engineer

   g) **ACTION ITEM:** Request to hold the National Night Out event.
   By: Sergeant Lou Coronado, Twin Falls Police Department

   h) **ACTION ITEM:** Request to approve the 10th Annual Optimist Club Wings and Things Ultimate Tailgate Challenge.
   By: Sergeant Lou Coronado, Twin Falls Police Department

i) **ACTION ITEM:** Request to hold the Christian Youth Band Concert.

By: Sergeant Lou Coronado, Twin Falls Police Department

j) **ACTION ITEM:** Request to hold the Twin Falls Chamber Mini Masters event.

By: Sergeant Lou Coronado, Twin Falls Police Department

k) **ACTION ITEM:** Request to hold the Arts in the Park.

By: Sergeant Lou Coronado, Twin Falls Police Department

5) ITEMS OF CONSIDERATION

a) **PRESENTATION:** Chief Craig Kingsbury would like to present Officer Tyler Kuder with his POST Basic Certificate, Officer Martin Becerra and Officer Cody Christensen with their POST Intermediate Certificates, and Officer Brad Baisch, Officer Tracy Thompson, and Sergeant Steven Gassert with their POST Advanced Certificates before City Council.

By: Chief Craig Kingsbury, Twin Falls Police Department

b) **PRESENTATION:** Formal ceremony promoting Detective Josh Hayes to the position of Corporal, Officer Eric Barzee to the position of Sergeant, and Corporal Steven Gassert to the position of Sergeant before the City Council.

By: Chief Craig Kingsbury, Twin Falls Police Department

c) **PRESENTATION:** A presentation of the City Manager's Recommended Budget for FY 2022 followed by citizen input.

By: Travis Rothweiler, City Manager

6) GENERAL PUBLIC INPUT

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

8) PUBLIC HEARINGS: None

9) ADJOURNMENT

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

Twin Falls City Council
Minutes

Monday, July 12, 2021, 5:00 PM

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

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Suzanne Hawkins, Vice Mayor Ruth Pierce, Council Member Shawn Barigar, Greg Lanting, Christopher Reid.

Absent: Council Member Craig Hawkins & Nikki Boyd.

Staff Present: City Manager Travis Rothweiler, Deputy City Manager Mitch Humble, City Attorney Shayne Nope, CFO Breanna Howard, Police Chief Craig Kingsbury, Fire Chief Les Kenworthy, P&Z Director Jonathan Spendlove, Public Works Director Jon Caton, City Engineer Josh Baird, Budget Coordinator Mat Farnes, IT Director Kathy Markus, Parks & Recreation Director Wendy Davis, Fire Traning Officer Josh Kliegl, Human Resource Director Gretchen Scott, Public Information Coordinator Joshua Palmer, Help Desk Technician Kim Hafer, Finance Administrative Assistant Amy Luna.

Mayor Hawkins called the meeting to order at 5:00 PM. A quorum was present.

2) PLEDGE OF ALLEGIANCE

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

3) PROCLAMATIONS: None

4) CONSENT CALENDAR

MOTION: Council Member Reid moved to approve the Consent Calendar as presented. **Vice Mayor Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 5 to 0

a) Request to approve Accounts Payable for June 24-30, 2021.
b) Request to approve Accounts Payable for July 1-7, 2021.
c) Request to approve June 28, 2021, City Council Minutes.
d) Request to approve the Wells Fargo Credit Commercial Card for May 2021.
e) Request to approve new alcohol license for Video Mexico of Twin Falls LLC.
f) Request to approve the Findings of Fact and Conclusions of Law for the Claret Subdivision Final Plat.
g) Request to approve new alcohol license for Craftsman Unlimited Haircuts, LLC.
h) Request to approve the Annual Festival of Lights Parade to be held on Friday, December 3, 2021. This annual event is sponsored by the Times-News.
i) Request to approve the annual Joshua Way Block Party.

5) ITEMS OF CONSIDERATION

a) Request to approve a $100,000.00 dollar grant from the Twin Falls Rural Fire District for a Training systems and props for the Twin Falls Fire Department.

Fire Chief Kenworthy requested to approve a $100,000.00 grant from the Twin Falls Rural Fire District for Training systems and props for the Twin Falls Fire Department.

Discussion ensued on the following: None.

MOTION: Vice Mayor Pierce moved to approve the request to approve a $100,000.00 grant from the Twin Falls Rural Fire District for Training systems and props for the Twin Falls Fire Department. **Council Member Barigar** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 5 to 0.

b) Request to approve staff to purchase a training systems tower and props from Drager Incfor the Jim Bieri Regional Fire Training Center.

Fire Chief Kenworthy requested to approve staff to purchase a training systems tower and props from Drager Inc for the Jim Bieri Regional Fire Training Center.

Discussion ensued on the following:
Council Member Lanting: Asked for clarification on the control of the training center.
Council Member Reid: How long will a prop like this last?
Mayor Hawkins: Are we putting money away for future replacement?
Council Member Barigar: Spoke in favor of this training center.

MOTION: Council Member Barigar moved to approve the request to approve staff to purchase a training systems tower and props from Drager Inc for the Jim Bieri Regional Fire Training Center. **Vice Mayor Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 5 to 0.

c) Request to adopt Ordinance #O-2021-012 for the Annexation of 11.98 (+/-) acres for property located at the Harrison Street South and Clinton Drive intersection.

City Attorney Nope explained the process with **Mayor Hawkins** recusing herself.

P&Z Director Spendlove requested to adopt ***Ordinance #O-2021-012*** for the Annexation of 11.98(+/-) acres for property located at the Harrison Street South and Clinton Drive Intersection.

Discussion ensued on the following: None.

MOTION: Council Member Barigar made a motion to suspend the rules and place ***Ordinance #O-2021-012*** on third and final reading by title only under suspension of the rules. **Council Member Reid** seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

Vice Mayor Pierce read the ordinance by title only.

MOTION: Council Member Barigar moved to approve the request to adopt ***Ordinance #O- 2021-012*** for the Annexation of 11.98(+/-) acres for property located at the Harrison Street South and Clinton Drive Intersection. **Council Member Reid** seconded the motion. Roll call vote showed all members present voted on the motion. 4 to 0 with Mayor Hawkins abstaining.

d) A presentation of the City Manager's Recommended Budget for FY 2022 followed bycitizen input.

City Manager Rothweiler presented the City Manager's Recommended Budget for FY 2022.

Discussion ensued on the following:
Council Member Barigar: Looking for a list of Category B items. Asked for status updates on Floral Ave, Shoshone Falls, etc.
Mayor Hawkins: Asked about the amount of foregone we can take.
Council Member Lanting: Spoke about the foregone percentage that we could get. Spoke about the Floral Ave. project.
Council Member Reid: Thanked staff for the budget presentation and the time put into this.

6) GENERAL PUBLIC INPUT

Mayor Hawkins asked the Boy Scout Troops #139 & #1139, #63, that are in the audience, to come forward and identify themselves.

7) **ADVISORY BOARD REPORT/ANNOUNCEMENTS**

Vice Mayor Pierce: Spoke about the receptions for the crew of the USS Idaho.
Council Member Lanting: Spoke about the ISS Iowa.
Council Member Barigar: Mentioned that former Council Member Talkington is a part of this group for our region. Spoke about a survey that will be going out for the Arts Council Commission.

8) **PUBLIC HEARINGS: None**

9) **ADJOURNMENT**

The meeting adjourned at 06:12 PM

____

Amy Luna, Finance Administrative Assistant

For a full account of this meeting please visit tfid.org for the recording of this meeting

Date:	Monday, July 19, 2021
To:	Honorable Mayor and City Council
From:	Ian Zollinger, City Planner

ACTION ITEM

Request:

Request to approve a Parks In-Lieu application for the Federation Point Subdivision located at 211 Federation Road. (PZ21-0077). On July 13, 2021, the Parks and Recreation Commission voted unanimously to recommend approval to City Council.

Time Estimate:

15 minutes for presentation if needed.

Background:

This is a request for a Parks in Lieu contribution for Federation Point. A 10.69 (+/-) acre subdivision with 90 residential units located at the south west corner of Federation and Washington Street.

Per City Code 10-12-3-11 a “minipark” is a minimum of 15,000sq-ft and a “neighborhood” park is at least 3 acres of flat open space.
The amount of land to set aside for park land is equal to the number of residential lots multiplied by 0.01

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 meets all criteria to be called an “in fill” development. (Ord. 2954, 11-3-2008)

The requested Parks in Lieu cash contribution is calculated at $159,025.79 based on the appraisal/auction/sale price of the property.

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.
The commission is tasked with forwarding a recommendation to City Council based on, 1) the minimum standards or regulations set forth in City Code, and 2) the guiding principles of the Twin Falls Parks and Recreation Master Plan.

Approval Process:

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.

Budget Impact:

Regulatory Impact:

Per City Code 10-12-3-11 a “minipark” is a minimum of 15,000sq-ft and a “neighborhood” park is at least 3 acres of flat open space.
The amount of land to set aside for park land is equal to the number of residential lots multiplied by 0.01.

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.

History:

Analysis:

The subject property is located at the corner of Washington and Federation. The development is proposing 90 residential units as approved previously through a ZDA.
The proposed subdivision is located approximately half a mile from North Ridge Park and the Canyon Rim Trail across the street on Federation.

The 2016 Parks Master Plan looks closely at the recreational opportunities and amenities provided by the City of Twin Falls to its residents. Outlined within the adopted Master Plan is a Map containing Proposed Master Plan Improvements for planned future park service areas.

According to the Proposed Master Plan Improvements Map there are no planned future parks within the area of the proposed subdivision.

North Ridge Park and the Canyon Rim Trail would include the proposed subdivision in their service areas. The amount of park land required to be set aside would be 0.9 acres.

The requested Parks in Lieu cash contribution is calculated at $159,025.79 based on the appraisal/auction/sale price of the property for.

Conclusion:

The Parks and Recreation Commission forwarded a positive recommendation for accepting the contribution in lieu of park land.

The city council is tasked with accepting, accepting with conditions, or denying the request.

Attachments:

1. Federation Subdivison Parks in Lieu - Staff Report - City Council
2. Survey

Comprehensive Staff Report

To: City Council

Presenter: Ian Zollinger, City Planner

Request: for approval of a **Parks In Lieu Contribution** for Federation Point Subdivision.

Application: PZ21-0077

Applicant & Representative:

Hepworth Family Landholdings, LLC
c/o EHM Engineers, Inc.
621 N College Rd, Ste 100
Twin Falls, ID 83301

City Council July 19, 2021

Background:
This is a request for a Parks in Lieu contribution for Federation Point. A 10.69 (+/-) acre subdivision with 90 residential units.

Approval Process:
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.

Applicable Zoning Regulations:
Per City Code **10-12-3-11** a “minipark” is a minimum of 15,000sq-ft and a “neighborhood” park is at least 3 acres of flat open space.
The amount of land to set aside for park land is equal to the number of residential lots multiplied by 0.01

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.

Analysis and Compliance:
The subject property is located at the corner of Washington and Federation. The development is proposing 90 residential units as approved previously through a ZDA.
The proposed subdivision is located approximately half a mile from North Ridge Park and the Canyon Rim Trail across the street on Federation.

The 2016 Parks Master Plan looks closely at the recreational opportunities and amenities provided by the City of Twin Falls to its residents. Outlined within the adopted Master Plan is a Map containing Proposed Master Plan Improvements for planned future park service areas.

According to the Proposed Master Plan Improvements Map there are no planned future parks within the area of the proposed subdivision.

North Ridge Park and the Canyon Rim Trail would include the proposed subdivision in their service areas. The amount of park land required to be set aside would be 0.9 acres.

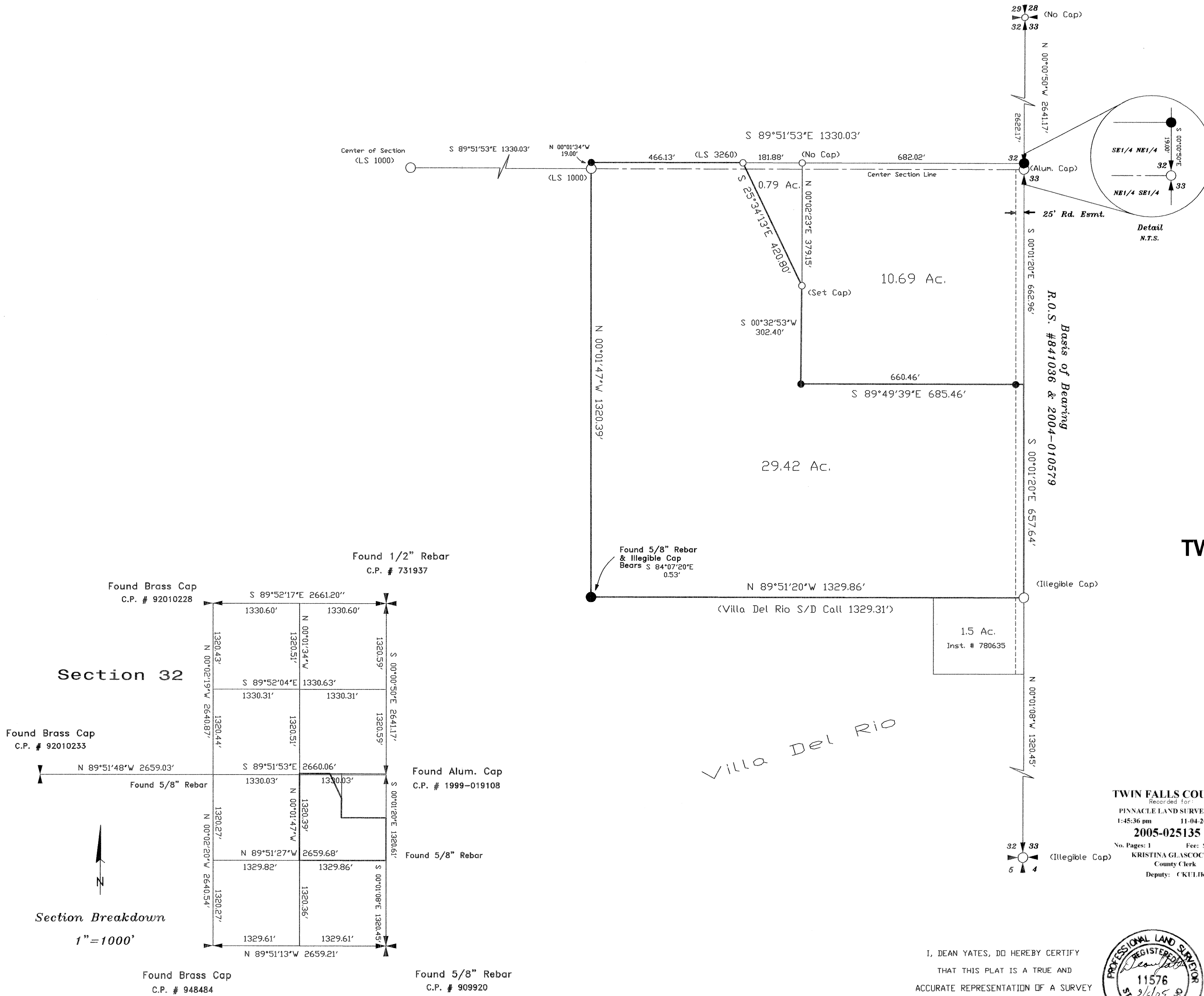
The requested Parks in Lieu cash contribution is calculated at $159,025.79 based on the appraisal/auction/sale price of the property for.

Conclusion:
The City Council is tasked with deciding whether to accept the Parks in Lieu cash contribution or ask for the dedication of parks land.

Based on the facts of the surrounding area, the proximity to an existing neighborhood park and the Canyon Rim Trail, and the with request being in compliance with the 2016 Parks and Recreation Master Plan and City Code, Staff recommends the acceptance of the cash contribution of $159,025.79 in lieu of a dedication of park land.

