

**AGENDA ITEM SUMMARY**

DATE: 3/3/20124 DEPARTMENT: Legal DEPT. HEAD SIGNATURE: \_\_\_\_\_

**SUBJECT:**

Friedman Memorial Airport Authority ("FMAA") Meeting

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_  
(IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

At the last FMAA meeting, there was a discussion about a scope of work for a master plan. Hailey representatives asked that no decision be made on the master plan until the entire Hailey City Council reviewed the supporting documents. I am attaching the FMAA's agenda, the meeting brief and Exhibits 12 and 13 which relate to the master plan discussion.

Since the FMAA March meeting is set for 3-11-14, we do not have the FMAA agenda or packet for your review. If you want access to the entire February FMAA packet, please go to [www.flyfma.com](http://www.flyfma.com) and click onto FMAA Agendas. I assume the master plan will be on the FMAA March agenda.

Ned

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:** Caselle # \_\_\_\_\_  
Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_  
Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
Staff Contact: \_\_\_\_\_ Phone # \_\_\_\_\_  
Comments: \_\_\_\_\_

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)**

_____ City Attorney	_____ Clerk / Finance Director	_____ Engineer	_____ Building
_____ Library	_____ Planning	_____ Fire Dept.	_____
_____ Safety Committee	_____ P & Z Commission	_____ Police	_____
_____ Streets	_____ Public Works, Parks	_____ Mayor	_____

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Review and discuss the materials relating to the master plan. If appropriate, direct FMAA representatives on action to be taken at the next FMAA meeting.

**FOLLOW-UP REMARKS:**



**NOTICE OF A REGULAR MEETING  
OF  
THE FRIEDMAN MEMORIAL AIRPORT AUTHORITY**

*PLEASE TAKE NOTICE that a regular meeting of the Friedman Memorial Airport Authority shall be held Tuesday, February 11, 2014 at 5:30 p.m. at the old Blaine County Courthouse Meeting Room, Hailey, Idaho. The proposed agenda for the meeting is as follows:*

**AGENDA  
February 11, 2014**

- |              |  |  |                              |
|--------------|--|--|------------------------------|
| <b>I.</b>    | <b>APPROVE AGENDA</b>  |  |                              |
| <b>II.</b>   | <b>OATH OF OFFICE</b>  |  | <b>ACTION</b>                |
|              | A. Independent Board Member  |  |                              |
| <b>III.</b>  | <b>PUBLIC COMMENT (10 Minutes Allotted)</b>  |  |                              |
| <b>IV.</b>   | <b>APPROVE FRIEDMAN MEMORIAL AIRPORT AUTHORITY MEETING MINUTES OF:</b>                     |  |                              |
|              | A. December 18, 2013 Special Meeting – Attachment #1                                       |  | <b>ACTION</b>                |
|              | B. January 7, 2014 Regular Meeting – Attachment #2   |  | <b>ACTION</b>                |
| <b>V.</b>    | <b>REPORTS</b>   |  |                              |
|              | A. Chairman Report   |  | <b>DISCUSSION</b>            |
|              | B. Blaine County Report  |  | <b>DISCUSSION</b>            |
|              | C. City of Hailey Report   |  | <b>DISCUSSION</b>            |
|              | D. Airport Manager Report  |  | <b>DISCUSSION</b>            |
|              | E. Communication Director Report   |  | <b>DISCUSSION</b>            |
| <b>VI.</b>   | <b>AIRPORT STAFF BRIEF (5 Minutes Allotted)</b>  |  |                              |
|              | A. Noise Complaints  |  |                              |
|              | B. Parking Lot Update  |  |                              |
|              | C. Profit & Loss, ATCT Traffic Operations Count and Enplanement Data – Attachments #3 - #5 |  |                              |
|              | D. Review Correspondence – Attachment #6   |  |                              |
|              | E. Airport Weather Interruptions   |  |                              |
|              | F. Administrative Brief  |  |                              |
| <b>VII.</b>  | <b>UNFINISHED BUSINESS</b>   |  |                              |
|              | A. Airport Solutions   |  |                              |
|              | 1. Existing Site   |  |                              |
|              | a. Plan to Meet 2015 Congressional Safety Area Requirement                                 |  |                              |
|              | i. Formulation   |  | <b>DISCUSS/DIRECT/ACTION</b> |
|              | • Airport Layout Plan  |  |                              |
|              | • Capital Improvement Program (CIP) – Attachment #7  |  |                              |
|              | • Cash Flow to Support CIP   |  |                              |
|              | ii. Project 2 Relocate/Extend Taxiway B and Runway Safety Area Grading                     |  | <b>DISCUSS/DIRECT/ACTION</b> |
|              | • 65% Design Review  |  |                              |
|              | iii. Project 3 Terminal Reconfiguration SOW – Attachments #8, #9                           |  | <b>DISCUSS/DIRECT/ACTION</b> |
|              | iv. Project 4 Airport Operations Building SOW – Attachments #10, #11                       |  | <b>DISCUSS/DIRECT/ACTION</b> |
|              | v. Project 5 Terminal Apron Reconstruction/Site Preparations                               |  | <b>DISCUSS/DIRECT</b>        |
|              | vi. Hangar Acquisition   |  | <b>DISCUSS/DIRECT</b>        |
|              | b. Master Plan SOW – Attachments #12, #13  |  | <b>DISCUSS/DIRECT/ACTION</b> |
|              | c. Retain/Improve/Develop Air Service  |  |                              |
|              | i. Fly Sun Valley Alliance Update – Attachments #14, #15                                   |  | <b>DISCUSS/DIRECT</b>        |
|              | ii. Small Community Air Service Development Program Grant                                  |  | <b>DISCUSS/DIRECT</b>        |
| <b>VIII.</b> | <b>NEW BUSINESS</b>  |  |                              |
|              | A. March, April, May 2014 FMAA Meeting Dates   |  | <b>DISCUSS/DIRECT/ACTION</b> |
| <b>IX.</b>   | <b>PUBLIC COMMENT</b>  |  |                              |
| <b>X.</b>    | <b>EXECUTIVE SESSION – I.C. §67- 2345 (1)(f)</b>   |  |                              |
| <b>XI.</b>   | <b>ADJOURNMENT</b>   |  |                              |

FRIEDMAN MEMORIAL AIRPORT AUTHORITY MEETINGS ARE OPEN TO ALL INTERESTED PARTIES. SHOULD YOU DESIRE TO ATTEND A BOARD MEETING AND NEED A REASONABLE ACCOMMODATION DO SO, PLEASE CONTACT THE AIRPORT MANAGER'S OFFICE AT LEAST ONE WEEK IN ADVANCE BY CALLING 788-4956 OR WRITING TO P.O. BOX 929, HAILEY, IDAHO 83333.

**II. OATH OF OFFICE**

**A. Independent Board Member**

The Amended and Restated Joint Powers Agreement states that the Independent Member shall serve a two-year term commencing on January 1 of the year of appointment.

At the January 7, 2014 FMAA meeting, the Board approved Board Member Fairfax to continue as the Independent Board Member until term expiration of December 31, 2014.

BOARD ACTION: 1. Administer Oath of Office

**IV. APPROVE FRIEDMAN MEMORIAL AIRPORT AUTHORITY MEETING MINUTES**

**A. December 18, 2013 Special Meeting – Attachment #1**

BOARD ACTION: 1. Action

**B. January 7, 2014 Regular Meeting – Attachment #2**

BOARD ACTION: 1. Action

**V. REPORTS**

**A. Chairman Report**

This item is on the agenda to permit a Chairman report if appropriate.

BOARD ACTION: 1. Discussion

**B. Blaine County Report**

This item is on the agenda to permit a County report if appropriate.

BOARD ACTION: 1. Discussion

**C. City of Hailey Report**

This item is on the agenda to permit a City report if appropriate.

BOARD ACTION: 1. Discussion

**D. Airport Manager Report**

This item is on the agenda to permit an Airport Manager report if appropriate.

BOARD ACTION: 1. Discussion

**E. Communications Director Report**

This item is on the agenda to permit a Communications Director report if appropriate.

BOARD ACTION: 1. Discussion

**VI. AIRPORT STAFF BRIEF (5 Minutes Allotted)**

**A. Noise Complaints**

There are no noise concerns to report for January.

**B. Parking Lot Update**

**The Car Park Gross/Net Revenues**

Month	FY 2011 Gross	FY 2011 Net	FY 2012 Gross	FY 2012 Net	FY 2013 Gross	FY 2013 Net
December	\$11,029.94	\$3,860.48	\$12,358.00	\$4,189.80	\$15,115.00	\$5,931.74

**C. Profit & Loss, ATCT Traffic Operations Count and Enplanement Data - Attachments #3 - #5**

Attachment #3 is Friedman Memorial Airport Profit & Loss Budget vs. Actual. Attachment #4 is 2001 - 2013 ATCT Traffic Operations data comparison by month. Attachment #5 is 2013 Enplanement, Deplanement and Seat Occupancy data. The following revenue and expense analysis is provided for Board information and review:

**November 2012/2013**

Total Non-Federal Revenue	November, 2013	\$121,574.95
Total Non-Federal Revenue	November, 2012	\$99,336.38
Total Non-Federal Revenue	FY '14 thru November	\$327,974.34
Total Non-Federal Revenue	FY '13 thru November	\$310,746.81
Total Non-Federal Expenses	November, 2013	\$218,322.90
Total Non-Federal Expenses	November, 2012	\$181,394.12
Total Non-Federal Expenses	FY '14 thru November	\$442,456.63
Total Non-Federal Expenses	FY '13 thru November	\$409,073.57
Net Income to include Federal Programs	FY '14 thru November	\$-195,708.20
Net Income to include Federal Programs	FY '13 thru November	\$-406,812.44

**D. Review Correspondence - Attachment #6**

Attachment #6 is information included for Board review.

**E. Airport Weather Interruptions**

Airline	January, 2014	
	Flight Cancellations	Flight Diversions
Horizon Air	4	10
Delta	0	10
United Express	0	10

**F. Administrative Brief**

**1. PFC Project Status**

**a. PFC 12-08-C-00-SUN**

**PFC 12 Project Status as of 12/31/13**

Project No.	Project Description	PFC Approved Collection Amt.	Actual Project Expense	Project Exp. Over/Under App. Collection	Adjusted PFC Eligible Expense	Amount Drawn	Amount Remaining to Draw	Project Status
001	Purchase Snow Removal Equip.	\$300,000.00	\$326,933.00	\$26,933.00	\$300,000.00	\$300,000.00	\$0.00	Complete
002	Security Improvements	\$209,000.00	\$215,381.00	\$6,381.00	\$209,000.00	\$35,924.00	\$173,076.00	Complete
003	Implementation & Admin.	\$18,500.00	\$17,722.00	-\$778.00	\$17,722.00	\$17,722.00	\$0.00	Complete
<b>Total:</b>		<b>\$527,500.00</b>	<b>\$560,036.00</b>	<b>\$32,536.00</b>	<b>\$526,722.00</b>	<b>\$353,646.00</b>	<b>\$173,076.00</b>	

**b. New PFC Application**

Project Description	AIP Grant Number	Project Cost	AIP Grant Amount (93.75%)	AIP Grant Match/PFC Funds	Project Status
RSA Formulation	AIP 038	\$710,000.00	\$665,625.00	\$44,375.00	Preliminary
Purchase SRE	Non-AIP	\$500,000.00	N/A	\$500,000.00	Preliminary
Master Plan	Non-AIP	\$550,000.00	N/A	\$550,000.00	Preliminary
Relocate South Taxiway	AIP 039	\$2,685,000.00	\$2,517,187.00	\$167,813.00	Preliminary
Safety and Standard Improvements 2013-2016	N/A	\$21,728,976.00	\$20,370,915.00	\$1,358,061.00	Preliminary
Runway Rehabilitation	Non-AIP	\$150,000.00	N/A	\$150,000.00	Preliminary
PFC Administration	Non-AIP	\$16,920.00	N/A	\$16,920.00	Preliminary
<b>Total</b>		<b>\$26,340,896.00</b>	<b>\$23,553,727.00</b>	<b>\$2,787,169.00</b>	

A Draft 5500-1 PFC Application was submitted to the FAA Helena ADO PFC specialist for review on November 19, 2013. The FAA determined that an airspace evaluation is necessary for the RSA projects. Once completed, the Final PFC Application will be submitted.

## 2. AIP Project Status

	Project Description	Grant Amount	Expenditures to Date	95% of Eligible Expenses	93.75% of Eligible Expenses	Grant Amount Remaining	Grant/Project Status
<b>Existing Airport</b>							
37	Conduct 90-Day Airport Safety Area Standards Study	\$237,230.00	97,160.00	N/A	\$91,087.00	\$146,142.50	ACTIVE
38	RSA Project Formulation to bring airport into compliance with C-III standards.	\$691,860.00	651,741	N/A	\$611,007.00	\$80,853.00	ACTIVE
39	RSA Project Phase I & II	\$2,234,754.00	1,240,313.00		\$1,162,793.00	\$1,071,961.00	ACTIVE
<b>Replacement Airport</b>							
04	Conduct environmental study for replacement airport for Friedman Memorial Airport, Hailey, Idaho (Phase 4)	\$2,500,000.00	\$1,543,570.77	\$1,466,391.00	N/A	\$1,033,609.00	ACTIVE

## VII. UNFINISHED BUSINESS

### A. Airport Solutions

#### 1. Existing Site

##### a. Plan to Meet 2015 Congressional Safety Area Requirement

##### i. Formulation – Attachment #7

- Airport Layout Plan has been submitted to FAA for final review. The document will return to the Board for approval, after FAA review is complete.
- Capital Improvement Program (CIP) - The Board approved the CIP at the last meeting. The CIP was structured based on assumed levels of FAA funding for FY 2014. Following the meeting, FAA indicated that there was a potential for additional funds in FY 2014, and the CIP included at Attachment #7 reflects a more aggressive approach this year. The total amount of the CIP remains unchanged.
- Cash Flow to Support (CIP) – The cash flow to support the project is unchanged since this CIP facilitates the FAA's grant process for FY 2014. Actual year of expenditure should not change. The Airport Manager is monitoring the entire project and will present cash flow changes in the future if changes present.

BOARD ACTION: 1. Discuss/Direct/Approve revised CIP for transmittal to the FAA.

ii. **Project 2 – Relocate/Extend Taxiway B and Runway Safety Area Grading**

The 65% design review for this project was held at the airport on January 28<sup>th</sup>. T-O Engineers will be submitting the 95% design review on February 12<sup>th</sup> and the project will go to bidders on February 19<sup>th</sup>. Dave Mitchell of T-O will provide a project update at the meeting, including the anticipated schedule. The schedule for this project may require a special meeting for the purpose of awarding the project in time for the anticipated start date. This will be discussed at the meeting, as well.

BOARD ACTION: 1. Discuss/Direct/Action

iii. **Project 3 Terminal Reconfiguration SOW – Attachments #8, #9**

Some revisions to the Scope of Work (SOW) for Project 3 were made following the January meeting. These changes were intended to clarify certain aspects of the project and are tracked in the SOW as Attachment #8 for Board Member review. A proposed fee from the T-O/Mead & Hunt team is included as Attachment #9. The final SOW and this proposed fee will be presented at the Board meeting. An Independent Fee Estimate is being prepared and Staff requests Board approval of the fee "not to exceed" \$1,259,979 along with authorization to complete negotiations, subject to FAA and Legal Counsel review.

BOARD ACTION: 1. Discuss/Direct/Approve revised Scope of Work and fee not to exceed \$1,259,979 and direct Staff to proceed with negotiation and coordination with FAA.

iv. **Project 4 Airport Operations Building SOW – Attachments #10, #11**

As with Project 3, clarifying revisions to the SOW for Project 4 were made following the January meeting. The revised scope is included at Attachment #10. Attachment #11 is a proposed fee from the T-O/Ruscitto, Latham, Blanton (RLB) team. Both will be presented at the Board meeting. An Independent Fee Estimate is being prepared for this project as well and Staff requests Board approval of the fee "not to exceed" \$536,810 and authorization to complete negotiations, subject to FAA and Legal Counsel review.