Attachments:
1.Federation Point Preliminary Plat
2.Vicinity Map
3.Appraisal

NORTH
VICINITY MAP
0 Feet 1,400
CANYON GATE PL
BLICK LN
REESE RD
SMITHWICK RD
HOMESTEAD ST
I B PERRINE RD
NORTH FORK RD
WILLOWA RD
BENOIT PL
CANYON RIM RD
SETTLER'S RIDGE TRL
CANYON SPRINGS RD
CARIBEL ST
COOLWATER ST
LOLO RD
NISQUALLY ST
TENDOY ST
SELWAY ST
SETTLER'S LN
CANYON TRAIL WAY
FEDERATION RD
SHADETREE TRL
PIONEER PATH
HIDDEN TRAIL LN
KODIAK ST
COLUMBIA DR
RED ROCK WAY
PROSPECTOR WAY
TALUS LOOP
BLUE SKY LN
RIVER VISTA PL
CANYON CREST DR
RIVER VIEW DR
FALLING LEAF LN
ARROWHEAD PATH
LOS LAGOS
AVENIDA DEL RIO
BLAKE ST
PARK VIEW LOOP
HARRISON ST
MONROE ST
PARK VIEW DR
POLE LINE RD
NORTH HAVEN DR
WASHINGTON ST
FAWNBROOK AVE
CHENEY DR
GRACE DR
ANNY DR
SARAH AVE
NORTH POINTE DR
TARA ST
CODY CT
BRADLEY ST
CAITLIN AVE
NORTH COLLEGE RD
FILLMORE ST
AERIAL PHOTO APRIL 2016
REFERENCE ONLY



LOCATED IN

NE1/4 SE1/4 & S. 19' SE1/4 NE1/4 SECTION 32, TOWNSHIP 9 SOUTH, RANGE 17 EAST, BOISE MERIDIAN TWIN FALLS COUNTY, IDAHO 2005

LEGEND

- Survey Boundary Line
- Found 5/8" Rebar (As Noted)
- Found 1/2" Rebar (As Noted)
- Set 5/8" Rebar & Cap
- Set 1/2" Rebar & Cap

TWIN FALLS COUNTY
Recorded for
PINNACLE LAND SURVEYING
1:45:36 pm 11-04-2005
2005-025135
No. Pages: 1 Fee: $ 5.00
KRISTINA GLASCOCK
County Clerk
Deputy: CKULIK

I, DEAN YATES, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

PROFESSIONAL LAND SURVEYOR REGISTERED 11576 9/6/05 STATE OF IDAHO DEAN YATES

Pinnacle Land Surveying
1616 Addison Ave. E. Twin Falls, ID 83301
(208) 735-2550
Dean Yates - P.L.S. 11576

RECORD OF SURVEY FOR:
Frank McMullin

LOCATED IN: NE1/4 SE1/4 & S. 19' SE1/4 NE1/4 SECT. 32, T. 9 S., R. 17 E., B.M.

DATE: 9/02/05 REVISIONS:

JOB NO.: 061-05 SHEET NO.: 1 OF 1

Date: Monday, July 19, 2021

To: Honorable Mayor and City Council

From: Elizabeth Hart, City Planner, Senior Planner

ACTION ITEM

Request:

Request to approve a Parks In-Lieu application for the Kenyon Meadow Subdivision located at the 1500 & 1600 blocks of Kenyon Road South (PZ21-0086). On July 13, 2021, the Parks and Recreation Commission voted unanimously to recommend approval to City Council.

Time Estimate:

5-10 minutes for presentation and question/comments after

Background:

This is a request for a Parks in Lieu contribution for the Kenyon Meadow Subdivision. The subdivision is 16.87 acres with a proposed 103 residential lots.

Approval Process:

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.

Budget Impact:

NA

Regulatory Impact:

Per City Code 10-12-3-11 a "minipark" is a minimum of 15,000 SF and a "neighborhood" park is at least 3 acres of flat open space.

The amount of land set aside for park land is equal to the number of residential lots multiplied by 0.01.

The fee structure for cash contributions for acquisition of park land shall be appraised value of the required land area at the time of the application.

History:

NA

Analysis:

The subject subdivision is located south of Downtown, at the corner of Kenyon Road and State Highway 74. The development is proposing 103 residential lots on 16.87 acres, which equals a density of 6.1 units per acre.

The subject area has been growing with new residential development in recent years. The future land use map identifies the area as continuing to be residential. The Twin Falls School District has plans to add a school just north of the subdivision.

Vista Bonita Park is the closest existing neighborhood park, which is located approximately 1.5 miles northeast of the subdivision.

The 2016 Parks Master Plan identifies a neighborhood park within the subject area. Though there is a need for a neighborhood park in this area, per city code the amount of park land required to be set aside is 1.03 acres, which does not produce the minimum standards required.

Also, public open space will be provided with the new school the Twin Falls School District is planning in the area. This will provide needed open space to the surrounding residential neighborhoods.

Therefor, accepting a Parks in Lieu contribution would comply with the city code and parks master plan.

The requested Parks in Lieu contribution is calculated at $70,810 based on the sale price of the property.

Conclusion:

The Parks and Recreation Commission forwarded a positive recommendation for accepting the contribution in lieu of park land.

The city council is tasked with accepting, accepting with conditions, or denying the request.

Attachments:

None

Date: Monday, July 19, 2021

To: Honorable Mayor and City Council

From: Josh Baird, Staff Engineer, City Engineer

ACTION ITEM

Request:

Request to accept the Improvement Agreement for the purpose of developing **Vista Rim Townhomes Subdivision, a ZDA.**

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-Vista Rim Townhomes Subdivision, ZDA-(Not Executed)

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 _____ 100# Partners, LLC hereinafter called "Developer" for the purpose of constructing certain improvements on property sought to be developed for the following Development Vista Rim Townhomes Subdivision, a ZDA.

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.

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 luminaries 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) <u>Required Inspections and Testing</u>

(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

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.

Attest: CITY OF TWIN FALLS, IDAHO

______________________________ ______________________________

City Clerk Mayor

Developer J McBride

JJ McBride

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

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

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

____
Notary Public for Idaho
Residing

CORPORATION

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

On this 10th day of June, 2021, before me, the undersigned, a Notary Public for Idaho, personally appeared JJ McBride, known or identified to me (or proved to me on the oath of________________) to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

TIM VAWSER
Comm. No. 20181570
NOTARY PUBLIC
Expires: 08/15/2024
STATE OF IDAHO

Notary Public for Idaho
Residing Kimberly, ID

PARTNERSHIP

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

On this 16th day of June, 2021, before me, the undersigned, a Notary Public for Idaho, personally appeared JJ McBride, known or identified to me (or proved to me on the oath of________________) to be one of the partners in the partnership of 100th Partners, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

Notary Public for Idaho
Residing Kimberly, ID

TIM VAWSER
Comm. No. 20181570
NOTARY PUBLIC
Expires: 08/15/2024
STATE OF IDAHO

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:

Vista Rim Townhomes Subdivision, a ZDA.

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

JJ McBride

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

On this 10th day of June, 2021, before me, the undersigned, a Notary Public for Idaho, personally appeared JJ McBride, 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.

TIM VAWSER
Comm. No. 20181570
NOTARY PUBLIC
Expires: 08/15/2024
STATE OF IDAHO

Notary Public for Idaho
Residing Kimberly, ID

TRUST AGREEMENT

This Trust Agreement (the "Agreement") is made and entered into this _________ day of June, 2021, by and between **100# PARTNERS, LLC, an Idaho Limited Liability Company,** (hereinafter "Trustor"); ***TITLEFACT, INC.***, (hereinafter "Trustee"); and the **CITY OF TWIN FALLS, IDAHO** (hereinafter "Beneficiary"), and is made with respect to the following facts and objectives:

WITNESSETH:

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

WHEREAS, it is the desire and intent of Trustor to arrange, by and through this Agreement, for the orderly development and sale of the Property, in a manner that is conducive to achieving full compliance with applicable rules and regulations of Twin Falls County, Idaho, and the City of Twin Falls, Idaho, in effect on the date of approval of the subdivision of the property.

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

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

   Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Block 1, **VISTA RIM TOWNHOMES SUBDIVISION, A ZDA,** Twin Falls County, Idaho, according to the official plat thereof recorded in Book ________ of Plats, page __________, records of Twin Falls County, Idaho.

2. The Trustor and the Trustee agree that the Trustee shall hold said title to the Property in trust, solely for the benefit of the Beneficiary under the terms hereof, and that title to the Property shall be and remain good and marketable and free from any defects, liens, conditions or encumbrances of any kind or nature, other than those appearing of record in the office of the Twin Falls County Recorder, and conditions of the Phase Control Development Notice for lots in **VISTA RIM TOWNHOMES SUBDIVISION, A ZDA**, a copy of which is attached hereto as Exhibit "A," or those which are placed on the Property with the prior written consent of the Trustee. The Trustee shall not convey, transfer or encumber all or any interest in the Property, save and except to the extent as directed by the Trustor by written instrument delivered to the Trustee.

3. It is understood and agreed that the purpose of this Agreement is to provide Trustor with a convenient means of, subdividing, developing and selling the Property. It shall be the entire responsibility of the Trustor to effect such developing, subdividing and selling of the Property and to provide whatever subdivision plat it may desire and to pay all costs and expenses of said developing, subdividing and selling, and Trustee shall have no liability for any costs or expenses therefor or for any claim, damage, loss or liability sustained to the Property or Trustor or to any other person or persons in connection with said matter, save and except to the extent caused by Trustee's failure or refusal to comply with the terms and conditions of this Agreement.

4. The Trustor may, as it desires from time to time, sell all or any portion of the Property in its sole and complete discretion subject to the restrictions of the Phase Control Development Notice for lots in said subdivision. The Trustee agrees that, when it is so instructed in writing by Trustor, Trustee shall execute and deliver to the person or persons designated by Trustor, a fiduciary deed conveying good and marketable title to the Property or any part thereof as designated, and at said time the Trustor agrees to pay to Trustee any reasonable costs and expenses incurred by the Trustee hereunder and to pay the normal and customary fee for the cost of an owner's title insurance policy to be issued by *TITLEFACT, INC.*

5. It is agreed that Trustee shall not be liable or responsible for the condition of title to the Property, except as may be provided in any title insurance policy issued by the Trustee, and Trustee shall have no liability concerning possession or survey or any taxes, costs or expenses in connection with the Property, other than as herein provided.

6. It is agreed that the term of this Agreement shall expire when all of the above described Lots have been conveyed by the Trustee pursuant to Trustor's written instructions.

7. It is agreed that this Trust Agreement may not be revoked or amended without the prior written approval of the Beneficiary. If Trustee is presented with written notice of Termination by both Trustor and Beneficiary, and Trustee receives Trustor's payment of all reasonable out-of-pocket costs and expenses incurred by Trustee in connection with this Agreement, if any, the Trustee shall immediately reconvey to Trustor the remaining part of the Property; and thereafter no party hereto shall have any further liability to the others in connection with the Property or under the terms of this Agreement.

8. Trustor agrees to indemnify and save harmless Trustee from any claims, demands, judgments, costs and expenses including reasonable attorney's fees and any other obligation or liability of any kind or nature that the Trustee may for any reason suffer, incur or expend by reason of this Trust Agreement or in the administration thereof, other than for or as a result of Trustee's misconduct, breach of this Agreement, or willful neglect.

9. This Agreement shall bind the parties hereto, their heirs, representatives, successors and assigns.

10. It is understood and agreed that the Trustee may charge the Trustor a reasonable fee for serving as Trustee.

Date: ____________________

TRUSTOR:

Date: ____________________

100# PARTNERS, LLC, an Idaho Limited Liability Company

BY: ______________________________
Jonathan J. McBride, Manager

Date: ____________________

100# PARTNERS, LLC, an Idaho Limited Liability Company
By M & J Investment, LLC, Member

BY: ______________________________
Jesse R. Hamilton, Manager

Date: ______________________

TRUSTEE:
TITLEFACT, INC., an Idaho corporation

BY: ______________________________

Date: ______________________

BENEFICIARY:
CITY OF TWIN FALLS, IDAHO

BY: ______________________________

STATE OF Idaho
County of Twin Falls

On this ____________ day of ________________________, 2021, before me, a Notary Public in and for said State, personally appeared **JONATHAN J. MCBRIDE** known or identified to me to be the manager of the limited liability company of **100# PARTNERS, LLC,** and the member who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that he executed the same in said limited liability company name.

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

____

Notary Public Idaho
Residing in
Commission expires

STATE OF Idaho
County of ______________________

On this ____________ day of ________________________, 2021, before me, a Notary Public in and for said State, personally appeared **JESSE R. HAMILTON** known or identified to me to be the manager of the limited liability company of M & J INVESTMENT, LLC, as a member of **100# PARTNERS, LLC,** and the member who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that he executed the same in said limited liability company name.

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

____

Notary Public Idaho
Residing in
Commission expires

STATE OF IDAHO
County of Twin Falls

On this ________ day of______________________, 2021, before me, the undersigned, Notary Public in and for said State, personally appeared ___________________________________, known or identified to me to be the ______________________________________ of the said corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

____
Notary Public for Idaho
Residing at:
My Commission expires:

STATE OF IDAHO
County of Twin Falls

On this _______ day of ______________________, 2021, before me, the undersigned, Notary Public in and for said State, personally appeared____, known or identified to me to be the ________________________ for the City of Twin Falls, Idaho, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same on behalf of the City of Twin Falls, Idaho.

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

____
Notary Public for Idaho
Residing at:
My Commission expires:

"EXHIBIT A"

PHASE CONTROL DEVELOPMENT NOTICE

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

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

The real property subject to this notice is:
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Block 1, **VISTA RIM TOWNHOMES SUBDIVISION, A ZDA,** Twin Falls County, Idaho

TRUSTOR:

Date: ______________________

100# PARTNERS, LLC, an Idaho Limited Liability Company

BY:_________________________________
Jonathan J. McBride, Manager

Date: ______________________

100# PARTNERS, LLC, an Idaho Limited Liability Company
By M & J Investment, LLC, Member

BY:_________________________________
Jesse R. Hamilton, Manager

Date: __________________________

TRUSTEE:
TITLEFACT, INC., an Idaho corporation

BY:_________________________________

lo

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED **100# PARTNERS, LLC, an Idaho Limited Liability Company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **TITLEFACT, Inc., an Idaho corporation**, Trustee for the benefit of 100# PARTNERS, LLC, an Idaho Limited Liability Company, hereinafter called Grantee, whose address is: -
____, the following described premises in ^Twin Falls County, Idaho; to-wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Block 1**, VISTA RIM TOWNHOMES SUBDIVISION, A ZDA,** Twin Falls County, Idaho, according to the official plat thereof recorded in Book ________ of Plats, page __________, records of Twin Falls County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 10, 2021

100# PARTNERS, LLC, an Idaho Limited Liability Company

BY:___________________________________
Jonathan J. McBride, Manager

100# PARTNERS, LLC, an Idaho Limited Liability Company
By M & J Investment, LLC, Member

BY:___________________________________
Jesse R. Hamilton, Manager

STATE OF Idaho
County of Twin Falls

On this ____________ day of ________________________, 2021, before me, a Notary Public in and for said State, personally appeared **JONATHAN J. MCBRIDE** known or identified to me to be the manager of the limited liability company of **100# PARTNERS, LLC,** and the member who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that he executed the same in said limited liability company name.

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

____

Notary Public Idaho
Residing in
Commission expires

STATE OF Idaho
County of ______________________

On this ____________ day of ________________________, 2021, before me, a Notary Public in and for said State, personally appeared **JESSE R. HAMILTON** known or identified to me to be the manager of the limited liability company of M & J INVESTMENT, LLC, as a member of **100# PARTNERS, LLC,** and the member who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that he executed the same in said limited liability company name.