BOARD ACTION: 1. Discuss/Direct/Approve revised Scope of Work and fee not to exceed \$536,810 and direct Staff to proceed with negotiation and coordination with FAA.

v. **Project 5 Terminal Apron Reconstruction/Site Preparations**

Project 5 will include reconstruction of the terminal apron to strengthen and reconfigure the apron for air carrier traffic. This project will also include site preparations for the terminal addition, airport operations building and replacement hangar sites at the north end of the airport. T-O is beginning the scoping effort for this project and will provide a brief introduction at the meeting. The Board can expect to see a proposed SOW at the March meeting.

BOARD ACTION: 1. Discuss/Direct

**vi. Hangar Acquisition**

Property appraisals for the hangars and USFS facility proposed for acquisition are underway. Appraisals are expected by mid-February, with review appraisals following immediately thereafter. Once appraisals have been received, Staff and Legal Counsel will move forward with the negotiation, with some assistance from T-O.

BOARD ACTION: 1. Discuss/Direct

**b. Master Plan Scope Of Work – Attachments #12, #13**

Based upon the Board's direction to move forward with an updated Master Plan, Board Member and Staff feedback has been assembled by the consultant. During the January Board meeting, a scope outline was presented for comment. Based on feedback received, a draft scope has been developed and a projected schedule has been updated. Attachments #12, #13 are the scope and schedule and are provided for comment. Request Board approval to proceed with minor revisions based on any Board comment offered in the meeting. Revisions would be coordinated by Airport Staff and the Board Chair, in coordination with FAA review. Based upon a scope that meets the Board's intent, an Independent Fee Estimate process would proceed in the coming months and the revised scope and fee would return to the Board task order approval.

BOARD ACTION: 1. Discuss/Direct/Action

**c. Retain/Improve/Develop Air Service**

**i. Fly Sun Valley Alliance Update – Attachments #14, #15**

Attachment #14 is the December 19, 2013 Fly Sun Valley Alliance Meeting Minutes. Attachment #15 is the January 16, 2014 Fly Sun Valley Alliance Meeting Agenda.

This item is on the agenda to permit a Fly Sun Valley Alliance report if appropriate.

BOARD ACTION: 1. Discuss/Direct

**ii. Small Community Air Service Development Program Grant**

FMAA received a Small Community Air Service Development Program grant offer from the U.S. Department of Transportation (DOT) on January 8, 2014. Chairman Fairfax executed the grant on January 14, 2014 and the Grant Agreement was returned to DOT. As this Board brief was being prepared, the grant agreement had not yet been returned by DOT, but this formality will not delay Staff in putting the appropriate controls and grant administration in place. You may recall that this is a \$709,000 total project. \$500,000 will be the federal share and the local share will be \$209,000. The Airport is part of that \$209,000 local share. The Airport will be contributing \$10,000 for marketing and \$24,000 for monitoring. The Airport also has an in-kind grant match of \$18,000 in waived landing fees and \$7,000 for grant administration.

BOARD ACTION: 1. Discuss/Direct

## Exhibit A

### Master Plan Update Scope of Services

Friedman Memorial Airport  
Hailey, Idaho

In an effort to establish a solid plan for development of the Friedman Memorial Airport in the future, the Friedman Memorial Airport Authority (FMAA), operators of the Friedman Memorial Airport (Airport), along with the Federal Aviation Administration (FAA) Helena Airports District Office (FAA-ADO) in Helena, Montana, have elected to undertake a study to update the Master Plan for the Airport. This study will address changes in the airport's operational and improvement environment since the completion of previous planning processes, including, but not limited to: changes in air service patterns; changes in development priorities; changes in natural environment and land use compatibility considerations; changing regional economic impact considerations; and, evolving factors related to proper financial management to enable the airport to meet operational and capital improvement fiscal needs. Mead & Hunt (Consultant) was selected to lead the consulting team in the provision of the services required to update the Airport's Master Plan. This Scope of Services covers the planning services and tasks associated with an update of the Airport's Master Plan. This document provides information on the following important aspects of the project:

- Background information describing the context in which the master planning effort will be accomplished;
- Areas of emphasis for this master planning effort; and
- Project scope elements, describing the actual work activities, responsibilities, and level of effort

#### **Background Information**

The Friedman Memorial Airport is located on approximately 209 acres in the City of Hailey, Idaho. The Airport is the primary airport providing commercial and general aviation air services for the Wood River Valley and South Central Idaho, including the communities of Hailey, Bellevue, Ketchum, Sun Valley, and Carey. It is located at the southern limits of the City of Hailey, north of the City of Bellevue.

The Airport faces numerous design and reliability constraints at its existing site, including but not limited to non-compliance with FAA design standards related to size of aircraft operating at the airport; surrounding mountainous terrain that limits aircraft approaches and departures; and an Airport property footprint that restricts its ability to meet potential long-term needs. For several decades, the FMAA has evaluated the limitations of the current Airport site and explored the

potential need to replace the Airport at an alternate site that poses fewer constraints. Previous planning studies that have evaluated issues at the current site, as well as the potential for relocating the airport, include:

- 1985 Airport Master Plan and Noise Compatibility Study
- 1990 Airport Feasibility Study
- 1994 Master Plan Update
- 2004 Master Plan Update
- 2006 Airport Site Selection and Feasibility Study

Based on the findings and recommendations of these previous planning studies, the FAA and FMAA began an Environmental Impact Statement (EIS) process for a proposed replacement airport for the Wood River Valley. The EIS was suspended by the FAA in August 2011 due to project cost and environmental concerns. Following the suspension, FAA requested that the community to go through a public process and determine a path forward. The FMAA lead an 18 month process and adopted a "dual path" approach, which is supported by the FAA. The "dual path" approach is based on a continued effort to pursue a replacement airport in the long-term, while exploring solutions to issues associated with the current site that will allow the Airport to maintain, support, and develop air service in the near-term.

Following suspension of the EIS process for the replacement airport, the FAA issued a Finding of No Significant Impact (FONSI) for an airline operations specification revision that allowed initiation of service by CRJ-700 regional jets, and reinforced the Congressionally mandated deadline of December 31, 2015, for the current Airport site to comply with runway safety area criteria. For these reasons, there has been a renewed focus on solving long-standing issues at the existing Airport site. An Airport Alternatives Technical Analysis study completed in January 2013 explored several alternatives for modifying the airfield to comply with FAA runway protection and separation standards, as well as alternatives for solving existing issues with a combination of airfield improvements and FAA Modifications to Standards (MOS's). The Technical Analysis study resulted in a preferred alternative for the immediate future (Alternative 6) that includes taxiway modifications, removal of some on-Airport buildings and structures, and several MOS's. Based on the recommendations of the Technical Analysis, the FAA approved six MOS's in November 2013 that stipulate specific airfield improvements while imposing restrictions on aircraft types and operating procedures.

The recently approved MOS's essentially limit use of the Airport to aircraft less than 95,000 pounds gross weight with wingspans less than 100'. Another similar alternative (Alternative 7) proposed by the Technical Analysis study could involve some land acquisition (41 acres) in order to allow for replacement of displaced aircraft parking and structures associated with the taxiway modifications proposed under Alternative 6. However, there is currently an intergovernmental agreement between Blaine County and the City of Hailey that restricts the Airport from growing outside its existing boundary. Thus, any land acquisition recommendations for the existing airport site will need to be based on necessity to support the survival and quality of future air service.

Alternative 6 will be used as basis for airport development until the end of 2015 in order to resolve runway safety area issues.

Given the renewed focus on the existing Airport site, and because the MOS's will be re-evaluated by FAA a minimum of every five years, the FMAA has identified the need to update its Master Plan to identify near-term and long-term facility needs, and to further evaluate the ability of the existing Airport site to meet those needs. In accordance with the FMAA's "dual path" approach, the over-arching purpose of the Master Plan Update is to satisfy the operational requirements of all existing and potential future commercial and general aviation users, whether at the existing Airport site or at a replacement site, when activity levels warrant.

In accordance with the FAA's guidance included in FAA Advisory Circular 150/5070-6B, *Airport Master Plans*, an airport master plan is a comprehensive study that address short-, medium- and long-term plans for airport development includes the following elements:

- 1) Existing conditions inventory;
- 2) Aviation activity forecasts;
- 3) Facility requirements (needs) determination;
- 4) Improvement alternative development and evaluation;
- 5) Preparation of recommended airport improvement plan;
- 6) Rationale for unusual design features and/or modifications to FAA Airport Design Standards;
- 7) Summary of the various stages of airport development and layout sketches of the major items of development in each stage.
- 8) Preparation long-range Capital Improvement Plan;
- 9) Update of Airport Layout Plan drawing set.

### **Master Plan Areas of Emphasis**

- Pursuit of a "dual path" approach that utilizes the existing airport site for the near-term, and identifies the "most technically feasible" relocation sites for the long-term
- Update of forecasts of aviation activity in consideration of constraints associated with existing airport site.
- Define ultimate airside configuration for SUN, using Airport Alternatives Technical Analysis Alternative 6 as a basis.
- Define ultimate landside configuration for SUN, using Airport Alternatives Technical Analysis Alternative 7 as a basis.
- Identification of an ultimate concept for the layout of passenger terminal area for SUN, including space reservation for terminal building and support facilities.
- Identification of site for a relocated airport traffic control tower for SUN, including initial coordination with FAA.
- Identification of "necessity based" land acquisition priorities for SUN in consideration of City of Hailey and Blaine County established strategic guidance.

- Identification of potential improvements related to SUN's instrument approach capabilities from available data.
- Provide guidance on requirements for future environmental studies required to implement improvement recommendations.
- Summarize previously prepared planning documents related to a replacement airport site and recommend the most feasible sites to "protect".

## Reference Documents

Components and preparation for both the Master Plan Update narrative and revisions to the Airport Layout Plan shall include all items required by the new ALP checklist contained in FAA Standard Operating Procedure (SOP) 2.00, *Standard Procedure for FAA Review and Approval of Airport Layout Plans (ALPs)*; the Airport Master Plans Advisory Circular (AC 150/5070-6B – including latest changes and revisions); the Airport Design Advisory Circular (AC 150/5300-13A – including latest changes and revisions); and other applicable FAA Orders, Federal Aviation Regulations (FAR) and Advisory Circulars. In particular, the project shall be completed in conformance with applicable portions of:

- FAA Order 1050.1 Policies and Procedures for considering Environmental Impacts.
- FAA Order 5050.4 Airport Environmental Handbook, including current federal and state environment laws and requirements.
- FAA Order 8260.3, TERPS.
- 14 CFR Part 77, Safe, Efficient Use, and Preservation of the Navigable Airspace.
- FAA Order 5000.3 Coordination with the Federal Highway Administration.
- FAA Order 7400.2, Procedures for Handling Airspace Matters.
- FAA Order 5100.38, Airport Improvement Program (AIP) Handbook.
- FAA Order 7031.2, Airway Planning Standard Number One – Terminal Air Navigation Facilities and Air Traffic Control Standard.
- AC 150/5060-5, Airport Capacity and Delay.
- AC 150/5300-16A General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey.
- AC 150/5300-17C General Guidance and Specifications for Aeronautical Survey Airport Imagery Acquisition and Submission to the National Geodetic Survey.
- AC 150/5300-18B General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards.
- Other Applicable FAA Advisory Circulars, Orders and Regulations.

## Project Scope Elements

The following sections describe the project scope elements for this master planning effort. They are organized as follows:

1. Study Design

2. Project Management, Coordination, Communication
3. Public Information, Education, and Outreach (Study Committee Meetings, Public Information Meetings, Meetings with Airport Authority, etc.)
4. Data Collection / Inventory
5. Projections of Aviation Demand
6. Demand Capacity Analysis
7. Facility Requirements
8. Alternatives Analysis
9. Environmental Overview and Land Use Plan
10. Financial Feasibility Analysis
11. Airport Layout Plan Update
12. Master Plan Approval Process
13. Documentation

## 1. Study Design

It is important at the onset of the planning process to define a detailed Scope of Services for conduct of the master planning effort. The study design includes development of a comprehensive Scope of Services, definition of effort necessary to accomplish the work scope, and preparation of realistic work effort and cost budgets for completing the work. It also serves to organize the project planning team, which includes Mead & Hunt, its sub-consultants, Airport Management, and other consultants working for the Airport, so that the necessary study efforts are effectively executed and the participant roles and responsibilities are clearly defined.

### 1.1 Scope of Services and Contract Documents

The effort for this task includes preparation of this scope of services for the master planning efforts. The deliverables for this element will be draft and final scope of services, project schedule, an agreed-upon project planning budget and an agreement for the proposed planning work. Specialty sub-consultants and their scope of work will be identified and included in the process. The scope of services, the schedule and the budget will all be detailed by study element. In addition, the budget will be identified using rates by role, labor hours by task, person-trips, reimbursable costs and specialty sub-consultant budgets. The effort includes one (1) meeting at the FAA's Helena ADO (attended by 1 Mead & Hunt employee).

These documents will form the basis of the agreement to provide professional services for this project. This task includes one (1) trip to Hailey to review scope with FMAA, with a contingency budget for one (1) additional scope review or "Master Planning 101" FMAA briefing to be held if necessary (see task 12.1).

Following agreement on the draft scope and fee basis with the Sponsor and the FAA, a final scope will be prepared, along with sponsor and sub-consultant contracts.

## 2. Project Management, Coordination and Communication

Projects such as this study demand a refined approach to project management to achieve success. This is especially true at the beginning of the process when the goals, direction, criteria, assumptions, roles, and expectations are developed. Continuous and timely coordination with the Airport and its designated project manager will be provided throughout the study. Project management tasks will continue throughout all aspects of the agreed-upon 18-month project schedule. The project management and coordination process includes the following tasks:

### 2.1 Project Management

This effort includes communication among the project team for purposes of tracking the progress of the studies. Managing the various technical work tasks among the project team is necessary for a successful project. Project management duties will include:

- Developing and documenting the project plan
- Organizing the project team
- Launching the project activities
- Executing project activities
- Monitoring and controlling the project to achieve results
- Managing/mitigating risks and solving challenges
- Invoicing and monitoring project budget
- Preparing FAA Grant Applications and/or requests for reimbursements
- Closing out the project

### 2.2 Sponsor Coordination

Regular project status briefings will take place throughout the study process. These briefings will take place in person or via a telephone call or email between the Airport's Project Manager and Mead & Hunt's Project Manager or assistant Project Manager. These briefings will include status reports of current work, upcoming meetings and work effort and discussion of any challenges in the study effort which may affect the schedule, process or budget.

Airport Primary Point of Contact

Rick Baird, Airport Manager

Mead & Hunt Point of Contact

Mark McFarland, Project Manager

Mead & Hunt Point of Contact

Scott Cary, Program Manager

Mead & Hunt Point of Contact

Evan Barrett, Assistant Project Manager

Specific critical needs of this project will be identified for related consultant support. This scope of services anticipates 18 monthly meetings, 6 of which will be on site (held in conjunction with other meetings) and 12 via teleconference.

### **3. Public Information, Education, and Outreach**

For this master planning effort, the public outreach effort will focus on regular briefings to the FMAA Board and two public information meetings (open houses).

#### **3.1 FMAA Board Meetings**

Mead & Hunt believes that coordinating with the Friedman Memorial Airport Authority will be a vital part of the overall project and will help to best assess airport issues and proposed development options. Interaction with the FMAA Commissioners and Staff will be essential for the review and assessment of project information.