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

____

Notary Public Idaho
Residing in
Commission expires

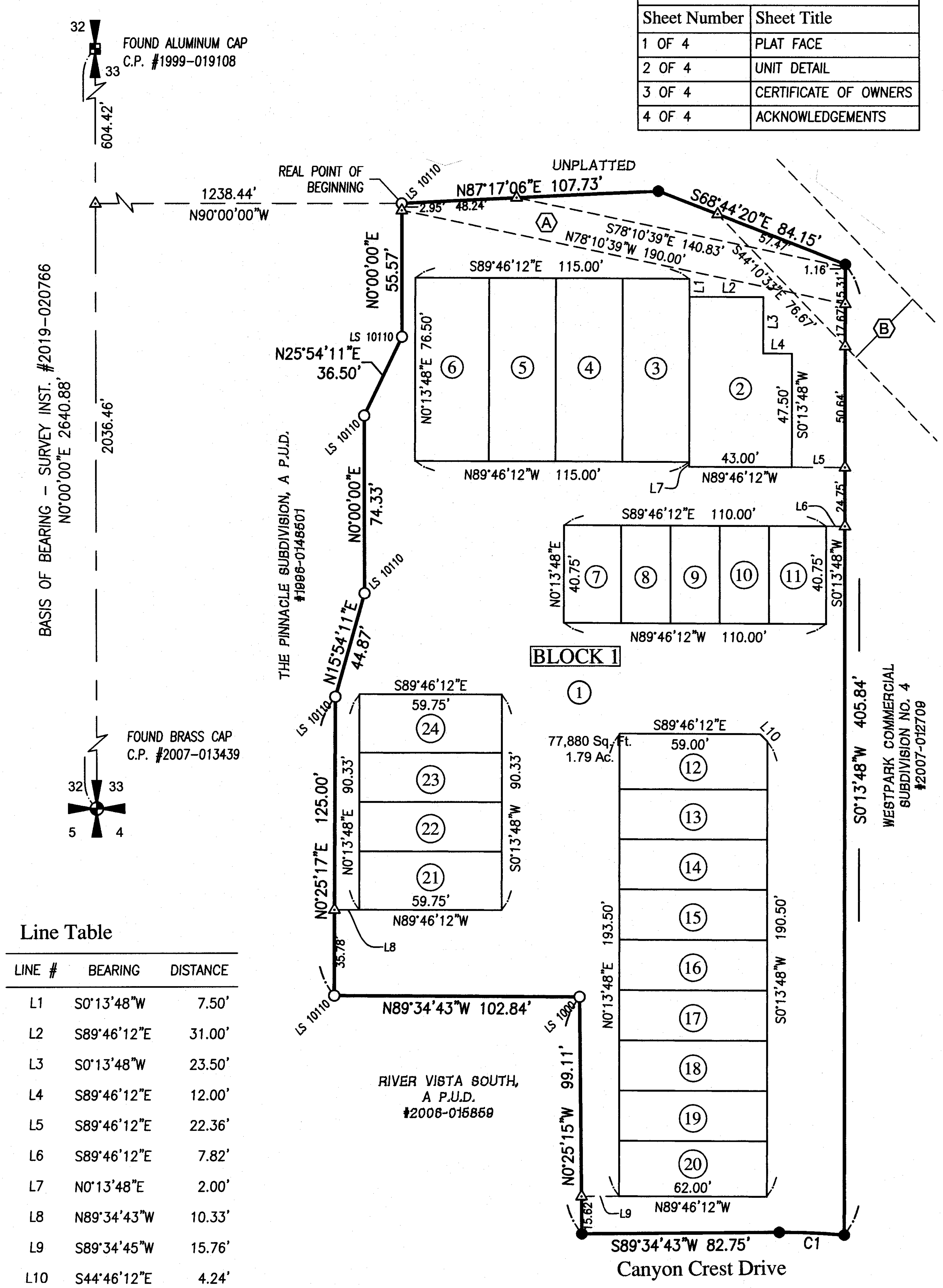
VISTA RIM TOWNHOMES SUBDIVISION, A ZDA

Located In
A Portion of
Lots 10 & 11, Block 1, The Pinnacle Subdivision
and a Portion of the
N 2 SW 4 , Section 33
Township 9 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2021

RECEIVED
JUN 10 2021
CITY OF TWIN FALLS ENGINEERING

Sheet List Table

Sheet Number	Sheet Title
1 OF 4	PLAT FACE
2 OF 4	UNIT DETAIL
3 OF 4	CERTIFICATE OF OWNERS
4 OF 4	ACKNOWLEDGEMENTS

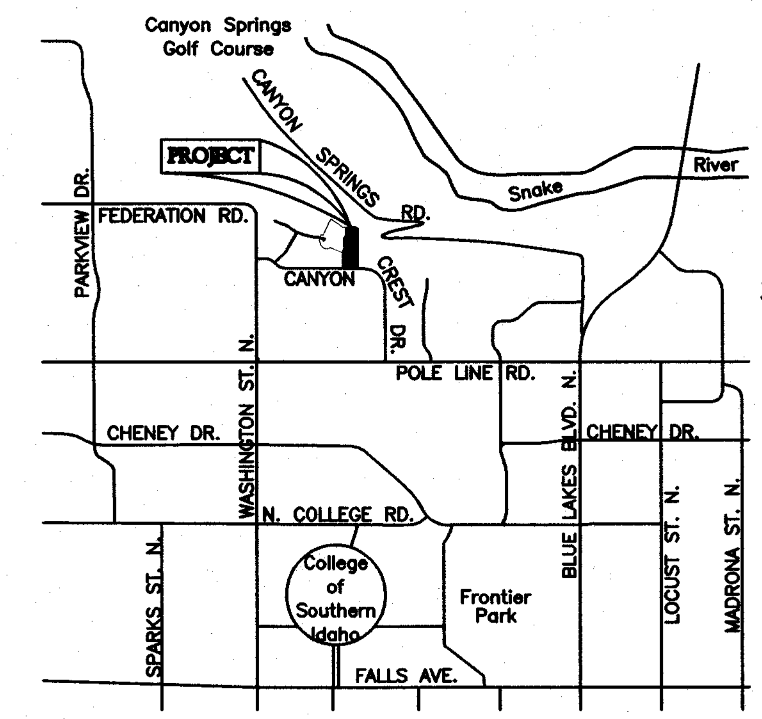


Line Table

LINE #	BEARING	DISTANCE
L1	S0°13'48"W	7.50'
L2	S89°46'12"E	31.00'
L3	S0°13'48"W	23.50'
L4	S89°46'12"E	12.00'
L5	S89°46'12"E	22.36'
L6	S89°46'12"E	7.82'
L7	N0°13'48"E	2.00'
L8	N89°34'43"W	10.33'
L9	S89°34'45"W	15.76'
L10	S44°46'12"E	4.24'

Curve Table

CURVE #	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
C1	5°32'36"	282.00'	27.28'	27.27'	13.65'	N87°38'57"W



Vicinity Map n.t.s

0 20 40 80
SCALE IN FEET

Notes:

LOT 1, BLOCK 1 SHALL BE RESERVED AS AN EASEMENT FOR CROSS-USE COMMON AREA, PUBLIC UTILITIES, VEHICULAR AND PEDESTRIAN ACCESS, DRAINAGE AND STORM WATER RETENTION AND SHALL BE OWNED AND MAINTAINED BY THE VISTA RIM TOWNHOMES HOMEOWNERS ASSOCIATION. CERTAIN PROJECTIONS, INCLUDING BUT NOT LIMITED TO, BUILDING EAVES, DECKS, AND ARCHITECTURAL PROJECTIONS AS WELL AS PERMANENT TRASH ENCLOSURES AND OTHER ALLOWABLE STRUCTURES SHALL BE ALLOWED AS SET FORTH IN THE VISTA RIM TOWNHOMES ZDA. PERMANENT STRUCTURES WITHIN LOT 1 SHALL BE PLACED A MINIMUM OF 7.5' FEET FROM THE CENTER OF SEWER, WATER AND PRESSURE IRRIGATION MAINS.

ALL BUILDING SETBACKS SHALL BE SUBJECT TO THE VISTA RIM TOWNHOMES ZONING DEVELOPMENT AGREEMENT, ORDINANCE #0-2021-004 RECORDED MARCH 12, 2021, RECORDED IN THE OFFICE OF THE TWIN FALLS COUNTY RECORDER AS INSTRUMENT NO. 2021-006134. CANYON RIM SETBACKS SHALL CONFORM TO THE ZDA AGREEMENT AND THE BELLA VISTA CANYON RIM STUDY DATED 6-25-2019 CONDUCTED BY EHM ENGINEERS AND THE CITY OF TWIN FALLS ENGINEERING DEPARTMENT.

Surveyor's Narrative

THE PURPOSE OF THIS SURVEY IS TO LOCATE AND MONUMENT THE BOUNDARY OF THE PARCEL OF LAND SHOWN HEREON FOR A FINAL SUBDIVISION PLAT, AT THE REQUEST OF THE OWNER. MONUMENTS WERE FOUND AT THE BOUNDARY CORNERS, SECTION AND QUARTER CORNERS SHOWN HEREON. THESE MONUMENTS ARE OF RECORD PER PREVIOUS RECORD OF SURVEYS AND/OR CORNER PERPETUATION AND FILING RECORDS.

Health Certificate

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

DISTRICT HEALTH DEPARTMENT, EHS   DATE:

Legend

SUBDIVISION BOUNDARY LINE	
SECTION LINE	
TIE LINE	
EASEMENT LINE	
LOT LINE	
CALCULATED POINT (NOT SET)	△
FOUND BRASS CAP	
FOUND 5/8" REBAR (AS NOTED)	○
MONUMENT (AS NOTED)	⊕
SET 5/8" x 24" REBAR & CAP – LS 10110	●
SET 1/2" x 24" REBAR & CAP – LS 10110	•

Survey References

#2019-020766
#2009-018990 – RIVER VISTA CONDOMINIUMS
#2008-020074
#2007-012709 – WESTPARK COMMERCIAL SUBDIVISION NO. 4
#2006-015859 – RIVER VISTA SOUTH, P.U.D.
#1996-0148501 – THE PINNACLE SUBDIVISION, P.U.D.

Deed References

#2021-006762

Easement Key

(A) EXISTING 15' SEWER EASEMENT #504099

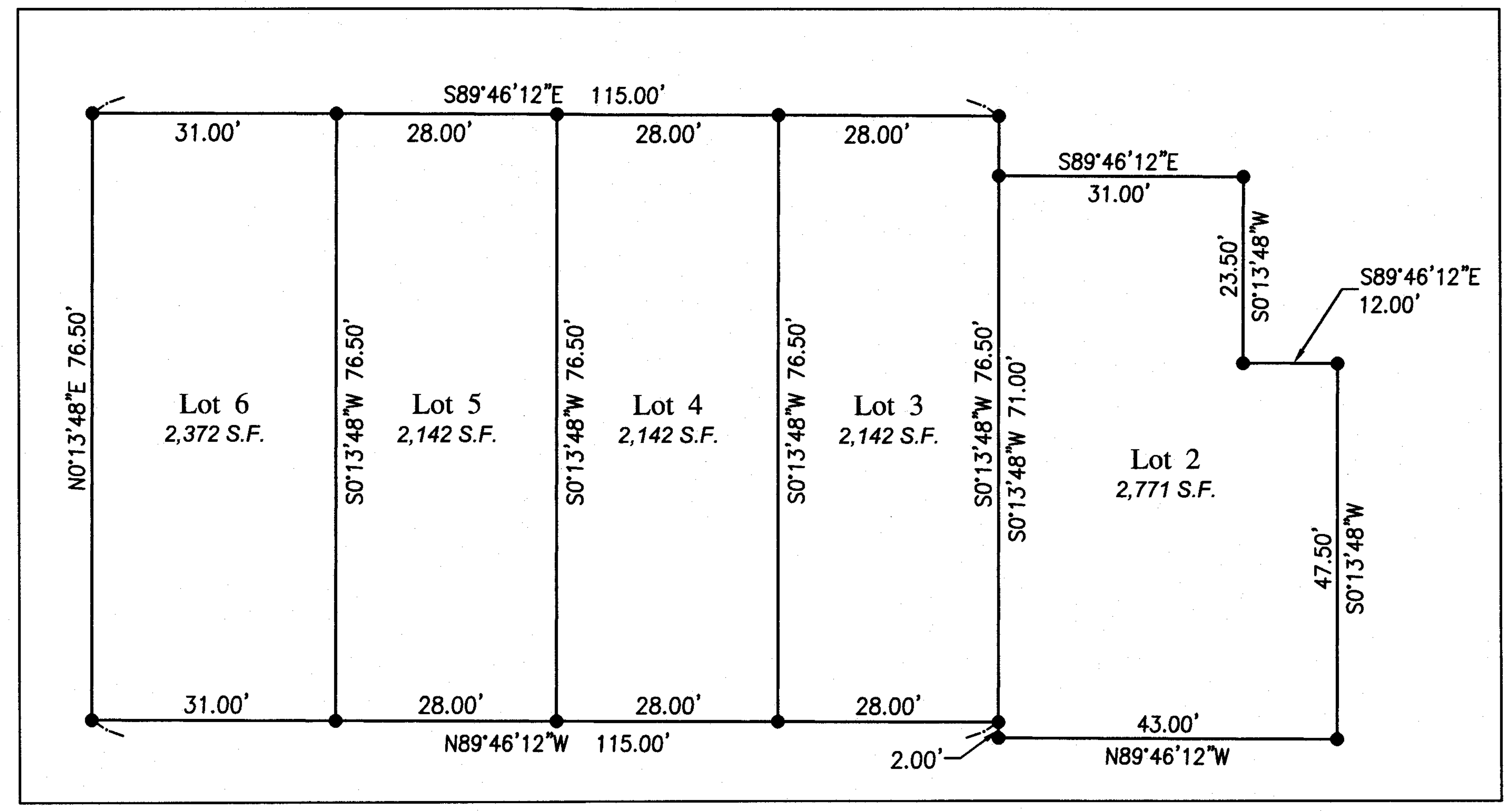
(B) EXISTING 34' IDAHO POWER EASEMENT #404021

PROFESSIONAL LAND SURVEYOR REGISTERED STATE OF IDAHO CHRISTOPHER S. HARMISON

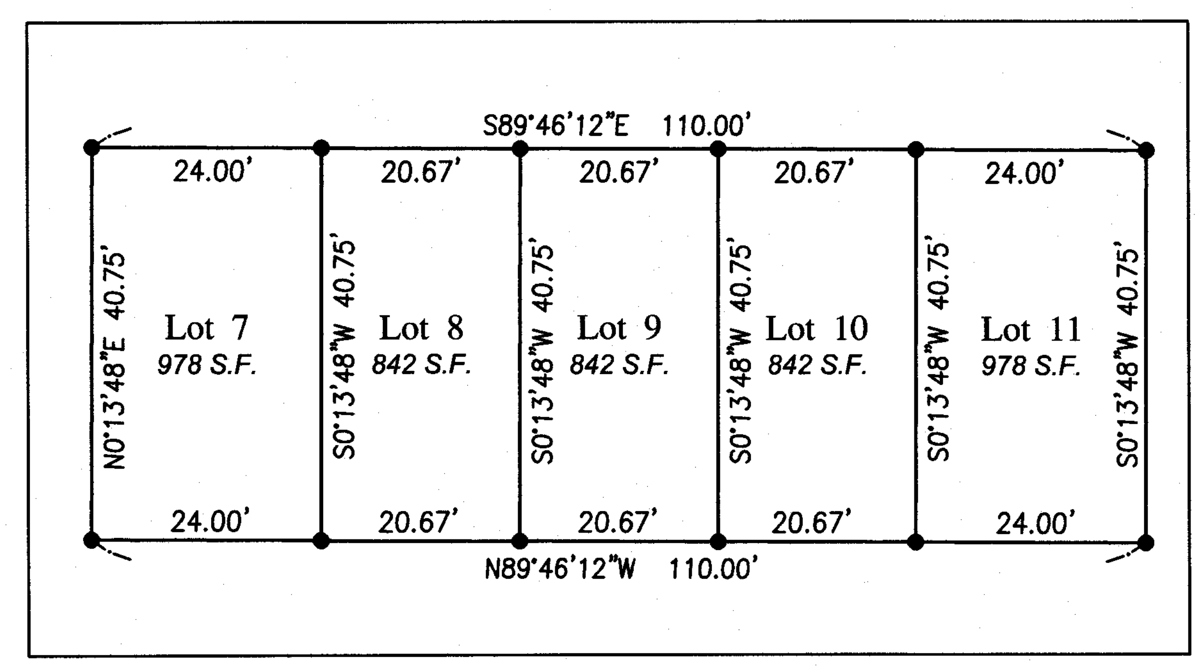
PRELIMINARY

EHM Engineers, Inc.