Mead & Hunt staff will conduct five (5) presentations at regular meetings of the FMAA board over the course of the project to provide briefings on project progress, and to promote interaction among the FMAA Commissioners, Staff, and Consultant team. These meetings will be scheduled to coincide with critical decision points in the process and be used to solicit information and responses from FMAA Commissioners and Staff regarding information presented by the Consultant team. This scope also includes a contingency budget for up to three (3) additional FMAA meetings, if necessary (see Task 12.2). Each FMAA meeting will be attended by at least one (1) Mead & Hunt staff.

The content and format of the FMAA board presentations will be decided upon by the Airport Staff and Mead & Hunt. It is anticipated that FMAA board presentations will be held following the preparation of the following draft work products:

- Forecasts of Aviation Activity
- Facility requirements and preliminary airport development alternatives
- Finalized development alternatives and conceptual airport development plan
- Improvement project recommendations and project phasing
- Draft final report

The draft work products will be provided to the FMAA Board approximately two weeks before each presentation to allow advance review by FMAA Commissioners.

#### **3.2 Public Information Meetings**

Two (2) Public Information Meetings will be held during the course of the master planning process. The purpose of these meetings is to inform interested citizens about progress on the Master Plan Update. The Consultant will be responsible for the preparation of all meeting materials, while the Sponsor will be responsible for securing a location for the meeting, along with publicity and meeting notifications. For budgeting purposes, it is assumed the Public Information Meetings can be scheduled to coincide with the FMAA board presentations described above. It is anticipated that Public Information Meetings will be held following the preparation of the following draft work products:

- Facility requirements and preliminary airport development alternatives
- Improvement project recommendations and project phasing

#### **4. Background Information / Inventory**

This phase of the project involves the establishment of a sound basis for plan and program development through the assimilation and documentation of appropriate base data. Maximum utilization of existing information which is current and applicable to the objectives and overall intent of this study will be made to avoid redundancy and unnecessary data collection.

In addition to the traditional airport master plan inventory tasks (existing on-airport facilities, surrounding land use, airspace considerations, etc.) this element will include a review of Blaine County and City of Hailey established strategic guidance, along with a summary review of the planning and environmental documentation which has been completed for the replacement airport.

##### **4.1 Identification of Available Information**

Existing (secondary) data and information, such as, but not necessarily limited to, documents, maps, studies and projects currently underway or in the planning stages (on and off airport property and in the vicinity) that may directly or indirectly influence this study effort will be identified, reviewed, and documented. Such information would include, but not be limited to:

- Existing regional and state airport system plans.
- Existing airport layout plans.
- Comprehensive planning/growth management documents.
- Existing land use and land use zoning.
- Surface transportation plans.
- Utility plans.
- Engineering reports.
- City/County master plans.
- Previous environmental studies.
- Minimum revenue guarantee (MRG) agreements.
- Documentation prepared for airport improvement projects.

This effort will assure initial and continued coordination among local governments and will involve research in locating secondary data sources, and notifying and consulting appropriate local and regional officials and agencies in this regard.

State enabling legislation and local land use controls will be documented. The Consultant will review State and FAA airport plans and Capital Improvement Program files with regard to Friedman Memorial Airport. The product of this task will be a summarization of all data, information and plans relating to the development of the Airport to serve as input to future tasks.

In accordance with the Master Plan's "dual path" approach, Landrum & Brown will develop a summary of information related to planning and environmental documentation previously completed for the replacement airport process.

#### **4.2 Update Base Mapping for Airport Layout Plan and Master Plan Report Graphics**

A complete Airports GIS survey effort was conducted in 2012 as part of project formulation for the Airport Alternatives Technical Analysis study completed in January 2013. This survey included collection of aerial photography imagery, planimetric/topographic mapping, and obstruction identification. This data is loaded to the FAA Airports GIS for use in multiple future projects; therefore, no aerial photography, mapping, or obstruction survey will be conducted for the Master Plan. The base mapping for the airport will be updated using the existing information, data and mapping provided by the Airport to the consultant.

#### **4.3 Facilities Inventory**

From secondary information sources and on-site observations, the Consultant team will inventory facilities within the boundaries of Friedman Memorial Airport. The inventory will include the physical layout of buildings (exterior only), runways, taxiways, airfield lighting, aprons, on-airport roadways, and navigational/electronic landing aids. This will result in a facilities inventory recording, serving as information for the demand/capacity analysis and overall database and informational program. The facilities information that is gathered will result in written and graphic documentation in the Airport Master Plan, as well as technical drawing file documentation (AutoCAD) for use in preparation of the Airport Layout Plan.

#### **4.4 Existing Land Use and Zoning Inventory**

Existing land uses and land use zoning in the vicinity of the Airport will be reviewed as part of this task. General boundaries can be initially established for ascertaining land use and zoning patterns based on flight tracks and the delineation of the airport environs. This environs area would then be refined, but would extend a minimum of one mile off each runway end and one-half mile off the sides of the runway. Potential wildlife hazards and other natural characteristics that will impact development and planning on and off Airport property will be identified. Key transportation routes and public utility rights-of-way will also be identified.

The product of this task is a comprehensive inventory of existing land use and land use zoning patterns within the vicinity of the Airport and input to later tasks.

#### **4.5 Airspace and NAVAIDS Inventory**

The Consultant team will identify and present how airspace utilization affects operations and is affected by operations at the Airport. This will provide an inventory and assessment of all procedures and the utilization of airspace that is potentially affected by, or affects, operational activity at the Airport.

The product of this task is a complete inventory and assessment of the utilization of airspace which is potentially affected by or affects operational activity at the Airport.

#### **4.6 Environmental Conditions Inventory**

Through the use of existing (secondary) sources, prior environmental documents, and internet-based research, the Consultant will prepare an environmental inventory/overview of the Airport's environmental setting, which will identify critical environmental resources. The Consultant will identify and map physical and environmental conditions in the Study Area from existing information sources. If existing, the Consultant will describe the natural limitations for development, including floodplains and flood ways, prime farmlands, wetlands, air concerns, Brownfield areas, remediation areas, Section 4(f) recreational land, and any other potential environmental issues. The Consultant is not responsible for the accuracy of information that is provided by other sources, but will use standard resources, such as FEMA floodplain mapping, NRCS Soil Surveys, and the US Fish and Wildlife Service National Wetland Inventory, etc., along with previously prepared environmental documentation, as available. This task does not include any on-site surveys of environmental conditions or resources.

#### **4.7 Wind Data Collection and Analysis**

Wind data for use and analysis in the Facility Requirements element will be acquired from the National Oceanic and Atmospheric Administration (NOAA). The data will be formatted as specified by the FAA for use on the Airport Layout Plan and for runway orientation analysis.

#### **Deliverables**

The data collection and inventory effort will summarize existing facilities and conditions at the Airport as well as information and direction necessary to develop subsequent elements of the Airport Master Plan Update. Deliverables for this task will include a text and graphics summary pertaining to the existing facilities at the Airport along with existing land use, zoning, City/County Master Plans, and previous planning studies. This summary will provide the basis for the Inventory chapter of the Master Plan Update.

### **5. Forecasts of Aviation Activity**

Development of projections of aviation demand is a key element in the planning process and is important data to be used in determining current and future Airport needs; in assessing the environmental affects of proposed actions; and in determining the economic implications of future growth and development.

Projections will take into consideration the physical constraints associated with the existing airport site and related aircraft use restrictions. Regarding establishment of a recommended forecast, a low forecast scenario will be established to use in testing to assure that financial recommendations are fiscally judicious and a high forecast will be established to test the adequacy of programmed facility improvements to accommodate demand that is beyond the recommended forecast. In accordance with the Master Plan's "dual-path" approach, activity level triggers will be identified that would require relocating the Airport to a replacement site.

### 5.1 Collect and Evaluate Existing Aviation Activity Data

This task will focus on reviewing and evaluating existing operational data for airport operations, collecting and updating, as appropriate, the aircraft fleet mix and flight procedures. Sources of information may include local, regional and national economic determinants and trends, airport tenants, and, potentially, ground observations.

The importance of assessing future trends relating to airport utilization and operational activity levels is significant in the development of an Airport Master Plan. Many of the proposals and recommendations of the plan are based on projected demands identified in the forecasts. To a certain degree, this aspect of the master planning process acts as the hub for the recommendations provided in remainder of the plan. Therefore, the importance of accurate and defensible forecasts must be emphasized.

### 5.2 Aviation Activity Evaluation and Projections

Mead & Hunt will compile a summary of aviation activity and operational data for Friedman Memorial Airport to indicate historical growth and present a basis for statistical analysis of based aircraft, aircraft fleet mix, annual aircraft operations, and related factors.

Projections of aviation demand will be established for the 5-year, 10-year and 20-year planning horizons. As part of this element, appropriate regional, state, and national aviation trends and existing (independent) projections will be investigated. Historical aviation activity will also be analyzed for the Airport by demand component. Through interviews, as well as Airport records, the FAA's Terminal Area Forecast (TAF), the FAA's Traffic Flow Management System Counts (TFMSC), and the Bureau of Transportation Statistics, data will be obtained on activity levels, fleet mix, and based aircraft.

The following components of aviation demand will be projected for 5-, 10-, and 20-years:

- Passenger enplanements
- Aircraft operations
  - Commercial Service
  - General aviation (local/itinerant)
  - Military
- Based aircraft by type
  - Single-engine
  - Multi-engine
  - Turboprop
  - Turbojet
  - Rotor
- Aircraft fleet mix (based and operational)
- Air cargo volume
- Critical aircraft by Airport Reference Code (ARC)

Projections of aviation demand will be developed using standard forecasting methodologies, such as share of the market, regression analysis, time series analysis, and trend line analysis. Mead & Hunt will assess these forecasts with varying levels of certainty, analyzing the probability of a low, mid-level and high forecast scenario for total based aircraft, total aircraft operations, and total enplanements, and ultimately recommending a preferred forecast for each factor.

Results of this element will be used to determine future needs for airside, landside, and support facility components at the Airport. Methodologies used in this task will be reviewed with the Sponsor and the FAA Helena Airports District Office before the element is finalized. Close coordination will be maintained to ensure acceptance of the approach to the aviation activity projections.

Deliverables associated with this task will include a report which summarizes, with appropriate graphs, charts, maps, and drawings, the methods and results of the projections of aviation demand.

### **5.3 Forecasts Approval**

The Airport Master Plan forecasts will be compared with the FAA's TAF using the recommended FAA excel spreadsheets. The forecasts will be submitted to the FAA Helena Airports District Office for review and approval. Once reviewed by the FAA, these findings will be used as part of a chapter in the final Master Plan report.

#### **Deliverable: Working Paper**

Deliverables for this task will include an Inventory/Forecast working paper for review by Airport Authority, staff, and FAA. This working paper will provide the basis for chapters in the Master Plan report.

## **6. Demand/Capacity Analysis and Facility Requirements**

Within this task, current activity levels will be compared to the Airport's operational capacity, using established FAA criteria and the findings from previous work efforts (i.e. inventory and projections). Mead & Hunt will review the existing runway configuration to determine its capacity and limitations. The capacity of the Airport's existing aviation facilities will be compared to demand projections for the short-, intermediate-, and long-range planning periods (5-, 10-, and 20-years). Surpluses and deficiencies will be identified.

The Airport's ability to accommodate existing and projected activity will be determined using approved FAA capacity methodologies. The capacity, or level of activity at which unacceptable delay occurs, will be compared with aviation projections to determine if and when additional capacity should be provided in the future.

Required facilities will be identified through the inventory of existing facilities and the capacity analyses when compared to projections of aviation demand. Anticipated timing of required improvements will also be identified. FAA Advisory Circulars (AC) referenced as part of this task will include but not be limited to: AC 150/5300-13A, *Airport Design*; FAR Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*; 150/5060-5 *Airport Capacity and Delay*, and 150/5070-6B *Airport Master Plans*.

In consideration of the capacity of existing airport facilities to accommodate aircraft operations, passenger activity, landside access, aircraft parking/storage, etc., as well as the current FAA standards related to the physical layout of airport facilities, recommendation will be made with regard to improvements that will be necessary to adequately accommodate future demand. In accordance with the Master Plan's "dual path" approach, circumstances that would "trigger" the need for the airport to be relocated from its existing location to a less constrained site will be identified. Such triggers may include:

- Changes in commercial service aircraft size.
- New FAA guidance on airfield configuration, design standards, and acceptable Modifications of Standards.
- National economic conditions and changes in demand for Sun Valley recreational facilities;
- Changes in the needs of the local community.

#### **6.1 Airfield Capacity**

Using the FAA's methodology for calculating annual service volume (ASV), the Airport's annual operational processing capacity will be estimated. Inputs for this analysis include aircraft fleet mix, navigation aids, physical orientation of runways and taxiways, spacing of taxiway exits, percentage of the Airport's training activity, and peaking characteristics.

The recently published Airport Cooperative Research Program (ACRP) Report 79, *Evaluating Airfield Capacity*, will also be referenced as a cross check of the traditional ASV calculation as described in the previous paragraph. ACRP Report 79 includes a Prototype Airfield Capacity Spreadsheet Model for estimating an airport's ASV.

#### **6.2 Landside Capacity**

Landside facilities at the Airport will also be analyzed in terms of their capacity and ability to accommodate current and projected demand. Using FAA guidelines, as well as consultant-developed factors, capacities of landside facilities such as general aviation hangars and apron space will be determined. To determine their adequacy, these capacities will be compared to current and projected demand identified during the inventory and forecast elements.

The passenger terminal area facilities (air carrier apron, passenger terminal building, terminal area parking facilities) will also be analyzed. Special consideration will be given to the ability of the terminal building, air carrier apron, and parking facilities to satisfy the needs of the existing and potential future commercial aircraft fleet. Consideration will also be given to the terminal area

roadway system (including the terminal building/roadway system interface area and roadway signage).

### **6.3 Design Standard Review/Evaluation**

Using the 2013 Airfield Alternatives Technical Analysis study and recently approved Modifications of Standards as a starting point, existing and potential future airfield dimensional criteria will be evaluated. The facility analysis and recommendations related to the design aircraft and the existing and future physical layout of the runway/taxiway system at Friedman Memorial Airport are critical issues that will be addressed as soon as possible within the process of preparing the Master Plan Update. Existing and potential future deviations from FAA design standards, along with proposed remedies for those deviations, will be noted in the Master Plan Update document as well as on the ALP. General design/layout issues to be considered include: runway safety areas, runway/taxiway/apron separation, runway length, runway width, airfield layout, instrument approach capabilities, and navigational aids/lighting.

This task will also include an assessment of FAA's recent update to AC 150/5300-13A, *Airport Design*. Recent airfield design standard changes such as the Runway Design Code (RDC), the Runway Reference Code (RRC for each runway and the Taxiway Design Group (TDG) for each taxiway) will be reviewed and the potential impacts to airport facilities will be assessed.

### **6.4 Facility Requirements – Airfield and Support Facilities**

Utilizing current FAA planning criteria and the existing master plan documents, Mead & Hunt will review the overall facility needs based on projected future activity and the Airport's role in the local, regional and national aviation and economic system. Facilities to be analyzed include:

- Runways
- Taxiways
- Aircraft apron areas
- FBO, corporate, and general aviation facilities
- Aircraft storage and hangar areas
- Air cargo areas
- Support facilities such as maintenance, ARFF training facilities, and utilities
- Fuel farms
- Airport access and circulation

Future requirements will provide the basis for evaluating alternative development actions that might be adopted to satisfy the need for improved facilities. The facility requirements analysis for the Airport will focus on a number of specific issues that are most important to the Airport's future growth and development, including issues associated with both commercial and general aviation activity. This assessment will take into account existing facilities that the Airport will lose due to the Modifications of Standards, including aircraft parking apron, hangars, air traffic control tower, and fuel facilities. The alternatives analysis will identify, review, and evaluate options for accommodating these activities in their existing location over the planning period. The objective

of the facility requirements analysis will be to ensure that each of the Airport's functional aviation areas has long-term flexibility and growth potential that will enable it to respond to changing demand scenarios. Facility requirements will generally be tied to the 5-, 10-, and 20-year demand projections developed as part of this study.