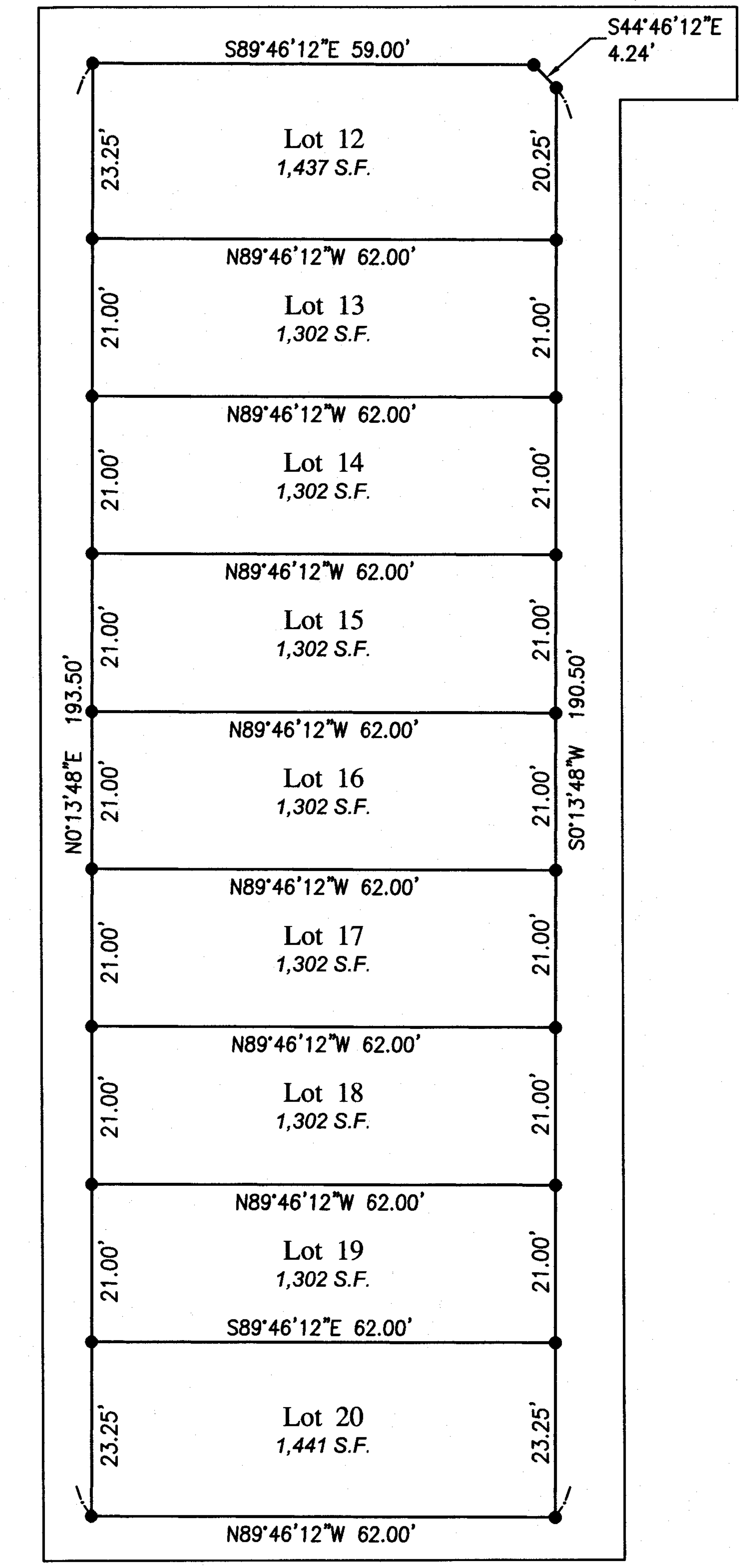
V 299-20 FP
SHEET 1 OF 4

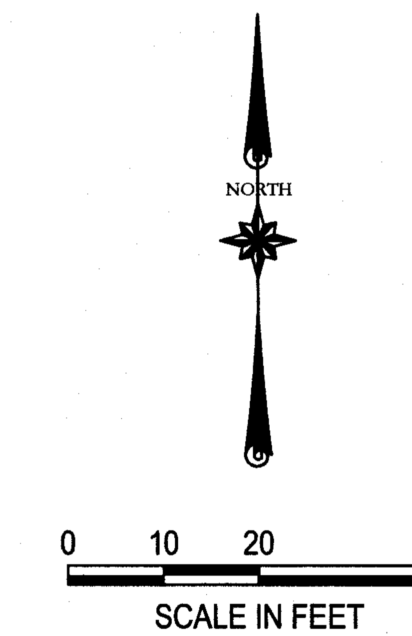


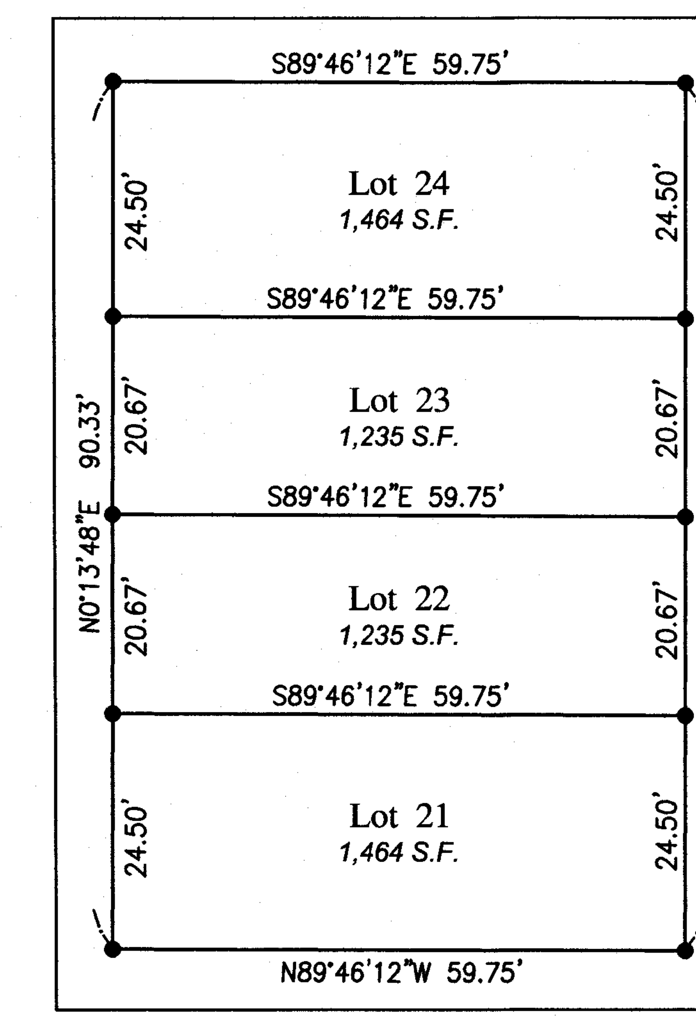
Lots 2-6



Lots 7-11







Lots 21-24

Lots 12-20

EHM Engineers, Inc.

PROFESSIONAL LAND SURVEYOR
REGISTERED
STATE OF IDAHO
CHRISTOPHER S. HARMISON
PRELIMINARY

CERTIFICATE OF OWNERS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OR REPRESENTATIVE OF THE OWNERS IN FEE SIMPLE OF THE FOLLOWING DESCRIBED PROPERTY, LOCATED IN A PORTION OF LOTS 10 AND 11, BLOCK 1 AS SHOWN ON THAT CERTAIN MAP ENTITLED "THE PINNACLE SUBDIVISION, A PLANNED UNIT DEVELOPMENT", RECORDED AUGUST 26, 1996 AS INSTRUMENT NO. 1996-014850 IN THE OFFICE OF THE COUNTY RECORDER OF TWIN FALLS, AND A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 17 EAST, BOISE MERIDIAN , TWIN FALLS COUNTY, IDAHO, SAID PROPERTY BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 33, SAID CORNER BEARS NORTH 00°00'00" EAST 2640.88 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 33;
THENCE, ALONG THE WEST BOUNDARY OF THE SOUTHWEST QUARTER OF SAID SECTION 33, SOUTH 00°00'00" WEST 604.42 FEET;
THENCE, LEAVING SAID WEST BOUNDARY, SOUTH 90°00'00" EAST 1238.44 FEET TO NORTHWEST CORNER OF PARCEL B AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED DECEMBER 4, 2019 AS INSTRUMENT NO. 2019-020766 IN SAID OFFICE OF THE COUNTY RECORDER OF TWIN FALLS COUNTY AND TO THE REAL POINT OF BEGINNING;
THENCE, NORTH 87°17'06" EAST 107.73 FEET;
THENCE, SOUTH 68°44'23" EAST 84.15 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN MAP ENTITLED "WESTPARK COMMERCIAL SUBDIVISION NO. 4", RECORDED MAY 25, 2007 AS INSTRUMENT NO. 2007-012709 IN SAID OFFICE OF THE COUNTY RECORDER OF TWIN FALLS COUNTY;
THENCE, ALONG THE WEST BOUNDARY OF SAID MAP (2007-012709), SOUTH 00°13'48" WEST 405.84 FEET TO THE SOUTHWEST CORNER THEREOF;
THENCE, ALONG THE NORTH RIGHT-OF-WAY OF CANYON CREST DRIVE, ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 282.00 FEET, THROUGH A CENTRAL ANGLE OF 05°32'36", AN ARC DISTANCE OF 27.28 FEET AND LONG CHORD THAT BEARS NORTH 87°38'57" WEST 27.27 FEET;
THENCE, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 89°34'43" WEST 82.75 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN MAP ENTITLED "RIVER VISTA SOUTH SUBDIVISION, A PLANNED UNIT DEVELOPMENT", RECORDED JUNE 29, 2006 AS INSTRUMENT NO. 2006-015859;
THENCE, ALONG THE EAST BOUNDARY OF SAID MAP (2006-015859), NORTH 00°25'15" WEST 99.11 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11;
THENCE, ALONG THE SOUTH BOUNDARY OF SAID LOT 11, NORTH 89°34'43" WEST 102.84 FEET TO THE SOUTHWEST CORNER THEREOF;
THENCE, ALONG THE WEST BOUNDARY OF SAID LOT 11, NORTH 00°25'17" EAST 125.00 FEET;
THENCE, LEAVING SAID WEST BOUNDARY, NORTH 15°54'11" EAST 44.87 FEET;
THENCE, NORTH 00°00'00" EAST 24.02 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID LOT 11;
THENCE, LEAVING SAID NORTH BOUNDARY, NORTH 00°00'00" EAST 50.31 FEET;
THENCE, NORTH 25°54'11" EAST 36.50 FEET;
THENCE, NORTH 00°00'00" EAST 55.57 FEET TO SAID REAL POINT OF BEGINNING.

THE GROSS AREA CONTAINED IN THIS PLATTED LAND AS DESCRIBED IS 1.79 ACRES.

IT IS THE INTENTION OF THE UNDERSIGNED TO, THEY DO HEREBY INCLUDE SAID LAND IN THIS PLAT. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES DESIGNATED ON THIS PLAT.

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

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

100# PARTNERS, LLC, A LIMITED LIABILITY COMPANY

____

BY: JONATHAN J. MCBRIDE, MANAGER

100# PARTNERS, LLC, A LIMITED LIABILITY COMPANY
BY: M & J INVESTMENTS, LLC, A LIMITED LIABILITY COMPANY

____

BY: JESSE R. HAMILTON, MANAGER

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF TWIN FALLS) ss

ON THIS________DAY OF____________________, 2021, AT ___________M., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JONATHAN J. MCBRIDE, KNOWN OR IDENTIFIED TO ME TO BE A MANAGER OF 100# PARTNERS, LLC, A LIMITED LIABILITY COMPANY, THE LIMITED LIABILITY COMPANY THAT EXECUTED THIS CERTIFICATE OR THE PERSON WHO EXECUTED THE CERTIFICATE ON BEHALF OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

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

____
NOTARY PUBLIC

____
RESIDING AT

____
COMMISSION EXPIRES

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF TWIN FALLS) ss

ON THIS________DAY OF____________________, 2021, AT ___________M., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JESSE R. HAMILTON, KNOWN OR IDENTIFIED TO ME TO BE A MANAGER OF M & J INVESTMENTS, LLC, AS A MEMBER OF 100# PARTNERS. LLC, THE LIMITED LIABILITY COMPANY THAT EXECUTED THIS CERTIFICATE OR THE PERSON WHO EXECUTED THE CERTIFICATE ON BEHALF OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

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

____
NOTARY PUBLIC

____
RESIDING AT

____
COMMISSION EXPIRES

PROFESSIONAL LAND SURVEYOR
REGISTERED
STATE OF IDAHO
CHRISTOPHER S. HARMISON

PRELIMINARY

EHM Engineers, Inc.

CERTIFICATE OF SURVEYOR

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

PROFESSIONAL LAND SURVEYOR REGISTERED 7910 STATE OF IDAHO CHRISTOPHER S. HARMISON

PRELIMINARY

APPROVAL OF CITY COUNCIL

THIS PLAT WAS ACCEPTED AND APPROVED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THIS ________ DAY OF ________________, 2021.

MAYOR

CITY CLERK

APPROVAL OF CITY ENGINEER

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

CITY ENGINEER

ATTEST

COUNTY SURVEYOR'S CERTIFICATE

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

GEORGE A. YERION
PROFESSIONAL LAND SURVEYOR

PLS#

DATE

ACKNOWLEDGMENT

STATE OF) ss
COUNTY OF)

ON THIS ______ DAY OF____________________, 2021, AT __________M., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GEORGE A. YERION, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

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

NOTARY PUBLIC

RESIDING AT

COMMISSION EXPIRES

COUNTY TREASURER'S CERTIFICATE

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

COUNTY TREASURER

DATE

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NO. ________________

STATE OF IDAHO) ss
COUNTY OF TWIN FALLS)

ON THIS __________ DAY OF ________________, 2021, AT ____________, M., THE FOREGOING PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF TWIN FALLS COUNTY, IDAHO AND DULY RECORDED IN PLAT BOOK ___________, ON PAGE ________.

DEPUTY

EX-OFFICIO RECORDER

EHM Engineers, Inc.


243
247
265
RIVER VISTA PL
287
236
254
276
278
286
284
292
330
249
261
273
285
237
CANYON CREST DR
225
229
2013
224

Date: Monday, July 19, 2021, Council Meeting

To: Honorable Mayor and City Council

From: Sergeant Lou Coronado, Twin Falls Police Department

Request:

Consideration of a request to hold the National Night Out event.

Time Estimate:

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

Background:

The Twin Falls Police Department has submitted a special event application requesting to hold National Night Out on August 3, 2021. This event will take place in the Twin Falls City Park from 5:00 p.m. to 8:00 p.m.

National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods safer. National Night Out enhances the relationship between our citizens and law enforcement while bringing back a true sense of community. Furthermore, is provides a great opportunity to bring police and the public together under positive circumstances.

As part of this event, local first responders will be on location to speak with the public. There will be various equipment or "tools of the trade" on display. There will be free food which has been donated for the event.

There will be amplified pre-recorded music.

Approval Process:

Consent of the Council

Budget Impact:

N/A.

Regulatory Impact:

N/A.

Conclusion:

Staff recommends that the City Council approve the Special Event Application submitted for National Night Out based on the information provided.

Attachments:

None

Date: Monday, July 19, 2021, Council Meeting

To: Honorable Mayor and City Council

From: Sergeant Lou Coronado, Twin Falls Police Department

Request:

Consideration of a request to approve the 10th Annual Optimist Club Wings and Things Ultimate Tailgate Challenge.

Time Estimate:

Staff recommends this request be placed on the Consent Calendar.

Background:

Dennis Bowyer, on behalf of the Twin Falls Optimist Club, has submitted a Special Event Application requesting to hold their annual fundraiser, Wings and Things Ultimate Tailgate Challenge. This event will be held in the Twin Falls City Park on Saturday, September 11, 2021, commencing at 4:00 p.m. and concluding at 7:00 p.m.

This event will consist of a Tailgating Barbeque competition where the judging community will purchase tickets to sample the different foods. People will then cast their ballots for the best cooks and best food. There will be prizes awarded to the winning food vendors. There will also be a wing eating contest during the event. Organizers anticipate 750 attendees throughout the event.

There will be amplified sound at this event in the form of a public address system. There will also be a live radio remote broadcast. The sound amplification will start at 4:00 p.m. and conclude at 7:00 p.m.

Alcohol will not be sold or served at this event.

The Twin Falls Optimist Club has held fundraising events of this nature in past years. The 2020 event did not generate any Police calls for service. Due to the short time frame of this event and a long history of no calls for service, security is not required.

Approval Process:

Consent by the City Council.

Budget Impact:

This event will not have any budget implications.

Regulatory Impact:

N/A

Conclusion:

This Special Events Application has been approved by several relevant City Staff members and the Twin Falls Police Department Staff. It is recommended that this request be approved by the City Council as presented.

Attachments:

None

Date: Monday, July 12, 2021

To: Honorable Mayor and City Council

From: Sergeant Lou Coronado, Twin Falls Police Department

Request:

Consideration of a request to hold the Christian Youth Band Concert.

Time Estimate:

Staff requests this item be placed on the Consent Calendar.

Background:

Carla Graham, on behalf of Faith Assembly of God Church, has submitted a special event application requesting to hold a Christian Youth Band Concert on Saturday, July 31, 2021. The concert will take place in the Twin Falls Downtown Commons located at, 149 Main Ave East from 5:00 p.m. to 9:00 p.m.

According to the event organizer. the concert will be put on by 10 members of a band. The members of the band will play their music and then speak to the crowd especially to the youth. The event itself will be free to the public.

This event will have amplified sound from the 10 band members. The event organizer anticipates a crowd of less than 500 people for the event.