### **6.5 Demand Triggers for Replacement Airport**

Potential demand related to operational capacity; changes in commercial service aircraft types; local, regional and national economic influences, etc., which would "trigger" the need to relocate the airport's operation to a new site will be identified. Along with the acknowledging the potential demand triggers, the expected timing for the occurrence of the triggers will be identified with the goal being to allow sufficient time to appropriately plan and finance the replacement airport.

#### **Deliverable: Working Paper**

Deliverables for this task will include a facility requirements working paper for review by Airport commissioners, staff, and FAA. This working paper will provide the basis for a chapter in the Master Plan report.

## **7. Development Alternatives and Recommended Plans**

Based on established goals and desires of the appropriate entities, a specific plan and program for airport development and improvement will be prepared representing recommendations which are workable, implementable, and defensible.

Using Technical Analysis Alternatives 6 and 7 as a starting point, and in consideration of anticipated facility needs, improvement alternatives will be formulated which will allow SUN to best accommodate forecast demand and best meet FAA facility layout standards. In addition, this element will include a recommended improvement program with planning-level cost estimates for capital improvement projects, preliminary phasing recommendations for capital projects and a preliminary financial feasibility review. In accordance with the Master Plan's "dual path" approach, this element will also include a siting evaluation and improvement program for a potential replacement airport based on sites and criteria developed for previous planning studies.

### **7.1 Goals Development**

Based on inventory findings, demand considerations, forecasts of aviation activity and input from airport staff and FAA; Mead & Hunt will assemble a series of goals that subscribe to the intent, direction and purpose of and for the existing Airport site. These goals will serve as a basis for the preparation of the Development Plan.

### **7.2 Prepare Airside Development Alternatives**

This task will identify and document feasible alternatives for an ultimate airside configuration (runways and taxiways) at the existing Airport site, using Airport Alternatives Technical Analysis Alternative 6 as a basis. This will include evaluation of options related to:

- The projected ultimate design aircraft;

- The existing and potential future Airport Reference Code (including the three factors that make up an ARC, the Aircraft Approach Category, the Airplane Design Group and the Taxiway Design Group) for the Airport in general and each runway and taxiway in particular;
- The operational capacity of the Airport;
- Implications with regard to instrument approach capabilities;
- Implications for runway length; and
- A comprehensive approach to the layout of the runway system in support of on-airport aviation-use development areas.

Such specific considerations as the configuration of the runway and taxiway system will be investigated, including alternatives related to the development of appropriate on-airport sites, including operational scenarios, runway length analysis, additional navigational facilities, utility influences, off-airport development, potential land acquisition, site development projects, regional roadway and other airport proposals and programs, as well as many other considerations to be determined as the planning process evolves. It is important that the alternative analysis and evaluation give adequate consideration to the physical development feasibility, environmental impact potential, noise exposure implications and development costs, all of which are included in various sections of this work program. This task will also have a specific focus on potential improvements related to SUN's instrument approach capabilities, based on available data.

Each airside alternative will be considered and evaluated in the process of establishing the development plan for the Airport, with generalized implications and consequences of each alternative being presented in written and graphic form. In doing so, the airside alternatives will be tested against established criteria, goals of the Airport and the County, and consistency with State and Federal requirements. If important, the fiscal impact of each alternative will be determined for purposes of comparative analysis. The results of this effort will assist in yielding a positive and unified direction for specific projects and establishing an overall framework for airport development.

### **7.3 ATCT Siting Analysis**

The recently approved Modification of Standards related to the Airport's runway object free area (ROFA) is conditioned on removal of the existing air traffic control tower (ATCT) located east of the runway, as it is currently within the ROFA. Therefore a future site for the ATCT will be identified by the Master Plan Update. Based on an analysis of United States Standards for Terminal Instrument Procedures (TERPS) criteria, FAR Part 77 criteria, sight distances and shadowing effects, and physical considerations such as infrastructure development, access, topography, and general location factors, and facility construction costs (using information obtained from FAA ANM-510 or other FAA sources), the Consultant shall prepare a location analysis for a new Airport Traffic Control Tower (ATCT). Potential sites shall be identified, based on the foregoing, with the opportunities and constraints of each site being presented. A final site shall be recommended that best meets the above criteria. This task includes initial coordination

(via telephone and/or email) with FAA regarding the siting analysis and recommended site; however, it does not include a meeting with FAA personal in any location other than Hailey.

#### **7.4 Landside Development Alternative Concepts, Including Terminal Area Considerations**

This task will identify and document feasible alternatives for an ultimate landside configuration at the existing Airport site (terminal, apron, hangars, FBO, etc), using Airport Alternatives Technical Analysis Alternative 7 as a basis. The analysis will take into account facilities lost as a result of the recently approved Modifications of Standards, including aircraft parking and hangars.

Landside alternatives development will include an evaluation of existing and potential future airport land use, as well as constraints and opportunities associated with the terminal area. Mead & Hunt will identify and quantify major physical constraints in the terminal area, as well as for other airport land that is not part of the "airside reservation" (i.e., those areas that are reserved for runway, taxiway and associated safety/object clearance criteria). Specifically, this will include alternatives related to development on all appropriate on-airport sites, including operational scenarios, utility influences, off-airport development, land acquisition, site development projects and programs, regional roadway and other airport proposals and programs, as well as many other considerations to be determined as the planning process evolves.

Although all potential landside uses will be considered (e.g., FBO facilities, general aviation, commercial/industrial aviation, airport operational support facilities and non-aviation airport support areas), alternatives that examine the long-term location and arrangement of facilities in the passenger terminal area, will be a special focus. Terminal area considerations include:

- The passenger terminal building size and location
- Commercial aircraft parking positions, including their relation to the terminal building
- The access roadway system
- The terminal building curb frontage area
- Passenger parking
- Employee parking
- Rental car facilities

It should be noted that initial design and construction of near-term passenger terminal area improvements will occur simultaneously with the Master Plan Update. The purpose of these improvements is to allow the Airport to maintain service to the existing commercial fleet while also complying with conditions and restrictions imposed by the recently approved Modifications of Standards. Therefore, a primary purpose of this task is to identify an ultimate terminal area layout that is not only consistent with the near-term improvements currently underway, but that can also accommodate projected long-term changes in the commercial aircraft fleet and passenger enplanements. This task will result in identification of an ultimate concept for the layout of passenger terminal area for the existing Airport site, including space reservation for terminal building and support facilities.

### **7.5 Conceptual Development Plan, Improvement Recommendations and Phasing**

A Conceptual Development Plan will be prepared showing improvement recommendations for SUN. These recommendations will identify program requirements, goals and objectives which will drive the layout of future airport facilities; and show airside, landside and terminal elements in plan view. The development program will delineate the preferred concept in drawings described above, finalize conceptual construction phasing plans (including the preparation of a Phasing Plan Drawing or Drawings), provide conceptual, planning level, cost estimates for each project and for each phase of construction, show total estimated project costs for each phase, as well as develop and prioritize a list for improvement projects.

The implementation program will be "demand based" with activity triggers to facilitate timed development activities which are focused on project need, available resources, anticipated activity levels and prevailing conditions.

This task will also identify land acquisition priorities for SUN in consideration of City of Hailey and Blaine County established strategic guidance.

### **7.6 Preliminary Financial Feasibility Analysis (SUN)**

Using project costs and phasing recommendations for the preferred development alternative selected in Task 7.5 as well as enplanement projections developed in Element 5, a preliminary financial feasibility analysis will be prepared to determine whether capital development costs can be covered by available funding sources, while achieving adequate cash flow. The feasibility analysis conducted under this task will be based on the general methodologies outlined in Task 9, but will be driven by preliminary cost and phasing information developed in Task 7.5.

The preliminary feasibility analysis is intended to be used as an evaluation tool to determine if modifications need to be made to the preferred development alternative to reduce costs, or to modify the timing/phasing of certain capital program elements.

### **7.7 Siting Evaluation for Replacement Airport**

The primary goal of the Master Plan Update is to identify an ultimate development concept that will allow the Airport to maximize its safety, reliability, and utility within its existing footprint. However, in accordance with the Master Plan's "dual path" approach, this task will re-evaluate sites that have been identified as potential replacement sites once the Airport outgrows its current footprint. In an effort to allow sufficient time to appropriately plan and finance the replacement airport, "demand triggers" have been identified in previous tasks (see task 6.5), which also identifies the anticipated timing for the occurrence of the "demand triggers".

Using previously prepared planning documents; replacement airport sites will be identified and re-evaluated with a focus on technical considerations. Based on the results of this re-evaluation, the most favorable potential sites will be identified and the minimum acceptable criteria required for each site will be validated. The following efforts will be conducted as part of this task.

**Identify Sites to be Re-evaluated**

This task will involve identifying previously documented potential replacement Airport sites for re-evaluation. Brief summaries of each identified Airport site will be provided for review and approval by the Sponsor before moving forward. No additional replacement sites will be identified as part of this task, as replacement airport sites already identified by previous studies will be relied upon.

**Verify and Validate Technical Considerations to be used in Re-Evaluation of the Sites**

The evaluation criteria identified by previous planning efforts will be summarized for review and approval by the Sponsor. These technical considerations will be evaluated, amended and modified as required to reflect current industry planning and design standards. Although the previous evaluation criteria continues to provide for a thorough assessment of alternatives, each criteria should be reviewed to ensure nothing has changed that might influence the results of the evaluations. No additional evaluation criteria will be developed or applied as part of this task, as evaluation criteria already identified by previous studies will be relied upon. A narrative report identifying all criteria to be used in the evaluation of the replacement airport sites and the adequacy of these criteria for site evaluation, along with suggested refinements to the criteria, will be provided and the basis for these changes explained.

**Re-Evaluate Sites**

The alternative replacement Airport sites identified by efforts outlined above and approved by the Sponsor will be reviewed and evaluated against the refined and Sponsor approved evaluation criteria. The most favorable potential sites will be identified and the minimum acceptable criteria required for each site will be validated.

**7.8 Improvement Program for Replacement Airport**

A "generic" improvement program for the replacement airport will be prepared in consideration of previously identified "triggers" along with planning level project costs and phasing to show initial opening requirements and subsequent phases. A matrix of the various triggers will be developed as part of this task, with the guidance of FMAA commissioners and staff.

Recommendations for the process and timing of the site selection; and environmental documentation that will be required for the development of the replacement airport will be provided. In addition, recommendations will be provided with regard to the steps which can be taken to protect the most favorable sites to enable future development when demand dictates.

**7.9 Preliminary Financial Feasibility Analysis – Replacement Site**

Initial enplanement projections, cost estimates, and phasing assumptions for developing the an airport replacement at the most favorable site will serve as the basis for a preliminary financial feasibility analysis that will determine whether capital development costs can be covered by available (or projected) funding sources. The preliminary feasibility analysis will be based on the general methodologies outlined in Task 9, although it is anticipated that this analysis will be

conducted using a lower level of refinement compared to the detailed analyses conducted in Task 9.

Similar to Task 7.6, the preliminary feasibility analysis conducted in this task is intended to be used to determine if modifications need to be made to the preferred replacement site development alternative to reduce costs, or to modify the timing/phasing of certain capital program elements.

Although more than one replacement airport site may be identified as being favorable for potential future development only one "representative" site will be taken forward into the financial review.

**Deliverable: Working Paper**

The alternatives analysis will result in identification of a recommended course of action for the Airport to follow over the ensuing 20-year planning period. The logic and justification for following the recommended plan will be detailed. At this stage of the study, the preferred alternatives will be conceptual in nature and will be subject to further refinement during subsequent project elements, particularly as the financial feasibility analysis, environmental overview, and detailed layout plans are prepared.

Deliverables for this task will include graphics and text as appropriate to summarize and document the merits and deficiencies of each alternative. This information will be presented in a working paper format which will ultimately be included in the master plan report document.

## **8. Environmental Review and Environs Land Use Planning (existing airport site only)**

The objectives of this element are to prepare an overview of environmentally sensitive features on and surrounding the Airport, and to identify the potential impacts upon those as part of the recommended development plan. In consideration of the programmed improvements identified for both the existing and relocated airport sites, potential environmental concerns will be identified, along with the likely extent and cost of environmental documentation which will be required before improvement programs can be implemented. The primary purpose of this element is to provide guidance on future environmental studies that will be required to implement improvement recommendations.

### **8.1 Environmental Review**

Utilizing information gathered in the *Background Information/Inventory* phase (Environmental Conditions Inventory), an environmental screening review of the proposed development plan will be prepared to identify significant environmental issues that may be of concern with the proposed improvements. The potential for environmental impacts will also be considered in the alternatives analysis. This document will summarize the general environmental resources associated with the recommended Plan in a non-quantified fashion and identify the likely environmental processing necessary for the improvements.

This will include characterization of the existing conditions and preparation of a general site condition description that summarizes earth, air quality, surface and ground water, wetlands, plants and animals, energy and natural resources, land use and shoreline resources, population and housing, surface transportation, public services, and utilities. Focus will be placed on environmental conditions that could be affected by recommended Plan actions.

## **8.2 Environs Land Use Planning**

In consideration existing local land use zoning and comprehensive planning capabilities, along with environmental and sustainability factors, environs land-use planning recommendations will be formulated with a focus on land-use compatibility concerns.

Aircraft noise has been a consistent concern within the local community. This task includes an update to existing and future noise contours (65, 70 and 75 DNL noise contours) prepared for the 2012 airline operations specifications Environmental Assessment (EA), based on the aviation activity projections developed for the Master Plan. This update will not include any changes to runway usage and flight track assumptions used for the EA.

An environs land use plan will be prepared that describes (in text and graphic formats) the existing and recommended land uses for land in surrounding the of the Airport (generally defined as at least one mile off the runway ends and one-half mile parallel to the sides of the runway).

### **Deliverables**

Deliverables for this task will be incorporated into the appropriate chapters such as existing conditions and alternatives development and evaluation.

## **9. Financial Implementation Analysis**

A detailed financial analysis will be prepared which will examine the fiscal feasibility of the proposed improvement program (for both the existing and the relocated airport sites). The financial implementation analysis will consider project costs, proposed timing (phasing) of improvements and funding sources. As a result of this analysis, the recommended phasing of projects will be refined to achieve fiscal goals of the FMAA.

To the extent practicable, the financial analysis will utilize information and methodologies included in previous financial planning efforts conducted on behalf of the FMAA. The financial analysis will consist of the following two tasks:

### **9.1 Inventory of Financial Information**

The purpose of this task is to compile, present, and analyze all applicable financial information for the Airport. This task will include a comprehensive review of FMAA's financial structure to determine the composition of Airport management, relevant leases, and other operating issues that will affect future cash flow at the Airport. The budgeting process used by the Airport will be

examined and historical O&M expenses, operating revenue, and capital expenditures will be analyzed. The existing rates and charges schedule will also be examined, including airline and tenant lease terms and rates. The financial information inventory will be used as a basis for development of a comprehensive financial plan.

## **9.2 Financial Plan Development**

This task includes the preparation of a comprehensive financial plan for carrying out the proposed capital improvement program for both the existing and the most favorable (or representative) relocated airport site, maintaining airport viability, and other recommendations/goals specified in the Master Plan. Included in the financial plan would be the identification and quantification of the need for and availability of specific funding sources, projections of revenues and expenses, and a cash flow analysis. The output of this effort would consist of a financial plan that the FMAA can use as a basis for implementing its proposed capital program.