The City of Twin Falls reserves the right to cancel or postpone this event for the safety of participants and the citizens of Twin Falls. If this event is approved, the organizer will take all required precautions to safeguard those attending the event and may be required to implement additional safety measures as deemed necessary by Twin Falls City Staff.

Approval Process:

Consent by the Council

Budget Impact:

There is no budget impact to the City of Twin Falls.

Regulatory Impact:

N/A

Conclusion:

Relevant City Staff members have approved this Special Event Application. Staff recommends the Council approve the Christian Youth Band Concert based on the information provided.

Attachments:

None

Date: Thursday, July 8, 2021, Council Meeting

To: Honorable Mayor and City Council

From: Sergeant Lou Coronado, Twin Falls Police

Request:

Consideration of a request to hold the Twin Falls Chamber Mini Masters event.

Time Estimate:

Staff requests this item be placed on the Consent Calendar.

Background:

The Twin Falls Chamber of Commerce has submitted a Special Event Application requesting to hold the Twin Falls Chamber Mini Masters event on Friday, August 13, 2021.

The Mini Masters will feature two-person mini golf teams competing to be the mini golf champions of Twin Falls. There will be different start times for different flights of competitors. The event will start at 12:00 p.m. and end at 7:00 p.m.

This event will have mobile food vendors set up in the parking lot of Putters and a no host catered bar. Busters Restaurant will be catering this event and they have agreed to secure the proper catering permit.

The event will have a live DJ for announcements and the playing of pre-recorded music.

As with other events, this event will be subject to cancellation, postponement or additional safety precautions based on state and local governmental restrictions and regulations at the time of the event.

Approval Process:

Consent of the City Council.

Budget Impact:

Alcohol will be served at this event, however, there were no calls for service to the police department in 2019 or 2020. Twin Falls Police Department staff does not feel security will be necessary. Therefore, there is no budgetary impact.

Regulatory Impact:

N/A.

Conclusion:

The Twin Falls Police Department Staff and several relevant City Staff Members have approved this Special Event Application. Based on this request, and the information provided, Staff recommends this event be approved as presented.

Attachments:

None

Date: Thursday, July 8, 2021, Council Meeting

To: Honorable Mayor and City Council

From: Sergeant Lou Coronado, Twin Falls Police Department

ACTION ITEM

Request:

Consideration of a request to hold the Arts in the Park.

Time Estimate:

Staff requests this item be placed on the consent calendar.

Background:

Arts in the Park has been held in the City Park for 29 years and has evolved into the family friendly event that we have today. It will take place on July 23-24, 2021. The event attracts kids from 3 to 14 years of age for art classes and adults who view and shop at the various artisan booths. The Friday events include live music and wine tasting for adults.

Arts in the Park will begin on Friday July 23rd at 10:00 a.m. and run through 4:00 p.m. on Saturday July 24th. Musicians will perform at various times during the day in the area of the artisan tents. Additionally, the wine tasting event will take place in a wine garden on Friday from 5:00 p.m. to 7:00 p.m. On Saturday afternoon the Twin Falls Rotary will hold their annual Ice Cream Funday which is separate from this event.

Event organizers anticipate approximately 350 people to attend over the three days.

Wine for the tasting event will be donated by Magic Valley Distribution. Proceeds will benefit the Magic Valley Arts Council.

Organizers have arranged for Twin Falls County Deputies to provide overnight security during the event.

Approval Process:

Consent of the City Council.

Budget Impact:

None

Regulatory Impact:

None

Conclusion:

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

Date: Monday, July 19, 2021

To: Honorable Mayor and City Council

From: Chief Craig Kingsbury, Twin Falls Police

PRESENTATION

Request:

Chief Craig Kingsbury would like to present Officer Tyler Kuder with his POST Basic Certificate, Officer Martin Becerra and Officer Cody Christensen with their POST Intermediate Certificates, and Officer Brad Baisch, Officer Tracy Thompson, and Sergeant Steven Gassert with their POST Advanced Certificates before City Council.

Time Estimate:

Approximately 10 minutes.

Background:

Receiving a POST certification requires completion of college credits and/or POST training hours, combined with the prescribed years of law enforcement experience.

Approval Process:

N/A

Budget Impact:

N/A

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Chief Kingsbury would like to recognize these officers in the presence of City Council members, their peers, and family to recognize their hard work on achieving these certificates from POST.

Attachments:

None

Date: Monday, July 19, 2021

To: Honorable Mayor and City Council

From: Craig Kingsbury, Twin Falls Police Department, Chief of Police

PRESENTATION

Request:

Formal ceremony promoting Detective Josh Hayes to the position of Corporal, Officer Eric Barzee to the position of Sergeant, and Corporal Steven Gassert to the position of Sergeant before the City Council.

Time Estimate:

Less than 10 minutes.

Background:

Josh Hayes:

Josh was hired by the Twin Falls Police Department on October 5, 2009, as a full-time Police Officer.

Josh was born in Twin Falls and attended Bickel Elementary and O'Leary Junior High; Staff Sergeant Terry Thueson was his School Resource Officer at the time. In 2000, Josh and his family moved to Kimberly, and he graduated from Kimberly High School with honors in 2003. After graduation, he went on a church mission to Sao Paulo, Brazil, and returned to Twin Falls in 2005. Josh married Elizabeth Hayes in June of 2007 and they have two young red headed boys, ages 9 and 8.

Josh attended the College of Southern Idaho Law Enforcement Program and graduated in 2009 prior to beginning his law enforcement career with our Department. He served in the Patrol Division for 8 years until being reassigned to the Detective division October 2017. Josh is continuing his education through CSI. Josh was awarded his Basic Certification on December 20, 2010, his Intermediate Certificate August 14, 2014, and his Advanced certificate on October 2017.

In his spare time he enjoys exploring new places with his family and playing golf when he has spare time to do so.

Eric Barzee:

Eric was hired by the Twin Falls Police Department in January 2003 as a full-time Police Officer. He was born and raised in Eastern Idaho in Idaho Falls. He graduated from the Idaho Falls High School and attended Idaho State University for general studies. In 1998, he attended the Idaho State University Law Enforcement Program.

He moved to the Twin Falls area in 1999 where he began his law enforcement career at the Buhl Police Department. Soon after moving to the Twin Falls area, he met his future wife, Danielle and her two sons, Brody and Morgan. Eric Adopted his two boys and he and Danielle have been married for the past 20 years.

Steven Gassert:

Steven was hired by the Twin Falls Police Department as a full-time Police Officer on March 24, 2008, and worked until June 12, 2015. Steven left the Twin Falls Police Department for a short amount of time to work in the non-profit field. After a short amount of time, Steven realized that the Twin Falls Police Department is where he is meant to work and requested to come back. Steven was hired back by the Twin Falls Police Department on January 11, 2016. Since returning to the department, Steven has served as a Patrol Officer, Field Training Officer, School Resource Officer, and Corporal.

Steven was born here in Twin Falls and graduated from Twin Falls High School. Steven went on to attend the CSI Law Enforcement Program and graduated in 2006 with a Technical Certificate. Steven began to pursue his law enforcement career in 2002 when he joined the Twin Falls Police Department Explorer Program.

Steven has had an active involvement in Bully Prevention Education and Programs in the schools during his role as a School Resource Officer. In June of 2015, Steven received the Distinguished Service Award from the National School Resource Officer Association for his work with Bully Prevention. In June of 2013, Steven was awarded the Innovation of the Year award from the Idaho Domestic Violence and Victim Assistance Council. In June of 2015, Steven was awarded the Police Officer of the Year Award by the Twin Falls Police Department Sergeants' Coalition.

Steven currently holds an Advanced Certification from the State of Idaho Peace Officer Standards and Training Council. Over the last year, Steven has worked to become a POST Certified Instructor. He now enjoys going back to CSI to help teach the Law Enforcement Program in Juvenile Procedure Laws and Breath Testing.

Approval Process:

N/A

Budget Impact:

N/A

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Chief Kingsbury will be formally promoting Corporal Josh Hayes, Sergeant Eric Barzee, and Sergeant Steven Gassert before the City Council on July 19, 2021.

Attachments:

None

Date:	Monday, July 19, 2021
To:	Mayor and City Council
From:	Travis Rothweiler, City Manager

Request

A presentation of the City Manager's Recommended Budget for FY 2022 followed by citizen input.

Time Estimate

The estimated amount of time this item will take is one hour plus time to answer questions.

Background

The City of Twin Falls is in south-central Idaho along the scenic Snake River canyon. With a population of approximately 51,165 residents, Twin Falls is the eighth largest city in Idaho and encompasses 18.16 square miles. It is located in Twin Falls County, which covers approximately 1,928 square miles of mostly irrigated agriculture land and has a total population of 86,081. Twin Falls is located 135 miles east of Boise and 218 miles north of Salt Lake City.

The State of Idaho defines city government as a municipal corporation. It is with that mindset this budget has been developed. We are pleased to present to you the recommended Budget for Fiscal Year 2021-2022 (FY2022). This budget represents hundreds of hours of thoughtful work by dozens of people in developing the spending plan for our organization for the coming fiscal year.

The proposed budget is presented for your consideration with the commitment and confidence that it effectively funds the varying needs of the community. It provides a strong financial plan, while ensuring a superior level of municipal services to our citizens. We are confident the projections and estimates are conservative, yet reasonable, and accurately reflect anticipated revenues and municipal needs. We look forward to working with you to achieve all the goals set forth in this proposed budget.

Underlying Twin Falls' success is a unifying commitment across the organization to exercise fiscal discipline, deliver services with maximum efficiency, and provide improved results to the entire community. Undoubtedly, we will be continually challenged to maintain a structurally balanced budget once it is achieved.

The City of Twin Falls has 313.25 full-time employees and a taxable value of $4.041 billion. The City's taxable value excludes the taxable value of the properties located in the Twin Falls Urban Renewal Agency revenue allocation areas, which have a total value of $654 million. Collectively, the taxable values for both the City of Twin Falls and the Twin Falls Urban Renewal Agency total $4.695 billion. To put these values into perspective, the City of Twin Falls' taxable value a decade ago (FY 2013) was $2.152 billion.

Most cities, including the City of Twin Falls, have historically focused on the "net budget," which is the total budget, as presented above, less fund transfers. The total net budget for FY 2022 is $69,325,603, or $3,476,771 (4.78%) smaller than the $72,802,374 total for the current fiscal year. Both methods are acceptable. From this point forward, and just as we have done historically, we will be focusing on the net budget.

While the budget does not fund all capital initiatives and projects in the entire organization, it does meet the City Council priorities for service delivery. It recognizes that our local economy continues to experience unprecedented growth.

The budget has been formulated by reflecting on the following philosophies:

- Providing solid, efficient, high-quality, core governmental services
- Effectively allocating resources to meet citizen needs
- Ensuring affordability and long-term sustainability
- Pursuing opportunities to partner with other public providers
- Valuing our employees

Public Input and Transparency

The City of Twin Falls strives to communicate, operate, function, and conduct the business of the people in an open and transparent manner. Equally, we recognize the value and importance of honoring and upholding our fiduciary duties and responsibilities. Because openness and transparency are part of our organizational culture and values, we have taken several steps designed to afford our citizens and stakeholders several opportunities to actively participate and contribute to the budgeting process.

The City of Twin Falls has taken additional steps designed to illustrate our commitment to effective community involvement in the annual budget process. The Council provided an opportunity for our citizens and stakeholders to communicate their thoughts about specific programs, strategic initiatives and priorities for the upcoming fiscal year prior to the more customary, internal staff conversations.

A summary presentation of the proposed budget has been placed on the City's website. On August 9, 2021, the City Council will adopt the preliminary budget for FY 2022, with a public hearing and final adoption scheduled to occur on August 23, 2021 at 6:00 PM.

Connection to the City's 2030 Strategic Plan

Twin Falls is a vital, growing, and changing city. We have constructed processes and policies that help us in shaping growth and taking advantage of opportunities as they are presented. We continue to emphasize focus areas contained in the City's 2030 Strategic Plan, just as we have for the past seven budget cycles. The current Strategic Plan was updated in March 2018 after an extensive open, citizen-driven process. The City's FY2022 budget allocates funds for needed projects and critical services collectively designed to help the City take the "next step" in realizing the community's 2030 vision of Twin Falls.

Significant Issues Driving Budgetary Considerations

Uncertainty in our budgeting process remains; albeit for entirely different reasons. The environment within which we are constructing the budget for FY 2022 is entirely different than last year. The Twin Falls economy has recovered. Terms like "boom" and "robust" are now used to describe our local economy. Over the course of the last year, cases and deaths attributed to COVID-19 have peaked and are now in decline. Vaccinations have proven to be effective and are available to anyone over the age of 12 who chooses to get one. Restaurants and retailers are once again open. Single-family home construction continues on a record pace, even with significant building material shortages and supply chain disruptions. As the unemployment rate fell to 3.7% in April 2021, the City is again considered to be at full employment, which has traditionally been defined as anything below 4%. We expect this economic indicator to realize continued improvement. The Dow Jones has recovered. On March 19, 2021, just a few days removed from a year from the 2020 low, the Dow closed at a 32,627.97. Record high closings have once again become common. Masks are no longer required or needed. Offices are open; however, remote work and virtual meetings remain, largely out of convenience.

The environment is ***entirely*** different.   The four main drivers that influenced the development of the City Manager's Recommended Budget for FY 2020-2021 were:

1. <u>Property Tax Reform and House Bill 389</u>
   In Idaho, property taxes are the primary source of revenue for local governments. The method for calculating property taxes applies individual tax rates for each taxing entity against the assessed value of the property. When home values are increasing at a faster rate than income levels, the result is a significant increase in a property tax burden to homeowners. Prior to COVID-19, housing prices in Idaho were increasing between 8% and 10% each year. During and after COVID-19, Idaho's property values were among the fastest growing in the country. Even with the City's continual efforts to reduce its tax rate, the increase realized in assessed valuation has caused increases in property taxes to homeowners and businesses.

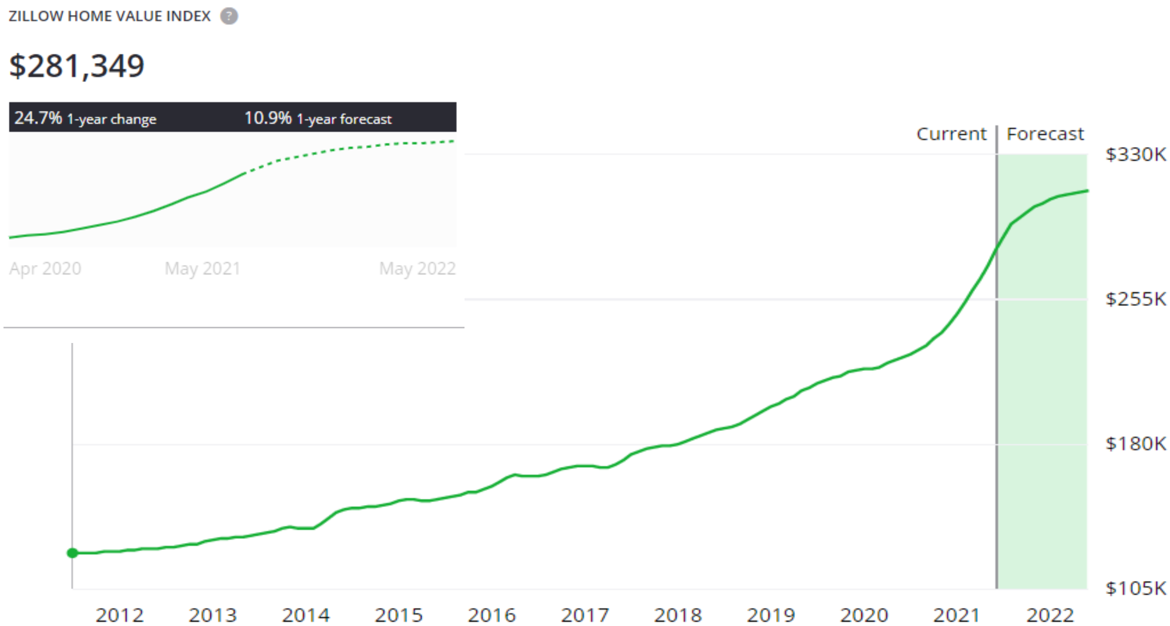
   At the conclusion of the longest session in Idaho history, the Idaho Legislature passed House Bill 389. Many are still trying to understand the impacts of this legislative measure. The bill is advertised to provide property tax reform; how much is yet to be determined. What is known is House Bill 389 will decrease local government's ability to collect sustainable revenues, in some cases significantly, to help pay for expenses attributed to growth. While we do not want to downplay the concern about rising home values and increasing property taxes, overall, Twin Falls remains affordable with a low cost of living in comparison to larger cities like Boise and Meridian. House Bill 389 contained an emergency provision. As a result, many parts of the bill are retroactive to January 1, 2021 and are required to be implemented immediately.

   The City will continue to bring forward a balanced budget regardless of the actions at the State level, with the understanding that if our revenues from property taxes are significantly decreased, there will be a resulting decrease in services the City is able to provide.

2. <u>Housing Costs</u>
   Just as we witnessed last year, there has been a lot of attention on housing prices across Idaho recently. Housing prices are rapidly increasing when compared to income levels, which has caused concerns about affordability. Idaho continues to lead the nation in population growth. For the last few years, Idaho's population increases have been among the largest in the country. Population increases, low housing inventories, significant material increases, and labor shortage are all contributors to the problem. Large increases in the price of homes can equate to an increase in property taxes for Idahoans, due to the means by which property taxes are assessed.

   Each year, the county assessor's office must estimate how much a typical buyer would pay for your property as of January 1. It's assessed at 100% of market value, less any exemptions. Generally, assessors use sales prices from properties in the county to develop guidelines. They also consider features that could influence what a buyer would pay for the property. These features include size, location, quality of construction, age, and condition.

   In January 2019, the median home value in the City of Twin Falls was $201,000. It increased to $219,000 in January 2020, which represents a 9% increase. In January 2021, the value of a median home in Twin Falls grew to an estimated $253,000, which represents a 16% increase. In the first five months of 2021, a median home in Twin Falls has increased by more than $28,000 (January 2021 to May 2021) and has a value of $281,349. This represents a year-over-year (May 2020 compared to May 2021) increase of 24.7%. Zillow is conservatively estimating the median home in Twin Falls will continue to grow in value by nearly an additional 11% over the next calendar year.



The following table illustrated the median home value in Twin Falls, Idaho and the nation.

	Twin Falls	Idaho	National
Median home value	$281,349	$389,218	$287,148
Increase in value of the prior 12 months	24.7%	27.8%	13.2%
Project increase in value over the next 12 months	10.9%	uncertain	14.90%

Even though Idaho is seeing housing prices increase at rates similar to other states, Twin Falls remains a very affordable place to live.

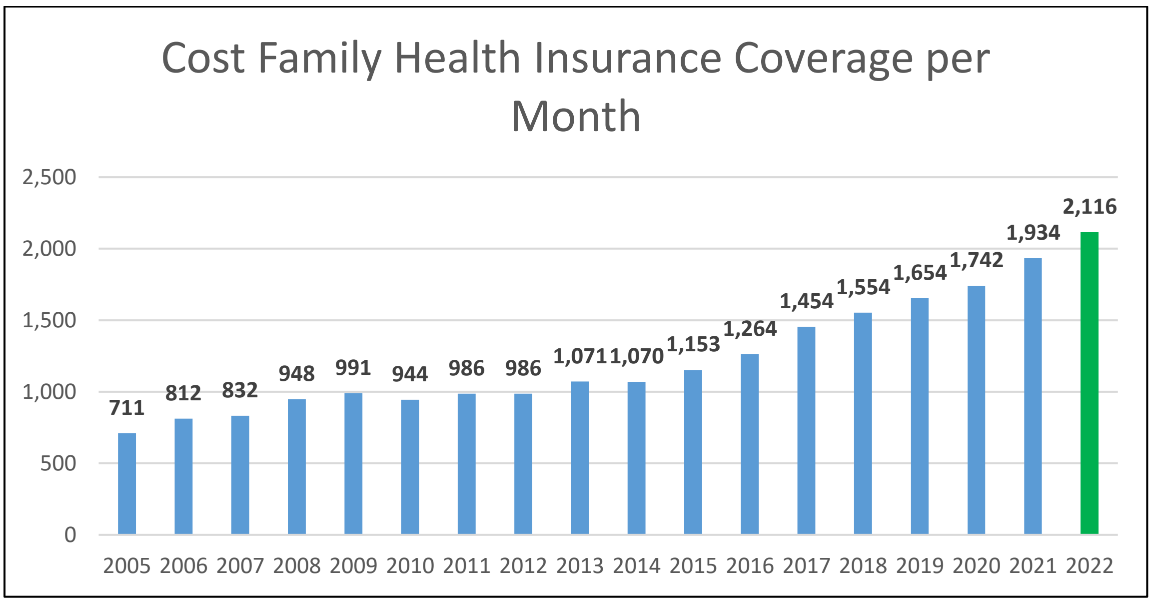
In addition, Salary Expert powered by ERI updates the cost-of-living index for urban areas and each of the fifty states, assigning each area a value as a percent of the average of all sampled. This index bundles a variety of goods and service costs, like food, transportation, housing, and health. For years, Twin Falls has consistently ranked well below the national average. That trend appears to be continuing. The following table illustrates the cost of living in Twin Falls, Idaho Falls and Boise compared to national and state averages.

	Twin Falls	Idaho Falls	Boise
Compared to National Average	-10%	-7%	+2%
Compared to Idaho Average	-6%	-2%	+6%
Rank Among Idaho Cities	60th	36th	7th

Its reputation for political stability, quality management, and a commitment to long-term planning puts Twin Falls in the right place to continue its healthy financial position. The City has adopted financial policies for the overall operation of the City of Twin Falls, which help us achieve and maintain a long-term positive financial condition. The policies include direction on providing a conservative approach to budgeting that generally means expenditures are calculated using the best estimate of a true cost without discounting, and revenues are estimated at a level that would reasonably be collected within the fiscal year based on historical collection data, as well as realistic expectations about existing and future economic conditions and activities. Overall, the City maintains a strong financial position by continuing to utilize conservative fiscal practices and by making strategic decisions that support the community's vision.

3. Health Insurance and Compensation

Providing quality benefits to our employees remains an important ingredient in our overall attraction and retention strategy. As we have stated for the past five years, health insurance continues to be a difficult subject to navigate in our budgeting efforts. Members of the City's executive leadership team recognize the importance of continuing to offer competitive benefit packages as a critical component in our efforts to be an employer of choice. However, the cost of our health plan continues to outpace the Consumer Price Index, the Municipal Cost Index, and available resources. Because members of our employee family have dealt with serious and costly health challenges, our overall experience rate (our group's medical history and claims experience) have caused our organization to realize significant increases in overall health insurance costs. The cost of our insurance monthly premium to cover an employee and his/her family has almost doubled in the last ten years. The table below shows the changes to our monthly health insurance premiums since 2005.



Significant changes were made to both the traditional and high deductible plans in FY 2020 in response to a proposed increase of 14%. Employees saw modest increases to co-pays, deductibles, and out of pocket maximums, as well as a prescription deductible to the traditional plan. Not only was this increase too large to fund in FY 2020, it was completely unsustainable moving forward in subsequent years. With these plan changes, the insurance premium cost increase was reduced to 5% in FY 2020.

This year, the City of Twin Falls realized a 9.4% increase in our overall premiums, which will cost the organization $415,093 to simply maintain the same level of benefits. In FY 2021, the City realized a 10% increase. When considering options to reduce this increase, we compared our offering to what other public employers are offering their employees. Our health care benefit remains competitive, but further changes to our plan could affect that competitive position.

One of the philosophies that has continued to guide the creation of the City's budget is that of valuing our employees. They appear at the center of our strategic plan. Without the service of our employees, we cannot accomplish any of our strategic planning goals. Caring for our employees continues to be a guiding principle of our budget. The FY 2022 budget includes funding for the following changes in compensation:

- A 3% performance adjustment
- A continuation of our retention pay program

As an organization, we have made significant strides toward improving our competitive place in the hiring market over the last several years. Our salary tables have increased by almost 50% since 2011, and we began offering our retention pay program in December 2018. Compensation is a key component in being an employer of choice, and we feel that these continued adjustments will help us do that. We also believe that we still have room to improve the competitiveness of our salaries for specific positions. We plan to continue to push salaries forward in the coming fiscal years as the economy recovers.

4. <u>Leveraging CDBG (Community Development Block Grant) Entitlement Community</u>
The City of Twin Falls accepted the status of an Entitlement Community through the U.S. Department of Housing and Urban Development (HUD) in September 2019. With our population estimated to be in excess of 50,000 residents, Twin Falls is now considered small urban and is subject to additional federal requirements. The CDBG program provides annual formula grants based on population to states, cities and counties, to develop programs that provide decent housing and suitable living environments and to expand economic opportunities for low and low-moderate income persons.

In 2021, the City developed a Consolidated Plan and corresponding annual Action Plan, which will guide us in developing programs and services for members and areas of our community that fall into the low-to-moderate income category. For FY 2022, the City will be carrying over its 2020 allocation of $340,897, the COVID-19 enhanced allocation of $403,407 and the 2021 allocation of $356,536. In accordance with the City's plans, the City will fund capital projects (sidewalks, curbs and gutter, homelessness, affordable housing initiatives) and partner with community groups working with low-to-moderate services lanes to cover administrative costs.

<u>Economic Indicators Considered in the Recommended Budget</u>
The City of Twin Falls closely monitors and examines international, national, state, and local economic indicators when developing and tracking its annual appropriation measures. Over the course of the last several years, economic conditions on all levels have reflected growth and prosperity, but the effects of the Covid-19 pandemic created a swift and destabilizing level of economic uncertainty not seen since the Great Depression. When analyzing the statistics of the City of Twin Falls and as a nation, comparatively, there is an expected prosperity that is simultaneous with caution, creating an uncertainty that will influence budgetary decisions for the foreseeable future.

National

- U.S. house prices rose 12.6% in the first quarter of 2021 according to the Federal Housing Finance Agency (FHFA) House Price Index (HPI). House prices rose 3.5% from the fourth quarter of 2020 to the first quarter of 2021. The impact of COVID-19 has strongly impacted the housing market and the United States is seeing unsurpassed housing prices and demand for homes. As cited in the FHFA HPI, "House price growth over the prior year clocked in at more than twice the rate of growth observed in the first quarter of 2020. . . and In March, rates of appreciation continued to climb, exceeding 15 percent over the year in the Pacific, Mountain and New England census divisions."

- Nationwide unemployment rates increased significantly in the first half of the year, then continued a gradual decrease throughout the remainder of the year 2020 and into 2021, ending at 5.8% in May 2021. According to the Bureau of Labor Statistics, the national unemployment rate increased from January 2020's 3.5% to a high of 14.8% in April 2020, decreasing around 1-2% each month from May to October, 2020 and then hovering around 6% through May 2021.
- The stock market experienced eight of the ten largest point losses in its history in the first six months of 2020 (June 2020 – June 2020) and the Dow Jones fell to a low of 18,591 on March 23, 2020, from a high of 29,423 that had occurred just six weeks before on February 12, 2020. On March 19, 2021, just a few days removed from the 2020 low, the Dow closed at a 32,627. Record high closings have once again become common.
- Since the start of the COVID-19 pandemic, consumer confidence has continued to rebound, but has a long way from being back to pre-pandemic levels. The University of Michigan compiles a consumer sentiment rating, in which the rating for June 2021 was 86.4, up from 82.9 in May but still below April's 88.3. Confidence remains down more than 14 points from February of last year, before the pandemic. Consumers are less enthusiastic about the future, based on expectations of decelerating growth and softening labor market conditions in the months ahead. Consumers are less optimistic due to rising inflation expectations that seem to be eroding their purchasing power, as witnessed by the decline in their plans to buy cars, homes, and major appliances. Inflation expectations reversed about half of their April gain.

State of Idaho

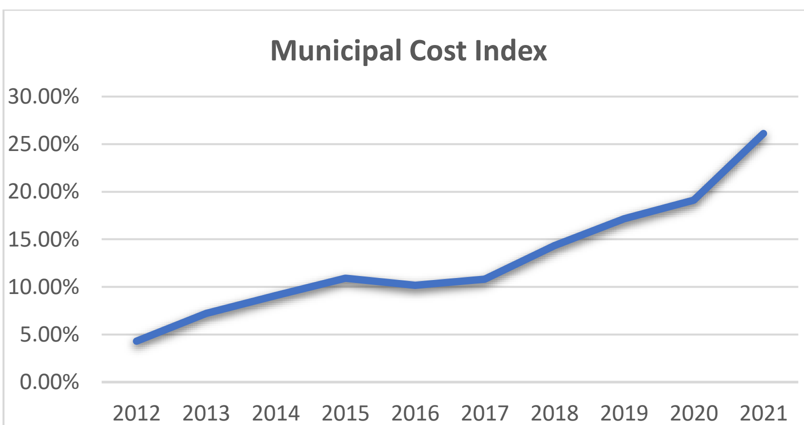
- Home prices rose in all 50 states and the District of Columbia between the first quarter of 2020 and 2021. Idaho realized the highest level of annual appreciation in the nation at 23.7%.
- Home prices rose in 99 of the 100 largest metropolitan areas in the U.S over that four quarters. Annual price increases were the greatest in Boise, Idaho at 28.2%.
- The median home value in Idaho is $389,218, an increase of 27.8% over the past year. The median list price per square foot in Idaho is $255. The median price of homes currently listed in Idaho is $575,000. Housing prices are rapidly increasing when compared to income levels, which has caused concerns about affordability.
- Statewide unemployment was 3.1% in April 2021. Year over year, April's labor market changes are dramatic and represent the magnitude of Idaho's rebound to economic recovery. Idaho's labor force is the only exception and did not experience a sharp decline during the pandemic.
- Non-farm employment, which is one of the key metrics of the state's economic health, continued to experience strong increases. In April 2021, Idaho's nonfarm jobs were up 13.1% (91,100) over last year, with every sector showing year-over-year gains after a precipitous loss of 61,700 jobs (-8.2%) in April 2020.
- Today, Idaho's total employment number is up 12.5% to 872,168, recovering from the pandemic low of 775,219 in April 2020.
- Per capita personal income (PCPI) continues to grow, but at a slower pace than in previous years. PCPI in Idaho grew by 5.8% from 2019 to 2020. At $48,616, Idaho is ranked 44th in the United States and was 81 percent of the national average of $59,729. Idaho was 24th in the nation for real personal income growth, which takes into account the cost of living, measured by regional price parity (the average price paid by consumers for the mix of goods and services in each region). Idaho's real personal income growth was 4.64% for 2019-2020.
- The May 2021 revenue projections for the State of Idaho were up significantly from what was anticipated, but much of the comparative revenue analysis is distorted because of the differing income tax filing deadlines in 2020 and 2021. Of the revenue projections: sales tax distributions are up 45.5% or $273.6 million compared to this point in the previous fiscal year, while individual income taxes are running a total of $452.2 ahead of the forecast or 61.4% more than anticipated.

City of Twin Falls

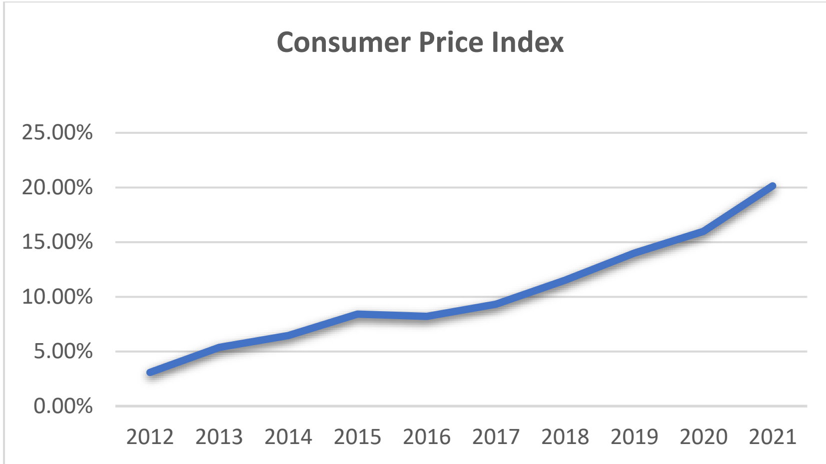
- According to the Idaho Department of Labor's Workforce Trends report, the Twin Falls metropolitan statistical area had an unemployment rate of 3.4% in April 2021. This compares to the State of Idaho unemployment rate of 3.1% and a national unemployment rate of 5.8%. The uncertainty over the danger of the virus, plus the shuttering of many businesses and industries as states implemented shut-down orders, damaged many sectors of the economy. Investors predicted that workers would be laid off, resulting in high unemployment and decreased purchasing power. Unemployment rates tripled, and in some placed quadrupled, over the span of a few weeks. In April 2020, the unemployment rate in the City of Twin Falls grew to 12.8%.
- Construction activity for Twin Falls continued on a similar pace in 2020 in terms of single-family building permits issued. There were 573 single family permits issued in 2020, which was the highest level since 2006. There have been 388 permits issued to- date in FY 2021, which exceeds the same period in 2020 by 75 permits and is 123.6% of total FY2021 permits with four months left in the fiscal year. It remains to be seen what, if any, long term impacts COVID-19 will have on the housing market and if the pace of construction will be affected.
- There were 78 new commercial building permits issued in FY2019, far surpassing the high of 61 in 2008. In FY2021, there were 58 new commercial building permits issued and to-date there have been 49 issued in the first eight months of FY2021.