Given capital development costs and potential phasing of proposed capital improvements, a funding plan will be developed. Funding sources to be examined in the financial plan may include federal entitlement and discretionary funds, PFC revenues, State funds, third party funds, local funds, and bond proceeds. Additional funding sources may also be considered, as applicable.

A feasibility analysis will assess, through the development of pro-forma financial projections, the financial implications of the funding plan. Pro-forma projections of operating expenses, operating revenues, and capital requirements at the existing site and replacement site will be developed in this task. Enplanement projections developed in Element 5 will also be utilized. Projections of operating revenues and expenses at both the existing site and the replacement site will be based on the Master Plan activity projections, assumptions regarding existing and anticipated future tenant leases, additional revenue enhancement opportunities, and estimated operating costs of proposed capital development projects.

Basic feasibility would be measured primarily by calculating the potential impacts on tenant rates and charges (as applicable), Airport cash flow, bond covenant requirements should bond funding be feasible, and cost per enplaned passenger.

Sensitivity scenarios will be developed to assess the potential financial implications of changes to key assumptions and variables, such as projected revenues, expenses, and activity. These sensitivity scenarios are not intended to be updated projections of activity, revenues, expenses, or other factors. Rather, the sensitivity scenarios will identify the projected range of financial outcomes that could occur.

### **Deliverable: Working Paper**

Master Plan financial implementation analysis chapter and detailed Financial Implementation Plan for the recommended capital development plan

## 10. Airport Layout Plan Update (existing airport site only)

In consideration of current FAA guidance and standards an Airport Layout Plan (ALP) drawing set will be prepared for the existing Airport site. All airport plans will be drawn according to FAA standards as defined in most current versions of *Advisory Circular 150/5070-6B, Airport Master Plans* and *AC 150/5300-13A, Airport Design*. The ALP update shall include all items required by the new ALP checklist contained in FAA Standard Operating Procedure (SOP) 2.00, *Standard Procedure for FAA Review and Approval of Airport Layout Plans (ALPs)*

In addition to the aerial photography, planimetric/topographic mapping, and obstruction survey conducted in 2012, sources of information for the ALP drawings in this element will include previous ALPs and master planning documentation, the Obstruction Chart (OC) for the Airport, USGS mapping, legal descriptions, property surveys, local and regional government mapping, FAA/state aeronautics databases, and any other secondary sources readily available to the Sponsor/Consultant team.

Preparation of the ALP will be based on the findings of the previous tasks and will include the following individual drawings:

- Title Sheet
- Airport Layout Drawing
- Airport Layout Data Summary (if required as a separate sheet)
- Airport Airspace Drawing – Plan View
- Airport Airspace Drawing – Profile View
- Runway 17/35 Inner Portion of Approach Surface Drawings
- Runway 8/26 Inner Portion of Approach Surface Drawings
- Runway departure surface drawings
- Terminal Area Plan (Individual Area Plans)
- Land Use Drawing
- Airport Property Map

### 10.1 Airport Layout Plan

An Airport Layout Plan (ALP) shall be prepared in accordance with the findings, recommendations and approvals resulting from the study. The ALP shall be developed utilizing the current FAA electronic file, supplemented with new aerial information from previous tasks, Aerial Photography and Mapping and "As Built" information, and AutoCAD Civil 3D 2012 or the most current version. The ALP will depict the configuration and general dimensions of the initial and proposed ultimate airport facilities, including building height of all buildings on airport property. The Airport Layout Plan will include such information as: 1) Airport Layout; 2) Existing and Future Boundaries; 3) Location Map; 4) Vicinity Map; 5) Basic Data Tables; 6) Utility Data; and 7) Wind Information.

Mead & Hunt will be responsible for submitting a signed copy of the ALP checklist with the ALP submittal to the FAA. The Airport Layout Plan will contain sufficient data to obtain approvals from the FAA.

Any deviations to FAA design standards will be noted on the existing and future Airport Layout Plan as well as in the Airport Master Plan narrative. All issues identified by FAA airspace review will be remedied in the final ALP. Large-scale reproducible drawings shall be prepared on a sheet size no smaller than 24" by 36".

### **10.2 On-Airport Individual Area Plans**

Mead & Hunt will revise the existing Terminal Area Plan and develop new area plans for any other potential development areas within the bounds of airport property as required. The plans will generally be comprised of, but not necessarily limited to, the terminal area, the general aviation areas, commercial and industrial complexes, hangar areas, and other special use areas. The Individual Area Plans will illustrate existing and proposed facilities, including such elements as building configuration and location, taxiway and apron development, vehicle access roads (including recommendations for service road locations) and parking areas, specifically indicating those facilities which currently exist and those which are proposed and labeling the various components of each of the Individual Areas Plans. The relationship with surrounding airfield and landside components (i.e., runway, taxiways, object free area, runway protection zones, external roadways, on-airport navigational aids, airport boundary, among other considerations) will also be illustrated as will available topographical characteristics.

Specific utilization for undeveloped/underdeveloped areas on the Airport will be considered and recommendations made. Plans shall be established for these areas to guide improvement activity for the benefit of the Airport and the airport environs in keeping with the overall objectives established for airport enhancement.

These drawings will include apron utilization information to provide a feasible plan for apron expansion and/or reconfiguration, and new taxiway/taxilane alignments. The information on these drawings shall be depicted at a scale not less than 1"=100', unless another scale is mutually agreed upon by the sponsor, the FAA, and Mead & Hunt.

### **10.3 Land Use Plan**

The existing Land Use Plan will be updated to depict existing and recommended uses of all land within the ultimate airport property line (on-airport) and within the vicinity of the Airport (off-airport), generally identified as that area surrounding the Airport associated with the Airport Influence Area. Land uses will be depicted by general land use categories, including such categories as agriculture, residential, industrial, commercial, parks and open space, aviation-related, public, floodplains, and DOT Section 4(f) resources, among others as appropriate. Special note will be made of noise sensitive uses, and the DNL 65 noise contour will be shown.

The Land Use Plan will be illustrated on a drawing (same sheet size as the ALP) and described within the body of the Airport Master Plan document. A digital version as a .pdf file will also be provided.

#### **10.4 Airport Airspace Drawing, Inner Portion of the Approach Surface Drawings and Runway Departure Surface Drawings**

The ALP set also includes updates to the Airport Airspace Drawings, the Inner Portion of the Approach Surface Drawings and the Runway Departure Surfaces Drawings in accordance with the findings, recommendations and approvals resulting from the study. These drawings supplement information on the Airport Layout Drawing.

A plan showing the existing and ultimate runway protection zones, and associated approach and departure areas will be developed for each runway end. Plan and profile views of each area will be developed identifying all physical obstructions. The obstruction's height and location will be noted by dimension lines. Any obstruction requiring removal or relocation to meet FAA standards will be noted and an action plan identified.

The Inner Portion of the Approach Surface Drawings and Runway Departure Surfaces Drawings will be prepared depicting the following: 1) Areas under imaginary surfaces as defined in FAR Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*; 2) Existing and planned approach slopes and any height zoning ordinance limitations; 3) A plan and profile of runway protection zones, approach and departure areas showing controlling objects and other objects penetrating the runway protection zones and approach/departure areas; 4) Location and elevation of obstructions exceeding threshold siting surface requirements [using current NOAA Obstruction Chart information and/or survey information collected in 2012]; and 5) Areas attracting large numbers of birds or other potential hazards to aircraft flight within the approach zones.

A height zoning analysis, per FAR Part 77, will be performed to determine existing obstructions and the potential for future obstructions. A map will be prepared showing the Part 77 surfaces, the existing structures, existing variances from the Part 77 criteria and areas of potential development that will not affect airspace utilization or present a hazard to aircraft.

Like the Airport Layout Drawing, these drawings will be developed utilizing AutoCAD Civil 3D 2012 or the most current version.

#### **10.5 Property Map**

As specified in AC 150/5070-6B, *Airport Master Plans* an Airport Property Map will be prepared using the existing Airport Property Map as a basis, including updates to any existing or supplemental property and/or easement information supplied by the airport sponsor. This scope of services does not include any title or parcel research or title commitment work and will not incorporate any property/parcel information other than that provided by the airport sponsor or other secondary sources.

## 11. Documentation

An effective airport plan places emphasis on developing concise, effective study documentation. Several types of materials will be produced to document the planning process as noted below. The report sections or chapters will be provided for FAA and local review, as will the Draft and Final reports.

### 11.1 Working Papers and Meeting Materials

It is anticipated that five Working Papers or Planning Memorandums (containing draft report sections that will, when finalized, become chapters in the Final Report) will be developed during the course of the preparation of the Master Plan Update for distribution to the FMAA Board and others as directed by Airport Staff. In addition to digital copies which will be distributed in advance of any meeting, as many as Twenty (20) copies of each working paper will be prepared. In addition other meeting materials documenting each phase of the study's technical analysis will be prepared as needed and distributed for FMAA commissioner and staff review and comment. Handouts will be developed for distribution to the FMAA Board. Handouts may be distributed in advance of the meetings to facilitate review.

Mead & Hunt will also develop graphics (boards or PowerPoint presentations) to convey the project information as necessary for various meetings.

### 11.2 Master Plan Report

Mead & Hunt shall prepare 25 hard copies and 25 digital copies (on CD) of the Draft and Final Master Plan Reports which will summarize the planning process and document the findings of the elements outlined in this scope of services. This report will be written so that it can be easily understood by the general public. The format of the report will be determined through discussions with the Airport Staff, but will be based on the individual sections or chapters developed in the individual technical elements of this project. The final product will include a locally adopted Master Plan Update report.

Anticipated sections/chapters of the master plan report include:

- Introduction
- Inventory of Facilities
- Forecasts of Aviation Demand
- Demand/Capacity and Facility Requirements Analysis
- Alternative Analysis
- Environmental Overview
- Preferred Development Concepts
- Financial Analysis
- Appendices

### 11.3 Executive Summary

Mead & Hunt will prepare an Executive Summary of the Master Plan Update, summarizing the results of the analysis and outcome of the study. The format of the Executive Summary is to be determined, but it will likely be similar to other Master Plan documents to enable it to be easily bound into the Final Report. Fifty (50) copies of the Executive Summary will be prepared as stand-alone documents and provide to Airport Staff for distribution as needed.

### 11.4 Airport Layout Plans

The Airport Layout Plan sets will be provided in a final draft form for FAA airspace review and local approval. It will then be published as a final document for distribution upon receipt of FAA airspace review. The documentation will include the following:

- Four (4) draft ALP sets (1 for consultant and 3 for Airport review)
- Eight (8) final draft ALP sets (1 for Airport, 1 for consultant, and 6 for FAA review)
- Eight (8) final ALP sets for FAA and Airport signature (6 for the FAA, 1 for the Airport and 1 for consultant)
- Two Disks (2) of CADD/pdf drawings of the final approved ALP

Mead & Hunt will develop a transmittal package with the required supporting documentation for FAA review. This information will include preliminary justification for development recommended, forecasts of operations, brief descriptions of alternatives reviewed, and a general environmental overview of the project. If required, this task will also include a copy of the ALP checklist prior to development of the line-drawing of the ALP set.

Preparation of these documents will be coordinated closely with the FAA-ADO, and Airport Management. Final documents will reflect appropriate responses to comments received on draft materials from all reviewing agencies. Deliverables will include and FAA-approved ALP.

## 12. Contingency for Additional Meetings

The scope element recognizes that there is a potential that the consultant team may be required to attend/conduct additional meetings in Hailey to enable the completion of the Master Plan Update in manner that meets the goals of the FMAA. Prior permission from Airport Staff/FMAA will be required to attend the additional meetings and to expend these contingency funds.

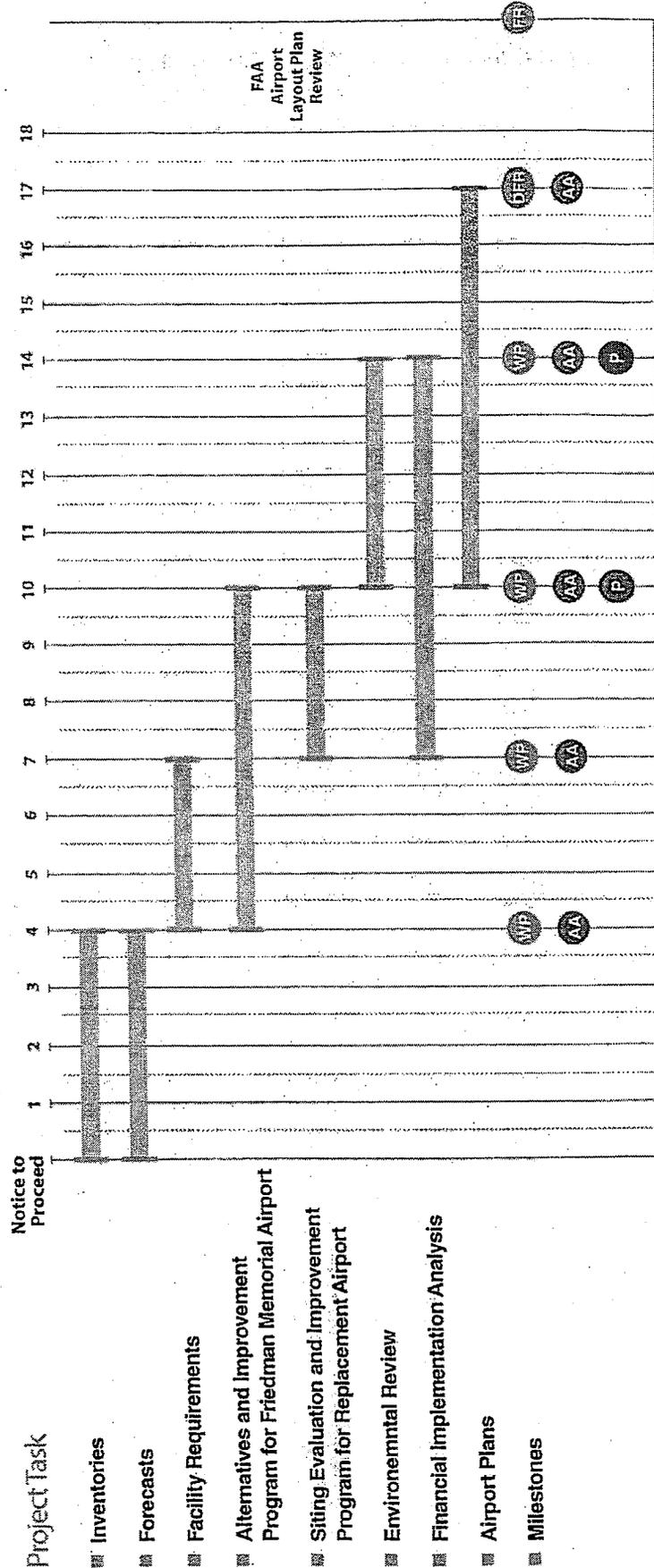
### 12.1 Additional Meeting to Finalize the Scope of Services

One additional meeting with the FMAA to finalize the scope of services may be required. If necessary, this meeting will be attended by one (1) Mead & Hunt employee.

### 12.2 Additional Meetings During the Planning Process

Up to three additional meetings during the planning process in Hailey with FMAA or others, are allocated in this task. If necessary and pre-approved, these meetings will be attended by a minimum of (1) Mead & Hunt employee.

**PRELIMINARY  
Project  
Schedule**



- Working Papers
- Airport Authority
- Public Information Meeting
- County Commission Meeting
- Draft Master Plan Final Report
- Master Plan Final Report

**Friedman Memorial Airport  
Master Plan Update**



AGENDA ITEM SUMMARY

DATE: 03/03/2014 DEPARTMENT: Finance/PW DEPT. HEAD SIGNATURE: HD

SUBJECT:

Wastewater Biosolids Treatment Project

- Communications Protocol through Staff Transition
- Update on Project Status - HDR
- Resolution 2014-16 authorizing contract with financial advisor Eric Heringer of Seattle Security Northwest
- Resolution 2014-17 authorizing contract for bond counsel with Mike Stoddard of Hawley Troxel

AUTHORITY:  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_  
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

HDR Engineering will complete 90% Design of the Wastewater Biosolids Handling Improvement Project by March 17, 2014, at which time the city council will consider whether to call a bond measure.

The March 3, 2014 City Council discussion will inform the council and public about the project. This will be HDR's last presentation to the council, prior to decision on the bond measure. The cost estimates which will be used in this presentation are the 60% design costs; these estimates will be further refined prior to the March 17, 2014 City Council meeting. HDR will talk about the project itself.

Attached in the packet is information from HDR, including a letter identifying how communications will be handled with city staff following Tom Hellen's exit, and  
- proposed contract with financial advisor Eric Heringer of Seattle Security Northwest, and  
- proposed contract for bond counsel with Mike Stoddard of Hawley Troxel.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_  
Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
Staff Contact: \_\_\_\_\_ Phone # \_\_\_\_\_  
Comments: \_\_\_\_\_

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

___ City Attorney	___ Finance	___ Licensing	___ Administrator
___ Library	___ Community Development	___ P&Z Commission	___ Building
___ Police	___ Fire Department	___ Engineer	___ W/WW
___ Streets	___ Parks	___ Public Works	___ Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Council action will include:

1. asking questions and informing HDR relative to any design questions that arise during the presentation, in order to be fully informed about the project.
2. voting on the contract for financial advisor. Putting this contract in place will enable staff to prepare a full presentation on the costs of the bond prior to the mid-March meeting.
2. voting on the contract for bond counsel, so that Resolutions and Ordinances under the Idaho Revenue Bond Act can be prepared prior to the mid-March meeting, during which final decisions about the bond measure will occur.



**ACTION OF THE CITY COUNCIL:**

Date \_\_\_\_\_

City Clerk \_\_\_\_\_

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**FOLLOW-UP:**

\*Ord./Res./Agrmt./Order Originals: Record  
Copies (all info.):  
Instrument # \_\_\_\_\_

\*Additional/Exceptional Originals to: \_\_\_\_\_  
Copies (AIS only)

## City of Hailey

### Solids Handling Improvement

#### Project Information

#### PROJECT DESCRIPTION

The City of Hailey is proposing to construct a new aerobic digester and add solids handling equipment to improve the solids treatment process at the wastewater treatment plant.

#### PROJECT BACKGROUND

The City of Hailey's original wastewater treatment plant was a small all-in-one "packaged plant" built in 1974. A new treatment plant was built next to the packaged plant off Woodside Boulevard in 2000. The wastewater plant produces clean water (referred to as effluent) that is discharged to the Big Wood River, and also produces biological solids which are the leftover residue (referred to as biosolids or sludge) of wastewater treatment.

Use of a forty year old packaged plant that was not designed to manage and treat solids has increasing costs, deteriorating, poses a safety concern for operations staff and is no longer feasible for the City to continue using. Currently, the City provides the labor and equipment to haul the biosolids to the Ohio Gulch Landfill and maintains the sludge drying beds located there. The City is paying more to haul the sludge to the landfill because it is now 99% water. This means more trips to the landfill and higher costs for labor and fuel.

The City would like to streamline its biosolids management program by further dewatering the biosolids prior to transport and drastically reduce the number of trips to the landfill. This is not possible without an upgrade to the existing solids handling facilities.

When the City added the Woodside facilities in 2000, it was built to consolidate operations and provide improved wastewater treatment. That means it removes the heavy solids, biologically treats the waste, separates the biosolids from the liquids, and filters and disinfects the effluent before it goes to the river. The solids that are removed are pumped to the aerated sludge storage tank – which was part of the original packaged plant and was not upgraded in 2000.

#### GOALS AND OBJECTIVES

**Safety:** Provide treatment and operation facilities that meet current codes and are safe for the City of Hailey staff.

**Operator Time:** The operators' time is valuable. This project will allow increased time for the operators on-site and reduce the time on the road and maintaining the drying beds.

**Energy:** The project was designed with energy efficiency in mind. Aeration system has reduced energy requirements from what is currently operating and the City can eliminate heating the dome with natural gas.

**Recycling:** The City is creating a dewatered biosolids product that could be put to beneficial use as a soil amendment.

[www.haileycityhall.org](http://www.haileycityhall.org)



February 24, 2014

Ms. Heather Dawson  
City of Hailey  
115 S Main St  
Hailey, ID 83333

Subject: Future Project Coordination and Communication Protocol

Dear Ms. Dawson:

HDR Engineering, Inc. (HDR) is looking forward to continuing our work with the City of Hailey. As you know, HDR is familiar with the City's wastewater treatment program including the treatment facilities, National Pollutant Discharge Elimination System (NPDES) permit, and conceptual planning for recycled water. Our current project, the Solids Handling Improvement Project, is in the final design phase and expected to be finished in a few weeks.

With the transition of leadership at the City of Hailey following Tom Hellen's departure, it is our understanding that you will be our primary point of contact for HDR's communication with the City on issues relating to this project or other future projects. One of the key elements of the communication protocol is for the City and HDR to have a clear mutual understanding of the City's project decisions and direction, which will come from you unless or until otherwise noted by you

We look forward to completing this project with the City and continuing to support the overall wastewater program. Please do not hesitate to contact me at 208-387-7022.

Respectfully submitted,  
HDR ENGINEERING, INC.

Haley Falconer, P.E.  
Project Manager

Cc. Tom Hellen, City of Hailey  
Roger Parker, City of Hailey

## Heather Dawson

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**Subject:** FW: contract- financial advice  
**Attachments:** PJC Financial Services Agreement\_City of Hailey.pdf

**From:** Heringer, Eric [<mailto:Eric.A.Heringer@pjc.com>]  
**Sent:** Tuesday, February 25, 2014 9:09 AM  
**To:** Heather Dawson  
**Subject:** RE: contract- financial advice

Hi Heather –

Here is our proposed Financial Advisor contract. Regarding the fee matrix – for a \$6.0 million sewer revenue bond – the fee would be \$26,000 payable at closing and could be paid from the proceeds of the bond.

For reference – this fee matrix would have produced a fee of \$18,425 on the Series 2010 GO Bond. Actual fee charged in 2010 was \$18,000 so this would be consistent with how we priced that work.

Please let me know if you have any questions or would like to discuss.

-Eric

**Eric Heringer**  
Managing Director  
Public Finance

**Piper Jaffray & Co.**  
101 South Capitol Blvd, Suite 603  
Boise, Idaho 83702

Office: 208-344-8561  
Cell: 208-867-4064  
[eric.a.heringer@pjc.com](mailto:eric.a.heringer@pjc.com)  
[www.piperjaffray.com](http://www.piperjaffray.com)

**Piper Jaffray & Co.**  
101 South Capitol Blvd, Suite 603  
Boise, Idaho 83702

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**From:** Heather Dawson [<mailto:heather.dawson@haileycityhall.org>]  
**Sent:** Monday, February 24, 2014 2:28 PM  
**To:** Heringer, Eric  
**Subject:** contract- financial advice

Eric –  
You were going to put together a contract for financial advice for our bond measure. Please set up in two phases, one pre-bond, one post-bond if it passes.  
Thanks.

**Heather Dawson**

**CITY OF HAILEY  
RESOLUTION NO. 2014-16**

**RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY  
AUTHORIZING THE EXECUTION OF FINANCIAL SERVICES AGREEMENT WITH  
PIPER JAFFRAY & CO., FOR OPERATIONAL AND LEGAL REQUIREMENTS  
ADVICE GOVERNING THE ISSUANCE AND SALE OF A WASTEWATER REVENUE  
BOND FOR THE CITY OF HAILEY**

WHEREAS, the City of Hailey desires to enter into a Financial Services Agreement with Piper Jaffray & Co. under which Piper Jaffray & Co will advise the City of Hailey on bond financing aspects.

WHEREAS, the City of Hailey and Piper Jaffray & Co have agreed to the terms and conditions of the Financial Services Agreement, a copy of which is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAILEY, IDAHO**, that the City of Hailey approves the Financial Services Agreement between the City of Hailey and Piper Jaffray & Co and that the Mayor is authorized to execute the attached Agreement,

Passed this 3rd day of March, 2014.

City of Hailey

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cone, City Clerk

## FINANCIAL SERVICES AGREEMENT

This Financial Services Agreement, (the Agreement) is entered into the \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the City of Hailey (the City), and Piper Jaffray & Co. (Piper).

### RECITALS

WHEREAS, the City requires the provision of financial advisory services in connection with the issuance by the City of new issues of municipal bonds as identified from time to time ("Financing Projects").

WHEREAS, the City desires to engage Piper to render the services.

NOW THEREFORE, in consideration of the mutual covenants and stipulations hereinafter set forth, the parties agree as follows:

Section 1. Scope of Services –Financing Projects. The Scope of Services shall include assistance in the following areas with respect to Financing Projects.

- 1) Advise the City concerning the procedural and substantive operational and legal requirements governing the issuance and sale of debt and lease obligations.
- 2) Review, evaluate and comment on adequacy of financial forecasts studies, and the capacity of the City to issue debt. Assist in building cash flow forecasts for proposed capital improvement projects of the City. Provide expert advice to the City regarding the financing capacity and capabilities of the City.
- 3) Advise concerning options for financing of specific capital projects including private/public partnerships.
- 4) Make recommendations to the City on the method of sale for proposed financing, including participation in an Idaho Bond Bank Authority pooled financing.
- 5) Assist the City in the selection of underwriters or in the case of a competitive sale, assist in defining and managing the bond bidding and sale process. Coordinate any pre-sale publicity, pricing meetings, calls for bids, and evaluation of bids for purchase of City debt. With regards to a negotiated sale, review and monitor proposed negotiated interest rates, fees and spreads.
- 6) Assist the City in the selection of rating agencies, bond insurers and other service providers necessary for completion and issuance of debt instruments of the City.
- 7) In concert with appointed bond counsel, prepare or review City-drafted resolutions, ordinances, indentures, agreements, notices, and other documents and proceedings, for the authorization, issuance, sale and delivery of bonds and notes by the City.
- 8) At the City's option, assist the City and legal counsel in any litigation related to debt offerings of the City.
- 9) Consult with and provide assistance to City staff, bond counsel, underwriters, etc. in the preparation of official statements, bond purchase contracts, investment agreements, and other documents in connection with the sale of City bonds.
- 10) Assist City staff regarding the bond issue structure, timing of sale, and provide advice regarding the ramifications of proposed financial and non-financial debt covenants. Advise and assist concerning state and federal securities laws relating to the necessary disclosure of factual and legal information with respect to such bonds sales. This work would include due diligence review of the official statement and information relating to it to the extent deemed necessary to protect the interests of the City and all parties concerned in connection with the issuance of bonds and notes.
- 11) Provide material as requested for bond rating agency review presentations, and attend any meetings as needed with bond rating agencies.
- 12) Attend meetings as requested and make presentations regarding the debt issue to City staff, City Council or other interested parties.

- 13) Advise regarding compliance with yield restrictions and arbitrage regulations.
- 14) Assist in interpreting federal and state requirements for both annual and material event reporting.
- 15) Review debt closing memorandums with bond counsel and assists the city in evaluating and the investment of bond proceeds, including construction and debt service funds as well as any escrow accounts.

Extent of Duties Arising under this Agreement.

The City and Piper intend and agree that, to the extent the performance of services by Piper constitutes municipal advisory activities within the meaning of proposed rule 15Ba1 of the Securities Exchange Act of 1934 or otherwise creates a duty of Piper under Section 15B(c) (1) of the Securities Exchange Act of 1934 or Rule G-23 of the Municipal Securities Rulemaking Board, such duty does not extend beyond the services to be provided under this Agreement.

Section 2. Compensation.

The basis for compensation under the Agreement is described in Exhibit A.

Section 3.

[Reserved]

Section 4. Expenses. The City will reimburse Piper in addition to the fees outlined in Exhibit A for the preparation, printing and mailing costs associated with the preliminary and final official statement, including the application for CUSIP numbers and any other related costs, for the Project to be implemented as contemplated herein at a cost of \$5,000 per issue. Piper will be responsible for all of Piper's out-of-pocket expenses, including communication, cost of financial analysis and reports prepared in fulfilling its duties outlined herein.

If travel to places other than Hailey is directed by the City, the City will reimburse Piper for their expenses. The City will be responsible for the payment of all fees and expenses commonly known as Costs of Issuance, including but not limited to: publication expenses, local legal counsel, bond counsel, ratings, credit enhancement, travel associated with securing any rating or credit enhancement, printing of bonds, printing and distribution of required disclosure documents, trustee fees, paying agent fees, CUSIP registration, and the like.

Section 5. Term of Agreement. The term of this Agreement shall begin on the date of execution set forth above and continue through December 31, 2017 unless earlier terminated as described herein. The City or Piper may terminate this Agreement at any time on written notice to the other party and all fees due to Piper shall be due and payable upon termination by the City. The provisions of Sections 4, 10, 11, 14 and 15 shall survive termination of this Agreement.

Section 6. Independent Contractor. Piper is an independent contractor and nothing herein contained shall constitute or designate Piper or any of its employees or agents as employees or agents of the City.

Section 7. Assignment. Neither Piper nor the City shall have the right or power to assign this Agreement or parts thereof, or its respective duties, without the express written consent of the other party. Acquisition of Piper by a third party firm shall not constitute an assignment of this Agreement.

Section 8. Entire Agreement/Amendments. This Agreement, including any amendments hereto which are expressly incorporated herein, constitute the entire Agreement between the parties hereto and sets forth the rights, duties, and obligations of each to the other as of this date. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect. This Agreement may not be modified except by a writing executed by both Piper and the City.

Section 9. Legal Advice. Piper is not legal counsel or an accountant and is not providing legal or accounting guidance. None of the Services contemplated in this Agreement shall be construed as or a substitute for legal services.

Section 10. Indemnification To the extent authorized by law, the City will indemnify and hold harmless Piper, each individual, corporation, partnership, trust, association or other entity controlling Piper, any affiliate of Piper or any such controlling entity and their respective directors, officers, employees, partners, incorporators, shareholders, trustees and agents (hereinafter the "Indemnitees") against any and all liabilities, penalties, suits, causes of action, losses, damages, claims, costs and expenses (including, without limitation, fees and disbursements of counsel) or judgments of whatever kind or nature (each a "Claim"), imposed upon, incurred by or asserted against the Indemnitees arising out of or based upon (i) any allegation that any information in the Preliminary Official Statement or Final Official Statement (other than the Excluded Sections, as defined below) contained (as of any relevant time) an untrue statement of a material fact or omitted (as of any relevant time) or omits to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

The Excluded Sections include the information appearing under the following general captions: DTC; Rating Agencies; Trustee/Registrar/Paying Agent; Insurance Providers; and Financial Advisor.

The City acknowledges and understands that state and federal laws relating to disclosure in connection with municipal securities, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the City and that the failure of Piper to advise the City respecting these laws shall not constitute a breach by Piper or any of its duties and responsibilities under this Agreement.