Municipal Cost Index

- The economy has been improving on many fronts, the cost of offering public services and programs has also increased. The Municipal Cost Index (MCI) is designed to show the effects of inflation on the cost of providing municipal services.
- State and local government officials rely on American City & County's Municipal Cost Index to stay on top of price trends, help control price increases for commodities, make informed government contract decisions and intelligent budget planning. The MCI draws on the monthly statistical data collected by the U.S. Departments of Commerce and Labor as well as independently compiled data to project a composite cost picture. From April 2020 to April 2021, the most recent data available, the MCI increased 17.56 points or 6.99% to 268.69. The graph below shows the increase in the MCI since 2012.



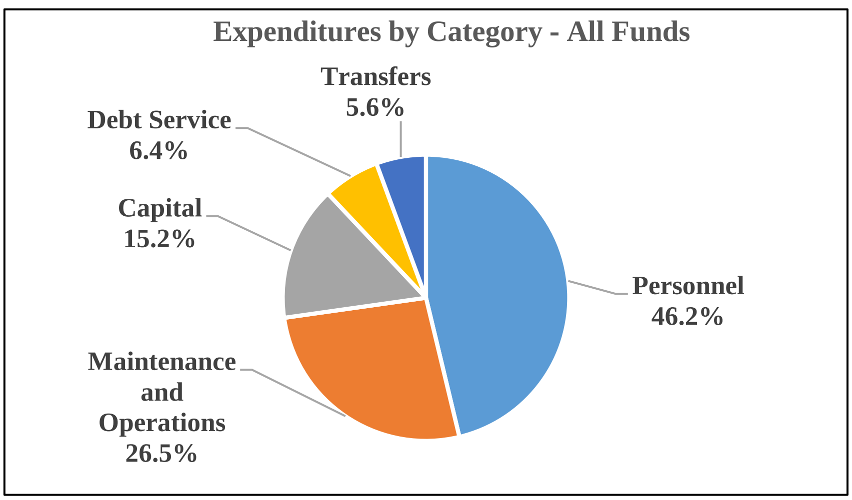
- The Consumer Price Index (CPI) is designed to show the effects of inflation on typical household goods and services. The Consumer Price Index increased 1.4 in February, 1.8 in March, and 2.2 in April 2021 for a final 267.05. The graph below shows the increase in the CPI since 2012.



2021 Fiscal Year Budget Summary

Most cities, including the City of Twin Falls, have historically focused on the "net budget," which is the total budget, as presented above, less fund transfers. The total net budget for FY 2022 is $69,325,603, or $3,476,771 (-4.78%) smaller than the $72,802,374 total for the current fiscal year.

Expenditures in this budget are classified under one of five major categories: Personnel, Maintenance and Operations, Capital, Debt Service and Transfers. The graph below shows the relative percentage of FY 2022 budget expenditures for the five major categories in all funds combined.



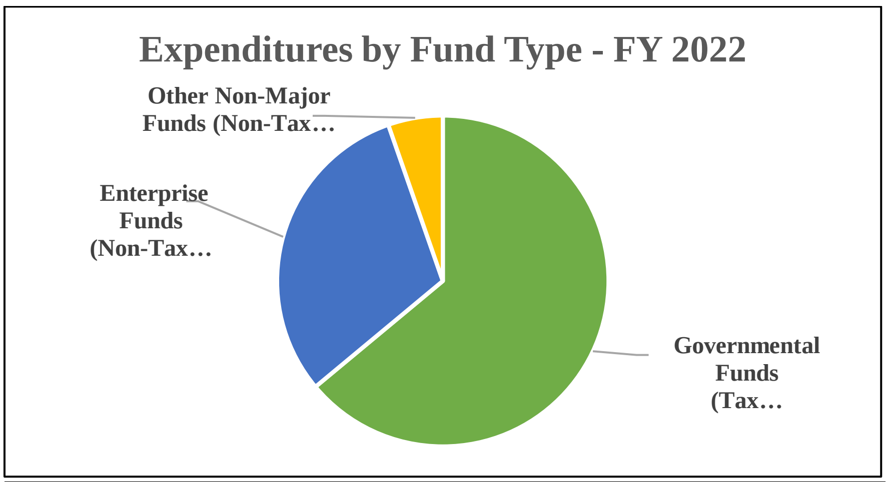
In most government agencies, personnel costs (salaries, wages and benefits) normally represent the largest of the expenditure categories. While municipal governments also devote a large amount of their resources to personnel, the significant investment in infrastructure drives the percentage of the budget devoted to operating and capital costs higher than most other government agencies.

Fiscal Year 2021-2022 Expenditures

The most commonly recognized government activities are conducted through **Tax Supported or Governmental Funds**. The Tax Supported or Governmental Fund umbrella includes the following funds: General, Street, Street Light, Airport, Library, Capital Improvement, Pool, Insurance, and Fireworks. Revenues in these funds are derived primarily from property taxes, licenses and permits, intergovernmental grants, shared revenues from the state of Idaho (sales tax, gas tax, etc.), and federal entitlements. The governmental funds include funding to support personnel, maintenance and operations, contractual services, equipment acquisitions, and capital construction projects.

Enterprise Funds account for services financed through the assessment of user fees. The main goal or purpose of these business-like funds is to provide services to customers at a price that will cover both the current cost of operations and the purchase and maintenance of necessary capital assets. The City has five separate and distinct Enterprise Funds, which include the City's Water (supply, distribution, irrigation and utility services), Wastewater (collection and treatment), Sanitation, Dierkes/Shoshone Falls, and Common Area Maintenance Funds.

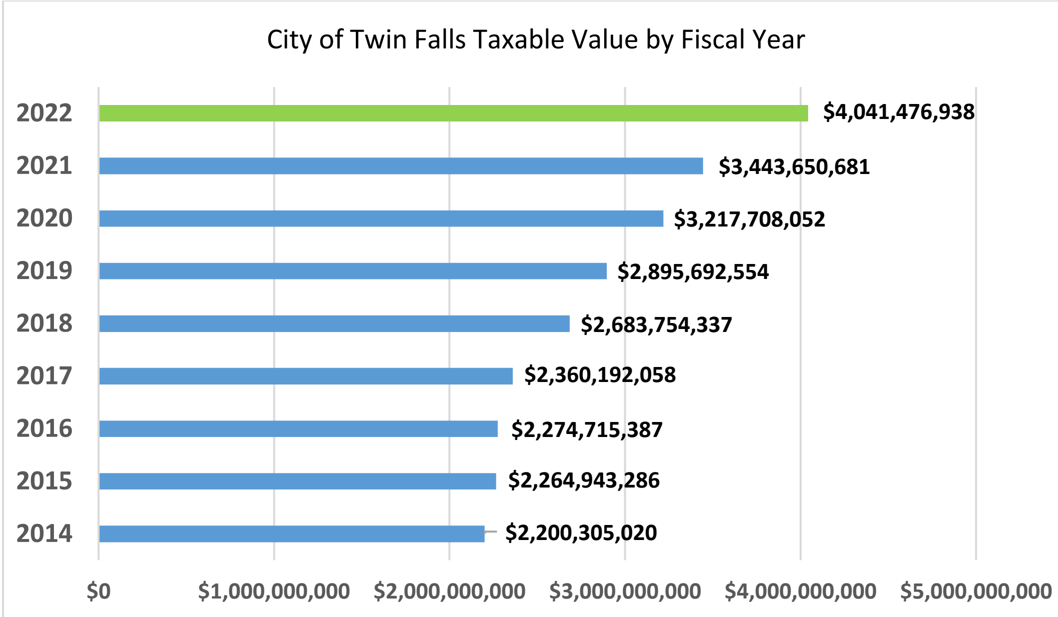
Other Non-Major Funds account for capital project, internal service, and miscellaneous funds. Included are the Impact Fee, Historic Preservation, Airport Construction, Shop, Seizures & Restitution, and CDBG Funds.



Total Assessed Valuation

According to the Twin Falls County Assessor's Office, from FY 2021 to FY 2022, the City of Twin Falls' total taxable valuation increased by $597,826,257, or 17.36%, from $3,443,650,681 to $4,041,476,938, of which $103,086,201 is the from the net new construction roll (90% of the total valuation of $114,540,223). The total increase in valuation is in addition to the $225,942,629 that was realized in the prior fiscal year. Over the course of the past two fiscal years, the City's total taxable valuation has increased by $832,768,886, or by 25.6%

As illustrated below, the taxable value used to calculate the FY 2022 tax rate for the City of Twin Falls is the largest in its history.



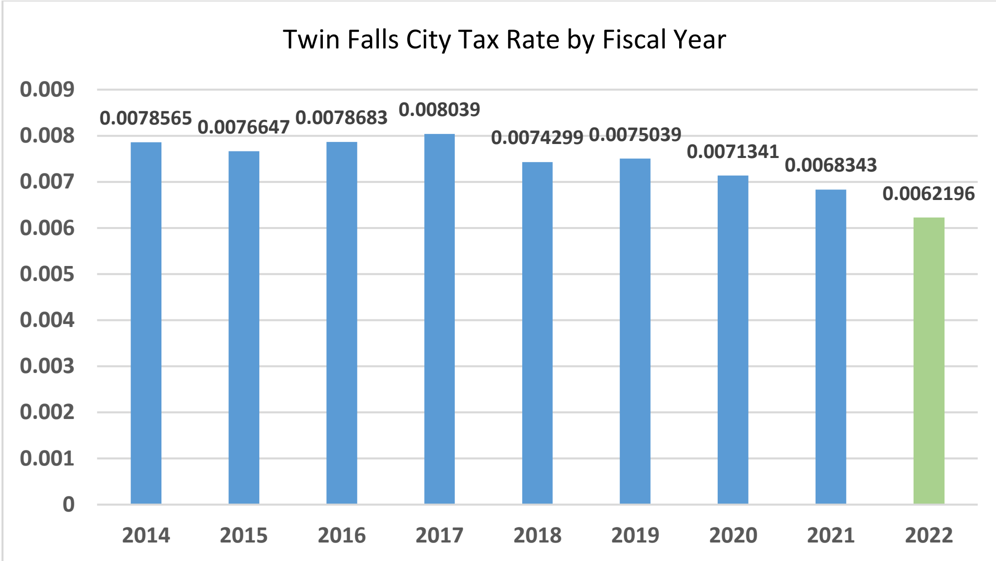
It is important to note the City's taxable value excludes the taxable value of the properties located in the Twin Falls Urban Renewal Agency revenue allocation areas. The entirety of the URA properties are in the City and have a value of in excess of $654 million. Collectively, the taxable values for both the City of Twin Falls and Twin Falls Urban Renewal Agency exceed $4,695,000,000. There are many factors that influence the City's total taxable value. Some of the larger factors include an increase in the base value from reappraisals performed by the Twin Falls County Assessor's Office, growth from new construction, and property incorporated into the City through annexation.

Property Taxes

For FY 2022, the City of Twin Falls has an estimated total taxable value of $4,041,476,938; an increase of $597,826,257 compared to the FY 2021 value of $3,443,650,681. The New Construction Roll for FY 2022 is $103,086,201, which will yield $626,259 in new property tax revenue. The Annexation Roll is $363,589, which will yield an additional $1,785. Property tax revenue derived from the New Construction and Annexation Roll is commonly referred to as the "growth formula."

The FY 2022 budget relies on property taxes to raise 55.9% of the funds needed to support municipal operations in the Governmental and Tax Supported Funds. In June 2021, the City Council and City Manager made the decision to assess the statutorily allowed three percent (3%) property tax increase as provided for in Idaho Code §63-802, plus revenue from the growth formula, and the equivalence of one-percent revenue from the City's forgone balance. The City's projected tax rate for FY 2022 is expected to decrease from $6.83/$1,000 to $6.22/$1,000 of taxable value. Based on the median value of an owner-occupied home, this will create an estimated savings of $16.61. It is anticipated total property tax collections for FY 2022 will be $25,432,235, or $1,594,967 more than the FY 2021 total of $23,837,268.

Over the last ten fiscal years, the City's tax rate has fluctuated significantly, ranging from a high of $8.04/$1,000 (FY 2017) of taxable value to a low of $6.83/$1,000 (FY 2021) of taxable value. The average of the tax rate assessed over the course of the last seven fiscal years (2015-2021) is $7.50/$1,000 of taxable value. <u>It is important to recognize the tax rate does not necessarily indicate an individual's tax burdens.</u> The tax rate is simply a multiplier used to determine a property owner's proportionate share of property tax liability. It is a fraction of a local government's total property tax collections divided by the total taxable value of that local government unit.



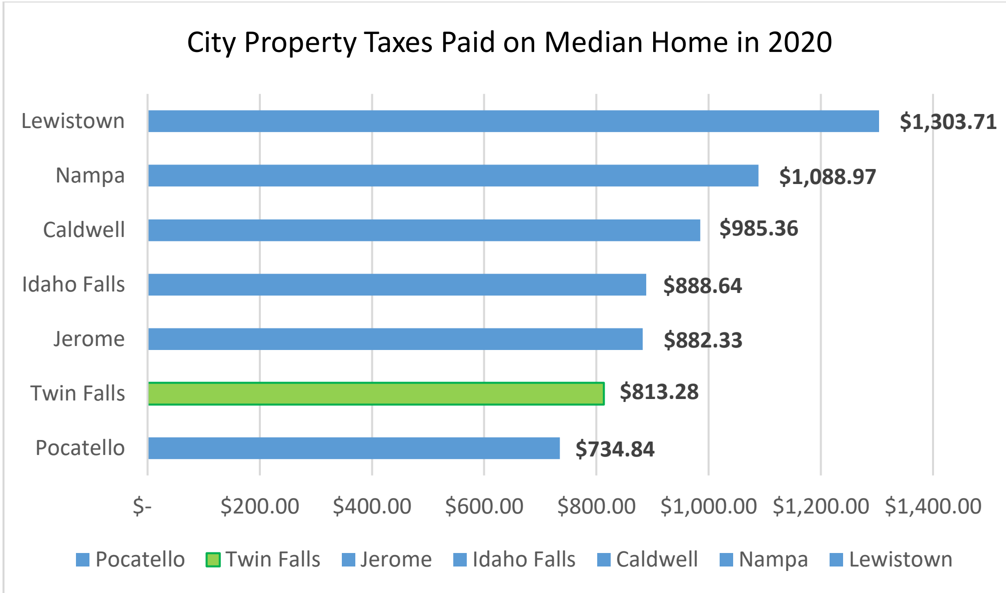
<u>How does our Tax Rate compare to the other, large full-service Idaho cities?</u>

We are often asked the question, "how does our tax rate compare?" The table and graph provided below are intended to provide an approximate answer to that question. Although only intended to be a rough illustration, the table and graph represent the amount of property tax paid on a median-valued, owner occupied home in each of the larger, full-service cities in Idaho. The information used in the table was collected from the Associated Taxpayers of Idaho's 2020 Levy Book (tax rate) and Zillow.

	Total Taxes Paid	Median Home Value January 2020	Tax Rate FY 2020
Pocatello	$ 734.84	$189,000	0.0077761
Twin Falls	$ 813.28	$219,000	0.0068343
Jerome	$ 882.33	$211,000	0.0079490
Idaho Falls	$ 888.64	$233,500	0.0066565
Caldwell	$ 985.36	$244,000	0.0068428
Nampa	$ 1,088.97	$255,000	0.0070256
Lewistown	$ 1,303.71	$260,000	0.0081482

Note: Idaho's median value of an owner-occupied home for this same period of time was $293,000.

For purposes of analysis, the property tax rate used is the pre-CAREs Property Tax Relief rate because not all cities elected to participate in the program due to legal concerns.