Section 11. Notices. Any written notice or communications required or permitted by this Agreement or by law to be served on, given to, or delivered to either party hereto, by the other party shall be in writing and shall be deemed duly served, given, or delivered when personally delivered to the party to whom it is addressed or in lieu of such personal services, when deposited in the United States' mail, first-class postage prepaid, addressed to the City at:

The City of Hailey  
Ms. Heather Dawson, City Administrator  
115 Main Street S.  
Hailey, ID 83333

Or to Piper at:

Piper Jaffray & Co.  
Eric Heringer, Managing Director  
101 South Capitol Blvd, Suite 603  
Boise, ID 83702

Section 12. Consent to Jurisdiction; Service of Process. The parties each hereby (a) submits to the jurisdiction of any State or Federal court sitting in the City of Boise with respect to any actions and proceedings arising out of or relating to this Agreement, (b) agrees that all claims with respect to such actions or proceedings may be heard and determined in such court, (c) waives the defense of an inconvenient forum, (d) agrees not to commence any action or proceeding relating to this Agreement other than in a State or Federal court sitting in the City of Boise and (e) agrees that a final judgment in any such action or proceeding shall be conclusive and may be enforced in other jurisdictions by suit on the judgment or in any other manner provided by law.

Section 13. Counterparts; Severability. This Agreement may be executed in two or more separate counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Any term or provision of this Agreement which is invalid or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such invalidity or unenforceability without rendering invalid or unenforceable the remaining terms and provisions of this Agreement or affecting the validity or enforceability of any of the terms or provisions of this Agreement in any other jurisdiction.

Section 14. Parties in Interest. This Agreement, including rights to indemnity and contribution hereunder, shall be binding upon and inure solely to the benefit of each party hereto, any Indemnitee and their respective successors, heirs and assigns, and nothing in this Agreement, express or implied, is intended to or shall confer upon any other person any right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.

Section 15. Waiver of Jury Trial. THE PARTIES EACH HEREBY AGREES TO WAIVE ANY RIGHT TO A TRIAL BY JURY WITH RESPECT TO ANY CLAIM, COUNTERCLAIM OR ACTION ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT OR THE TRANSACTIONS CONTEMPLATED HEREBY.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above written. By the signature of its representative below, each party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

THE CITY OF HAILEY

By: \_\_\_\_\_  
Its:

PIPER JAFFRAY & CO.

By: \_\_\_\_\_  
Its:

Exhibit A  
Fees and Expenses

Fees will be due and payable upon the completion and closing of a particular Financing Project based upon the fee matrix listed below. If work on a Financing Project has been initiated, but the Financing Project is not approved or completed, no compensation will be due to Piper.

Financing Projects Fee Matrix

Size of Bond Issue	LID Bonds/URA Bonds	GO Bonds	Revenue Bonds
Short-term Revenue Notes or Loans	Notes: \$10,000 plus \$0.50/\$1,000 Loans: \$5,000	Notes: \$10,000 plus \$0.50/\$1,000 Loans: \$5,000	Notes: \$10,000 plus \$0.50/\$1,000 Loans: \$5,000
less than \$10,000,000	\$20,000 plus \$2.00/\$1,000	\$15,000 plus \$1.00/\$1,000	\$20,000 plus \$1.00/\$1,000
\$10,000,000 and over	\$20,000 plus \$2.00/\$1,000 for the first \$10 million; \$1.00/\$1,000 for increment greater than \$10 million and less than \$50 million; \$0.25/\$1,000 for increment exceeding \$50 million	\$15,000 plus \$1.00/\$1,000 for the first \$50 million; \$0.25/\$1,000 for increment exceeding \$50 million	\$20,000 plus \$1.00/\$1,000 for the first \$50 million; \$0.25/\$1,000 for increment exceeding \$50 million

Overhead and Travel: Expenses related to travel to places other than Hailey, and with prior approval of the City, will be billed on an actual cost basis.

**CITY OF HAILEY  
RESOLUTION NO. 2014-17**

**RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY  
AUTHORIZING THE REPRESENTATION AGREEMENT WITH HAWLEY  
TROXELL, FOR BOND COUNSEL FOR SEWER REVENUE FINANCING AND  
RELATED MATTERS**

WHEREAS, the City of Hailey desires to enter into an agreement with Hawley Troxell under which Hawley Troxell will perform and be responsible for Bond Counsel For Sewer Revenue Financing And Related Matter for the City of Hailey.

WHEREAS, the City of Hailey and Hawley Troxell have agreed to the terms and conditions of the Scope of Work, a copy of which is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAILEY, IDAHO**, that the City of Hailey approves the Scope Of Work between the City of Hailey and Hawley Troxell and that the Mayor is authorized to execute the attached Agreement,

Passed this 3rd day of March, 2014.

City of Hailey

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cone, City Clerk

MICHAEL M. STODDARD  
ADMITTED TO PRACTICE LAW IN IDAHO  
EMAIL: MSTODDARD@HAWLEYTROXELL.COM  
DIRECT DIAL: 208.388.4982  
DIRECT FAX: 208.954.5270

February 27, 2014

Honorable Fritz Haemmerle and City Council  
City of Hailey, Idaho  
115 Main Street South  
Hailey, ID 83333

Re: *Bond Counsel - Sewer System Revenue Financing and Related Matters*

Dear Mayor Haemmerle:

You have requested we act as bond counsel to the City of Hailey, Idaho (the "City") to call a revenue bond election for a proposed sewer system Biosolids treatment project (the "Project") and, upon a successful election, issue a bond or note to finance the Project. If agreeable, this letter, together with law firm's client service policies in the form attached, will form our contract for the provision of such services.

**A. Scope of Work**

**1. Revenue Bond Election**

We will prepare the proceedings and legal documents for the City in connection calling a revenue bond election. The documentation we will prepare for a revenue bond election will primarily include the following:

- a. the ordinance to call the revenue bond election (we will also ensure its publication upon adoption);
- b. the form of ballot containing the election question;
- c. the notice of the election to be provided to the County (we will also ensure proper publication of the notice of the election); and
- d. the resolution to approve the Certificate of Election following the County canvass of election.

**2. Bond Counsel**

Once authority to incur debt is secured, we will act as bond counsel to the City to borrow funds necessary to complete the Project. We understand the City is considering financing through the Idaho Bond Bank, although there may be other alternatives, such as DEQ or RD, that the City may consider.

**B. Fees and Costs**

For our work on the revenue bond election we will bill hourly up to a cap of \$3,500. Assuming a successful election, and once a financing method is determined, we will provide a fixed-fee quote for our work as bond counsel. The complexity and level of documentation varies depending on the financing method which makes it difficult to provide a quote at this time. In our role as bond counsel, we will review and negotiate the financing documents under the structure selected by the City, work with the underwriter and/or lender and ultimately issue an "unqualified bond opinion." Should the decision be made to proceed through the Idaho Bond Bank, the structure still requires an unqualified bond opinion to be delivered by or on behalf of the City.

We will bill the City hourly at the rates shown below for our work on the election. Our rates are subject to change as of January 1 of each year. The hourly rates of the professionals we anticipate will work on City matters are as follows:

<u>Attorney</u>	<u>Regular 2014 Rates</u>	<u>Roles Responsibility</u>
Michael M. Stoddard	\$300	Overall responsibility; finance issues
Nicole Pantera	200	Associate, research support,
Shonna J. Russell	165	Paralegal support

We have two other partners in our public finance department, Nick Miller and Danielle Quade, and I may consult with them from time to time, but did not include them above as I do not expect them to spend significant time on the matters.

If we advance funds to pay for the legal notice publications, we will include that as a cost reimbursement. We will also bill for our out-of-pocket expenses, such as copies and mileage.

**C. Signature**

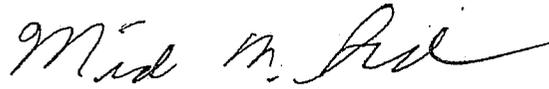
We would appreciate acknowledgment of your agreement with the terms of this letter by signing below in the place provided for such purpose on the enclosed copy of this letter. Please return one copy to us for our files.

We believe we have the capability to serve the City well and would be honored to be of service to the City on this important project.

Honorable Fritz Haemmerle and City Council  
February 27, 2014  
Page 3

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP



Michael M. Stoddard

I have read and understand the terms of our engagement as stated above and agree to be bound thereby.

CITY OF HAILEY, IDAHO

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

## CLIENT SERVICE POLICIES

### i) CLIENT SERVICE

At Hawley Troxell Ennis & Hawley LLP, we maintain the firm's century-old tradition of professional excellence and integrity by providing every client with the highest quality legal service. Regardless of a client's size, business, or location, the services we provide are individually fashioned to meet each client's specific needs and wishes. We are aware of our clients' concerns for efficiency and economy and make every effort to keep costs down, consistent with proper representation.

The ideal client-attorney relationship requires a mutual understanding of expectations and an open line of communication. The following policies were developed with that objective in mind and with a commitment to hold the line on escalating legal costs.

### ii) INITIAL CONFERENCE

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The client-attorney relationship generally begins with an initial conference. When scheduling this conference, you will be asked to provide information regarding potential parties involved in your situation so that we can ensure we have no conflict of interest with other clients or firm members. The purpose of this initial meeting is for your attorney to learn about your situation, and then to discuss with you the scope and amount of services that will need to be provided, who will provide those services, and the fees and costs involved.

A fundamental principle in the client-attorney relationship is that the attorney maintains confidentiality of information relating to the representation. We encourage you to communicate fully and frankly with your attorney.

### iii) ENGAGEMENT LETTER OR REPRESENTATION AGREEMENT

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The initial meeting will be followed by an engagement letter from your attorney that will outline the pertinent facts of the case, the scope of the representation, the fees to be charged, and the possible expenses to be incurred.

### iv) RETAINER

---

A retainer may be requested at the beginning or during the course of representation. Depending on our arrangement with you, this retainer may be used throughout the representation to pay for out-of-pocket costs and our fees. At the conclusion of the representation the retainer will be used to pay our final invoice for costs and legal services. If a balance remains, it will be refunded to you. If the retainer is exhausted, you are responsible for payment of fees and out-of-pocket costs not covered by the retainer. Payment of a retainer does not relieve you of your obligation to make prompt payment of our monthly invoices.

Unless otherwise directed, all retainer funds are placed in an interest bearing client trust account. The interest on this account is donated, by law, to support public interest objectives of the Idaho Law Foundation.

### v) FEES AND EXPENSES

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We usually compute our fees on an hourly basis. These standard hourly rates are subject to modification at any time. Time charges may, if applicable, include waiting time in court or elsewhere and time spent in travel. Other fee arrangements include setting a reasonable fixed fee for services, and occasionally the firm represents a client on a contingent fee basis. Premium rates may also be charged for work involving greater complexity, intensity of effort, specialized services, or additional liability potential.

## CLIENT SERVICE POLICIES

We believe in providing the most efficient and cost-effective services to our clients. As a commitment to this philosophy, you will not be charged for long-distance phone calls, regular USPS postage, facsimile transmissions or computer assisted legal research. There will be times when other out-of-pocket expenses are incurred as a necessary part of your representation and these will be billed to you accordingly. These can include photocopies, deliveries, travel, document production, court reporter services, expert witness fees, and court fees.

Unless arrangements are made, the firm does not advance costs of more than \$300. Necessary costs above that amount may be billed directly to you by the service provider.

### vi) BILLING STATEMENTS

Unless otherwise agreed, you will receive monthly statements. These statements provide you with chronological information about the services provided and the cost of such services. We can, however, provide you with as much—or as little—detail as you wish, regarding the services we provide. You should discuss your billing preferences with your primary attorney. All invoices are due and payable in full upon receipt. If your account becomes delinquent:

- You will be subject to an interest charge of 12% per annum for invoices delinquent for more than 30 days.
- You will be subject to attorney fees and expenses allowed by law if your account is referred for collection.
- The firm may find it necessary to terminate services and withdraw from representation.

Problems or questions about bills should be promptly directed to your primary attorney or Susan Olson at (208) 344-6000.

### vii) WORKING RELATIONSHIP

You convey to the firm, as your legal representative, the power of attorney to execute all pleadings and take such other actions as may be necessary or advisable on your behalf. Any settlement affecting your interests will, however, require your prior consent.

Your satisfaction with our law firm depends on your relationship with the individuals who are helping you solve your problem. If you have concerns about which attorneys work on your matter, please discuss these concerns with your primary attorney. If, at any time during our representation, you become unhappy or dissatisfied with our work, we encourage you to contact your primary attorney and discuss your concerns. If you are unable to resolve these issues with your primary attorney, please contact Steven W. Berenter, our Managing Partner at (208) 344-6000.

AGENDA ITEM SUMMARY

DATE: 3/3/14 DEPARTMENT: PW - WW DEPT. HEAD SIGNATURE: 

**SUBJECT:** Public Hearing of Ordinance amending how Wastewater base rates are set for new occupants of Townhomes/Condos where irrigation is on the homeowner's association meter and for moves within city limits

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_  
(IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

Hailey Municipal Code 13.04.130(B)(3) states:

2. Non-Metered Account Fee. New Wastewater user accounts, where an average winter water use has not been established, shall pay a set monthly charge for water usage of 6000 gallons per month.

This revised ordinance was introduced to city council on February 3, 2014 under New Business. Following that city council meeting additional customers contacted city hall with similar but slightly different concerns about how sewer fees are set (see attachments).

With these additional comments we now have three different requests for adjusting our setting of sewer fees.

1. Owners of a townhouse/condo where the HOA pays for irrigation and the owners water use is strictly domestic. This concern would be covered by the attached ordinance.
2. Customers who move from one house within the city to another with no changes to the number of persons in the house. The reasoning is that their domestic use would be similar and should be charged that way. This presents more of a problem with tracking for city staff and verifying the house occupancy. The proposed ordinance does not address this concern.
3. A revision to our established ordinance and policy that customers who run water to avoid freezing run the water outside and they provide proof this is being done. This was a discussion in 2007 and a two year period to rectify water services subject to winter freezing was put in place followed by the requirement to run the water outside. Municipal Code does not allow for adjustments to the sewer fees if this proof is not provided.

City staff recommends that the ordinance be revised as shown on the attachment to allow for adjustment of a property where the irrigation is not a part of the services used. The new account would be initially assessed at the current 6,000 gallons per month rate until there is 2 full months of water use with which to set an average sewer rate. Any excess fees could then be credited to the account or possibly an increased fee set.

Council should discuss whether option #2 should be added to the ordinance. Staff recommendation is that this be a request from the customer with verification that the number of occupants or water using appliances has not changed. The ordinance would then be revised as shown below:

2. Non-Metered New Account Fee. New Wastewater user accounts, where an average winter water use has not been established, shall pay a set monthly charge for water usage of 6000 gallons per month. For those properties identified as having a separate irrigation system account the wastewater fee shall be set



following two full months of water use to the average water use. A user moving from one property to another within city limits may request that their previous wastewater fee be continued at the new property with certification that the number of occupants and water using appliances has not changed.

I do not recommend any revisions to the Municipal Code to address the third concern. This issue was been discussed in the past and compromises made to allow customers time to repair shallow water services subject to freezing.

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:** Caselle # \_\_\_\_\_  
Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_  
Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
Staff Contact: \_\_\_\_\_ Phone # \_\_\_\_\_  
Comments:

No negative impact as this is a minimal number of properties and will be calculated in rates.

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (IF APPLICABLE)  
 City Administrator       Library       Benefits Committee  
 City Attorney       Mayor       Streets  
 City Clerk       Planning       Treasurer  
 Building       Police      \_\_\_\_\_  
 Engineer       Public Works, Parks      \_\_\_\_\_  
 Fire Dept.       P & Z Commission      \_\_\_\_\_

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Motion to approve Ordinance \_\_\_\_\_ and conduct first reading by title only.