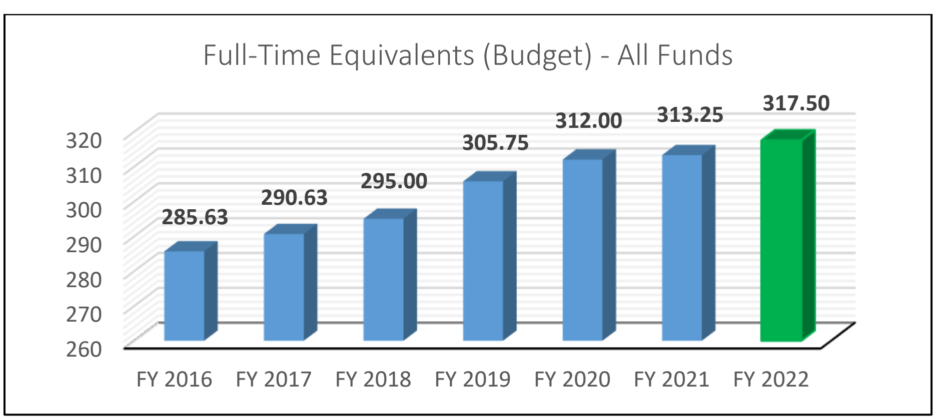


For the purposes of this analysis, the cities of Boise and Meridian were intentionally excluded because they are not directly responsible for the transportation systems in their communities; that responsibility lies primarily with the Ada County Highway District (ACHD). ACHD is an independent taxing authority specifically created for the purpose of maintaining the transportation system in these communities. For FY 2022, the Street Fund budget for the City of Twin Falls is $5,103,149, or approximately 11.22% of the total for tax supported funds.

Personnel

Focus area 8 of the City's 2030 Strategic Plan states, *"The City of Twin Falls strives to carry out its mission with unquestioned integrity, and the highest ethical standards…In support of the desired effectiveness, the elected leadership works in close partnership with appointed professionals carrying out clear policy directives. A high level of competency is provided from a lean, properly compensated and respected core staff."*

The City has a philosophy of adding full-time employees only when "need" and "sustainability" can be demonstrated. The City has an estimated population of 51,165. Based on that estimate, it has six employees per 1,000 of population. However, as the regional and urban center for a geographic area having a population of approximately 250,000, the City's daily census population grows to an estimated 90,000. This daily increase causes the number of City employees per 1,000 of population to drop to less than four.



For FY 2022, a net total of 4.25 Full-Time Equivalents were added to the budget. These additions bring the FTE count for the City of Twin Falls to 317.5.

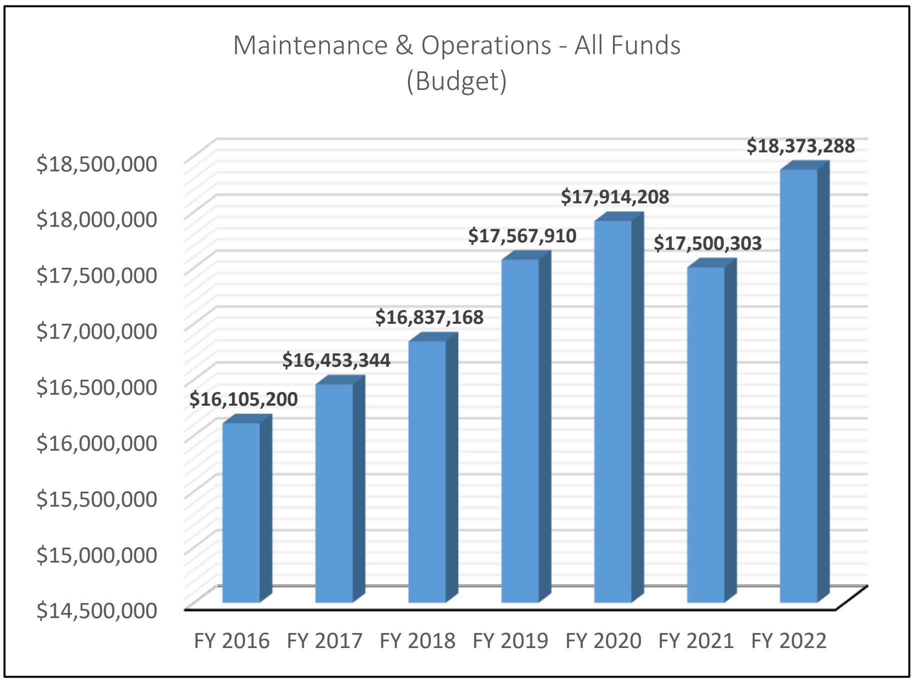
The other increased expenditures associated with personnel in the FY 2022 budget:

- Performance-based adjustment for all employees (3%)
- Increased funding for health care insurance (9.4%)

Maintenance & Operational Costs

This category includes funding for a wide range of typical activities, including office supplies, fuels, electricity, travel, training, uniforms, building/equipment repair and maintenance, and expenditures for durable goods. The City makes allocations in these areas that are based on actual expenditures from previous fiscal years, economic trends, and the municipal cost index.

The FY 2022 budget allocates $18,373,288 to cover expenses associated with maintenance and operations. In comparison, the allocation for FY 2021 was $17,500,303. This is an increase of $872,985 (4.99%) across all funds. CDBG amounts for FY 2021 ($342,000) and FY 2022 ($1,100,840) are not included in the totals. The FY 2022 CDBG amount is under a M&O line in the budget, but will be re-distributed to Personnel and Capital as needed.



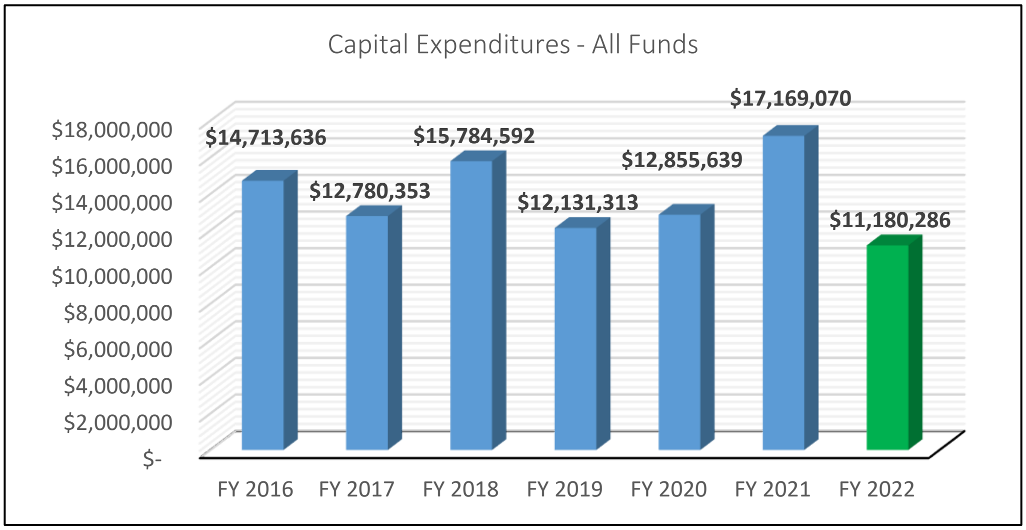
Capital Improvements

Capital improvements are investments made in our infrastructure. Six of the eight primary focus areas in the City of Twin Falls 2030 Strategic Plan are considered "capital dependent." Capital financing is necessary for the ongoing development, expansion, maintenance, and repair of these capital assets, recognizing the critical value of civic infrastructure to the economic, aesthetic, and functional viability of the City.

The City of Twin Falls owns and maintains a diverse collection of assets and facilities, which include:

- 103 buildings and structures throughout Twin Falls, ranging from the Magic Valley Regional Airport to administrative buildings; from police and fire stations to water delivery and treatment structures;
- 1,476 acres of open spaces and developed park lands, including world-class amenities such as Auger Falls, Shoshone Falls and Dierkes Lake; and
- 640 lane miles of roadways.

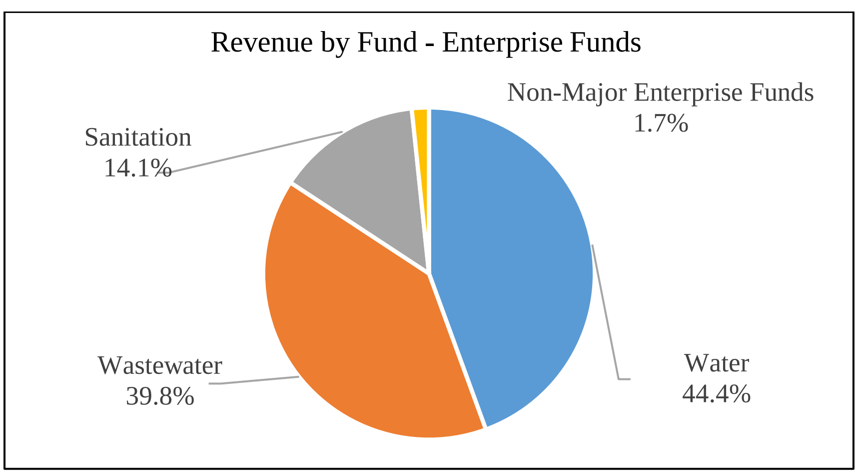
In total, the FY 2022 budget allocates $11,180,286 to fund needed, critical, and desired capital improvements, one-time equipment purchases and projects, and community amenities. Compared to the FY 2021 budget of $17,169,070, this is a decrease of $5,988,784, or 34.88%.



As illustrated in the graph above, the City of Twin Falls has budgeted $96,614,889 for capital expenditures since 2016. In addition (not included in graph), since 2012, $57,429,311 has been spent on the Wastewater Treatment Plant Improvement ($45,570,000), City Hall ($7,695,204), and Public Safety Complex ($4,164,107) projects.

Major Enterprise Fund Revenues

Enterprise Funds account for $27.88 million of the total revenues and reserves in the FY 2022 budget. Of this amount, $.29 million is cash reserves being used for capital projects.



Water Fund
The Water Fund supports the following water-related activities: water supply, water distribution, pressurized irrigation, and utility billing. For FY 2022, the City Manager is recommending a series of changes to the City's water rate structure. In 2010, the City issued a water bond to pay for improvements to the City's water system to comply with enhanced arsenic standards established by the EPA. The project paid for capital improvements (booster pump station, 24" and 30" water mainlines, and blending station) and water rights at Pristine Springs and Sunnybrook Springs. The total bond was $18.595M and each user has been paying a flat fee of $10.75 per month since its issuance.

The City has collected twenty-five percent (25%) more than what was required to make its annual debt service payment and has earmarked the additional amount for early repayment. Since its issuance, the City has collected a total of $6,410,000 and is able to pay off the bond in September 2021. Early repayment will save the City $578,000 in interest costs.

The City Manager is recommending the City Council increase its existing base water fee from $11.73 per month to $20.33 per month and its consumption fee by $0.11/1,000 gallons consumed after the first 2,000 gallons. It is anticipated the City will generate revenues similar to the mandatory arsenic compliance fee that was able to capture ($2,318,083). Residential customers and small-to-medium commercial users will see a slight decrease in their overall rate (-$1.82 per month for a 5,000 gallon per month user and -$1.27 per month for a customer using 10,000 gallons per month). Larger water users will see slightly larger monthly water bills. If adopted, the City Manager is recommending the proceeds be used to fund capital projects and mainline maintenance/replacement.

The City will have two bond issuances in the water fund remaining after the 2021 payment is made: the 2012C Bond Issuance that has one payment left of $372,000 and; the 2017A Bond that has $2.3M left, with annual payments around $850,000 until 2024.

Budgeted revenue in the Water Fund totals $13,154,559. Compared to the FY 2021 revenue and reserve total of $12,908,486, this is an increase of $246,073 (1.91%).

Wastewater Fund
The Wastewater Fund is used to support all wastewater services provided by the City of Twin Falls, namely wastewater collection and wastewater treatment. FY 2022 wastewater user rates remain the same as they were in FY 2020 and FY 2021. Budgeted revenues and reserves in the Wastewater Fund total $10,348,425, which compared to FY 2021 funding of $9,951,795 is an increase of $396,630 (3.99%).

Sanitation Fund
The City's Sanitation Fund supports the City's sanitation and recycling programs. FY 2022 sanitation user rates are projected to increase by .68%, or on average, by $.13 per customer, per month. Budgeted revenue in the Sanitation Fund totals $3,781,162, which compared to the FY 2021 total of $3,522,406 is an increase of $258,756 (7.35%)

<u>Discussion on the City's Foregone Balance</u>

Over the past several years, considerable time has been spent illustrating the cost-benefit analysis of using the City's forgone balance. Each year the City has elected not to take the statutory maximum increase has impacted the amount of revenue available in the following fiscal year. Simply, the base by which the three percent is calculated is smaller.

With the recent changes to local government budgeting laws (House Bill 389), cities in Idaho can only take the equivalence of 1% revenue to support ongoing operational costs and up to 3% from one-time capital projects. The forgone balance is not required to fall under the 8% property tax revenue cap.

The City of Twin Falls has had a forgone balance since the adoption of the 2009-2010 fiscal year budget. The forgone balance grew to a high of $2,186,253 in FY2017 and FY2018. Each year the Council elected not to take the statutory allowed increase; the forgone balance increased.

During the creation of the FY 2019 budget, the Council had extensive discussions about funding Council priority capital projects with forgone revenue. At the conclusion of these discussions, the Council elected to incorporate a portion of the forgone balance into the FY 2019 budget. That budget included $770,000 for the completion of several capital projects, including parks, street overlays, and the installation of curbs and gutters. The FY 2022 Budget also sets aside the $770,000 for one-time City Council directed capital projects. The list of projects will be defined during the budgeting process.

Additionally, the City Manager is requesting the City Council include the equivalence of one percent revenue, or $251,804, of forgone balance into the City's operations budget.

The table below illustrates the changes to the City's forgone balance since FY2010.

	Amount by Year	Cumulative Amount
FY 2010	$539,902	$539,902
FY 2011	$476,376	$1,016,278
FY 2012	$463,422	$1,479,700
FY 2013	-$1,123	$1,478,577
FY 2014	$8,630	$1,487,207
FY 2015	$395,464	$1,882,671
FY 2016	$266,548	$2,149,219
FY 2017	$37,034	$2,186,253
FY 2018	$0	$2,186,253
FY 2019	-$770,000	$1,416,284
FY 2020	$530	$1,416,814
FY 2021	$697,681	$2,114,495
FY 2022	-$251,804	$1,862,691

Will it cost more for City Services?

As developed and submitted for consideration, City staff projects the average citizen will save $1.64 per month or just under $20.00 per year ($19.68). The table illustrates the projected impact on the average resident in Twin Falls.

	FY 20-21 Adopted Budget	FY 21-22 Proposed Budget	Variance
Property Tax	Tax Rate: $6.83/$1,000 of taxable value	Tax Rate: $6.22/$1,000 of taxable value	Tax Rate: -$.61/$1,000 of taxable value
Median Value of Owner-Occupied Home:			
	$812.77	**$796.16**	**-$16.61**
FY 2022 - $253,000 (January 2021)	*(annual)*	*(annual)*	*(annual)*
FY 2021 - $219,000 (January 2020)	**$67.73**	**$66.35**	**-$1.38**
	(monthly)	*(monthly)*	*(monthly)*
Utility Bills			
Average Residential Customer			
Comsumption of:			
Water - 18,000 gallons	$52.27	$51.88	-$0.39
Sewer - 12,000 gallons	$30.07	$30.07	$0.00
Sanitation & Recycling	$19.06	$19.19	$0.13
Total Utility Bills	$101.40	$101.14	-$0.26
Monthly Total of Property Tax and Utility Bills	**$169.13**	**$167.49**	**-$1.64**

Approval

There is no approval process at this point in the process. The City Council will be holding a series of public hearings prior to adopting the Appropriations Ordinance for the 2021-2022 Fiscal Year. The public hearings are scheduled for August 9, 2021 (rate and fees) and August 23, 2021 (preservation for forgone balance and appropriations ordinance). Final adoption of Appropriations Ordinance is also scheduled for the evening of August 23, 2021.

Budget Impact:

There are no current budgetary or financial impacts from the conversation. From this process, we will establish the Fiscal Year 2021-2022 City Manager's Recommended Budget.

Regulatory Impact:

- Idaho Code Section 50-811 states the City Manager shall "...keep the council fully advised of the financial condition of the city and its future needs..." and "…prepare and submit to the council a tentative budget for the next fiscal year."
- Idaho Code §50-235 empowers each city council of each city to levy taxes for general revenue purposes
- Idaho Code §50-1002 requires the city council of each city in the State of Idaho to pass a budget, referred to as an annual appropriation ordinance
- Idaho Code §63-802 sets limitations on all taxing district budget requests on the amount of property tax revenues that can be used to fund programs and services. This section also states that taxing entities can only increase property tax collections by a maximum of three percent (3%) annually, plus value of new construction and annexation added during the previous calendar year, and forgone taxes that have been accumulated and reserved in prior fiscal years

Attachments

Recommended Budget for FY 2022 can be found online.