**ADMINISTRATIVE COMMENTS/APPROVAL:**

City Administrator \_\_\_\_\_ Dept. Head Attend Meeting (circle one) Yes No

**ACTION OF THE CITY COUNCIL:**

Date \_\_\_\_\_

City Clerk \_\_\_\_\_

**FOLLOW-UP:**

\*Ord./Res./Agrmt./Order Originals: Record  
Copies (all info.): \_\_\_\_\_  
Instrument # \_\_\_\_\_

\*Additional/Exceptional Originals to: \_\_\_\_\_  
Copies (AIS only)

HAILEY ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 13 OF THE HAILEY MUNICIPAL CODE BY AMENDING SECTION 13.04.130(B)(2) TO CLARIFY THAT NEW WASTEWATER USER ACCOUNTS SHALL BE BASED ON A WATER USE OF 6000 GALLONS PER MONTH WITH A PROVISION FOR ADJUSTMENT BASED ON ACTUAL USEAGE; BY PROVIDING FOR A REPEALER CLAUSE; BY PROVIDING FOR A SEVERABILITY CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City desires to clarify that new wastewater user accounts shall be initially based on a water use of 6000 gallons per month;

WHEREAS, the City desires to allow for an adjustment to properties served by a separate irrigation account after two full months of useage; and

WHEREAS, the Mayor and City Council find that the amendments to the Chapter will further the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

**Section 1.** Section 13.04.130(B)(2) of the Hailey Municipal Code is hereby amended by the addition of the following underlined language and the deletion of the following stricken language:

2. ~~Non-Metered New Account Fee.~~ Except as otherwise provided herein, N new Wastewater user accounts, where an average winter water use has not been established, shall pay a set monthly charge for based on water usage of 6000 gallons per month until the metered wastewater fee can be established pursuant to subsection 13.04.130(B)(1).

- a. For those properties identified as having a separate irrigation system account, the metered wastewater fee shall be set following two full months of water use to the average water use during the two full months until the metered wastewater fee can be established pursuant to subsection 13.04.130(B)(1).
- b. For those properties where a user has moved from one property to another property within the city limits and where the user has certified that the number of occupants has not increased and that the quantity of water in appliances will not increase, the metered wastewater fee shall be based on the water useage established in the prior property until the metered wastewater fee can be established in the subsequent property pursuant to subsection 13.04.130(B)(1).

**Section 2.** Repealer Clause. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.

**Section 3.** Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable,

such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

**Section 4.** Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

**PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL** and approved by the Mayor this \_\_\_ day of March, 2014.

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor City of Hailey

ATTEST:

\_\_\_\_\_  
Mary Cone, City Clerk

## Tom Hellen

---

**From:** tablerk@aol.com  
**Sent:** Saturday, January 25, 2014 6:09 PM  
**To:** Tom Hellen  
**Subject:** Re: Wastewater Fees

Tom,  
I had read this and knew it was a way to adjust for summer irrigation, however we do not irrigate and have meters that are read monthly so no average should need to be made. I did talk to Heather and she mentioned that it may be addressed at a city council meeting in Feb.  
Hope that it is changed as many people have been charged without disclosure of the 6000 gal. base.  
Thankyou,  
Donnale

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

From: Tom Hellen <[tom.hellen@haileycityhall.org](mailto:tom.hellen@haileycityhall.org)>  
To: tablerk <[tablerk@aol.com](mailto:tablerk@aol.com)>  
Cc: Heather Dawson <[heather.dawson@haileycityhall.org](mailto:heather.dawson@haileycityhall.org)>; Shellie Rubel <[shellie.rubel@haileycityhall.org](mailto:shellie.rubel@haileycityhall.org)>  
Sent: Fri, Jan 24, 2014 9:58 am  
Subject: Wastewater Fees

Donnale,

Attached is the ordinance setting 6,000 gallons as the wastewater initial fee for billing.

If Heather Dawson, City Administrator, hasn't already called I did discuss this with her and we are looking into options on revising this ordinance.

Tom Hellen  
Public Works Director/City Engineer  
(208) 788-9830 X14  
Please be aware that all email correspondence is public record

Donnale Brown  
Customer Notes

01/29/2014 10:04 AM - shellie  
VERIFIED NO LEAK BY THE WATER DEP 1-21-14

01/24/2014 10:00 AM - shellie  
email sent:Donnale,

Attached is the ordinance setting 6,000 gallons as the wastewater initial fee for billing.

If Heather Dawson, City Administrator, hasn't already called I did discuss this with her and we are looking into options on revising this ordinance.

Tom Hellen  
Public Works Director/City Engineer  
(208) 788-9830 X14

01/22/2014 04:55 PM - shellie  
LEFT A MESSAGE FOR DONNALE TO LET HER KNOW SHE NEEDS TO TALK TO TOM ABOUT DISPUTING OUR ORDINANCE AND ALSO LET HER KNOW THAT SHE DOESN'T HAVE A LEAK.

01/21/2014 08:53 AM - shellie  
Spoke with Donnale and explained the sewer calculation at the property and that it won't change from 6,000 gals standard for a new property until April when we recalculate sewer averages. She said she would pay the bill not to worry, she was all to happy and I let her know that would could make payment arrangements if she liked. I also, explained that I hadn't received the title until last week and wasn't aware that the property had sold.

01/17/2014 11:44 AM - shellie  
RECEIVED WARRANTY DEED, PROPERTY SOLD IN JUNE 2013, MADE A BILLING ADJUSTMENT FOR \$564.91, JUNE \$79.89, JULY \$80.14, AUGUST \$80.14, SEPTEMBER \$80.39, OCTOBER 480.14, NOVEMBER \$63.17, DECEMBER \$101.04 this includes the \$25.00 transfer fee. SENT A BILL TO THE CUSTOMER WITH A NOTE ASKING HER TO CALL ME AT CITY HALL TO MAKE PAYMENT ARRANGEMENTS.

RECEIVED  
FEB 05 2014  
BY: FILE TH, HD,

TO: Tom Hellen, Public Works Director  
FROM: Cygnia F. Rapp (CR)  
DATE: January 28, 2014  
SUBJECT: Inequity in Calculating Sewer Usage Results in 2X Overcharge

---

Dear Mr. Hellen,

As instructed by City of Hailey employee Shellie Rubel, I am writing to document the inequity of being overcharged for sewer services we do not use. We are renters. Our previous residence was 531 Eastridge Drive, Hailey owned by Tom and Sarah Shephard. We lived in this location for two years until last October (October, 2013) when we moved to 1121 Silver Star Drive, Hailey, recently purchased by Sara Gorham.

We are a mature, married couple with no children. Our sewer bill with the City of Hailey at the Shepard residence was \$31.50 per month. When we moved to the Gorham residence, we were SHOCKED when our sewer bill jumped to \$49.41, an almost 2-fold jump in our rate even when our usage was the same – even less with business travel – than at our previous residence. Please see attached bills – one from each residence – for your use.

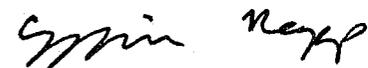
When I contacted the City of Hailey for a correction of the bill, I was given inaccurate and indefensible explanations. First, I was told the rates increased in March, 2013. This fact is irrelevant since our rate of \$31.50 occurred throughout 2013 well after the rate increase was implemented.

Second, I was told the sewer rate calculations are based on last year's water usage. How is it defensible to calculate last month's sewer usage based on last year's water usage? Besides the fact this policy disincentivizes families from conserving water and sewer use, we are being charged sewer rates based on a family of two adults and multiple children who have not lived here for several months. Why wouldn't sewer rates be based on last MONTH'S water usage instead? Your policy for calculating sewer rates substantially overcharges our actual use and considerably overpays the City of Hailey.

We would like to know what actions the City of Hailey can take to correct our sewer bill. We are not responsible for paying sewer rates that are equivalent to a large family. The City of Hailey is overcharging us for usage rates in a manner that appears difficult to defend in a court of law.

Please contact me directly (208-727-7107, [cygnia@meltorganic.com](mailto:cygnia@meltorganic.com)) to confirm you personally received and read this letter so I can be assured the recommended action of writing to you directly was actually circulated, read, and taken into consideration. Thank you.

Best Wishes,

  
Cygnia F. Rapp

# City of Hailey

Office Hours  
9 A.M. to 5 P.M. Monday—Friday  
Except Holidays

115 Main Street South (208) 788-4221  
Suite H (208) 788-2924 Fax  
Hailey, ID 83333

Please provide your up to date contact information:

Customer Phone(s): \_\_\_\_\_

Customer Email: \_\_\_\_\_

Service Address:

531 EASTRIDGE DR



4

Billing Date	11/01/2013
Due Date	11/25/2013
Total Amt Due	81.85
Amount Paid	
Account Number	17.01010.01

Amount Paid	
Account Number	17.01010.01

## UTILITY BILL



795 \*\*\*\*\*5-DIGIT 83333  
THOMAS & SARAH SHEPARD  
%RAPP, JOHN & CYNTHIA  
PO BOX 2754  
HAILEY ID 83333-2754

↑ DETACH HERE ↑ PLEASE RETURN TOP PORTION WITH YOUR PAYMENT ↑ DETACH HERE ↑

NAME & SERVICE ADDRESS		SERVICE PERIOD		NO. OF DAYS BETWEEN METER READINGS	ACCOUNT NUMBER
THOMAS & SARAH SHEPARD 531 EASTRIDGE DR		FROM	TO	29	17.01010.01
		10/01/2013	10/31/2013		
METER READINGS		GALLONS USED	CHARGES	UTILITY SERVICE	
PREVIOUS	PRESENT			ADJUSTMENTS	CURRENT BILLING TOTAL
1,607	1,632	WATER 25,000	72.23 72.23CR  14.57 4.35 31.50 7.31 24.12	PREVIOUS BALANCE PAYMENT RECEIVED THIS PERIOD  WATER WATER BOND SEWER SEWER BOND GARBAGE SERVICE	81.85 81.85
<p>WATER USAGE</p> <p>26 4 4 3 4 3 4 28 33 31 29 36 25 x 1000 gal Oct Nov Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct</p> <p><i>(Previous residence)</i> <i>~ 4000/month</i></p>		<p>ADJUSTMENTS</p> <p>CURRENT BILLING TOTAL</p> <p>PLEASE PAY THIS AMOUNT</p>			

Deposit(s) on this account: \$

Choose to pay your bill online at [www.haileycityhall.org/billPay/index.asp](http://www.haileycityhall.org/billPay/index.asp)  
or to set up monthly auto draft payments, call 788-4221.

FALL YARD WASTE CLEAN UP, Saturday, November 9th from 9:00am - 3:00pm at the Hailey Park n Ride, corner of Bullion St. and River St. Bring grass, yard trimmings and branches (maximum: 8' long and 18" diameter) if you have any questions please contact Clear Creek Disposal at 726-9600.

\*\*IF YOU ARE A LANDLORD\*\* DO NOT PAY IF YOUR TENANT IS RESPONSIBLE. THIS IS FOR INFORMATION ONLY.

# City of Hailey

Office Hours  
9 A.M. to 5 P.M. Monday—Friday  
Except Holidays

115 Main Street South (208) 788-4221  
Suite H (208) 788-2924 Fax  
Hailey, ID 83333

Please provide your up to date contact information:

Customer Phone(s): \_\_\_\_\_

Customer Email: \_\_\_\_\_

Service Address:

1121 SILVER STAR DR



## UTILITY BILL



794 \*\*\*\*\*5-DIGIT 83333  
DANIEL & SARA GORHAM  
% JOHN & CYGNIA RAPP  
PO BOX 2754  
HAILEY ID 83333-2754

Billing Date	11/01/2013
Due Date	11/25/2013
Total Amt Due	220.87
Amount Paid	
Account Number	34.01350.02

↑ DETACH HERE ↑ PLEASE RETURN TOP PORTION WITH YOUR PAYMENT ↑ DETACH HERE ↑

NAME & SERVICE ADDRESS		SERVICE PERIOD		NO. OF DAYS BETWEEN METER READINGS	ACCOUNT NUMBER
DANIEL & SARA GORHAM 1121 SILVER STAR DR		FROM 10/01/2013	TO 10/31/2013	29	34.01350.02
METER READINGS		GALLONS USED	CHARGES	UTILITY SERVICE	
PREVIOUS	PRESENT				
2,045	2,058	WATER 13,000	331.66 331.66CR	PREVIOUS BALANCE PAYMENT RECEIVED THIS PERIOD	
			11.57 4.35 <del>49.41</del> 7.31 123.23 25.00	WATER WATER BOND SEWER SEWER BOND GARBAGE SERVICE TRANSFER FEE	
WATER USAGE		<p><i>(current residence)</i></p> <p>Nov. - rate went to sewer to</p> <p>Dec. sewer rate</p> <p>ADJUSTMENTS \$32.13</p> <p>PLEASE PAY THIS AMOUNT</p> <p>46.68</p>			
<p>Oct Nov Dec Jan Feb Mar Apr May</p> <p>Deposit(s) on this account: \$</p> <p>Choose to</p> <p>FALL YARD WASTE CLEAN corner of Bullion St. and If you have any question</p> <p>**IF YOU ARE A LANDLORD</p>					

*Gorham - bought house in July 2013  
sewer rate was 46.22  
sewer rate for Oct. 49.41*

## Tom Hellen

---

**From:** Cygnia F. Rapp <cygnia@meltorganic.com>  
**Sent:** Thursday, February 06, 2014 9:01 AM  
**To:** Tom Hellen; fxx@haemlaw.com; donidaho@cox.net; Carol Brown; pat cooley; 'Martha Burke'  
**Cc:** Heather Dawson; Mary Cone; Shellie Rubel; 'Rapp, John'  
**Subject:** RE: sewer usage overcharge

Hello All,

Thank you for the opportunity to comment. Tom and I discussed the following:

- When someone moves to a new residence they are automatically charged for sewer usage of 6000 gallons per month during the winter months – from November through April. In our case, that started in October since we moved to the 1121 Silver Star location October 1 and that is when we noted the 2x jump in our sewer usage bill. The automatic 6000 gallon per month charge is based on an average that was calculated for the usage of ~3000 accounts.
- Tom confirmed we actually use half or less than that amount – between 2000 and 3000 gallons per month. Since accounts (in a new residence) using over 6000 gallons per month are NOT billed above that amount during the winter months, my husband and I subsidize other accounts usage.
- At the end of the “grace” period, accounts using more than 6000 gallons per month are NOT billed for their excess usage during those winter months, nor are accounts using less than 6000 gallons per month issued a credit.
- **It is offensive and wrong we are obligated to pay the City of Hailey free money to subsidize other households’ sewer usage. As renters, this means we could pay the City of Hailey multiple times over for usage rates we do not incur since we change locations more frequently than homeowners.**
- The city ordinance creating this method of calculating sewer rates was passed 4 years ago, which is strange because when we moved to the 531 Eastridge location October 1, 2011 we did NOT experience this 2x jump in our sewer rate.
- The City of Hailey should enact a defensible city ordinance that equitably calculates sewer rates based on actual sewer/ water usage instead of an “average” that over- and under-charges accounts upon occupying a new location. If accounts have no history with the City of Hailey, then perhaps an assumed average could be justified for a trial period. But if history exists with the City of Hailey, then accounts should be charged based on their prior history for a new location.
- **We kindly request the City of Hailey adds a provision to the current city ordinance that provides an adjustment at the end of the “grace” period where accounts are issued a credit or debit in order to address this shortcoming. We also request this is retroactively enacted for September 30, 2013.**

Thanks again for the opportunity to provide feedback. Please feel free to call me with any questions – 727-7107.

Best Wishes,  
Cygnia

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**From:** Tom Hellen [<mailto:tom.hellen@haileycityhall.org>]  
**Sent:** Wednesday, February 05, 2014 3:57 PM  
**To:** 'fxx@haemlaw.com'; [donidaho@cox.net](mailto:donidaho@cox.net); Carol Brown; pat cooley; Martha Burke ([burkefamily203@cox.net](mailto:burkefamily203@cox.net))

**Cc:** [cygnia@meltorganic.com](mailto:cygnia@meltorganic.com); Heather Dawson; Mary Cone; Shellie Rubel

**Subject:** FW: sewer usage overcharge

Cygnia Rapp has asked that I forward her concerns to you. As we just discussed changes to assist the townhouse owners without irrigation service I feel this would be an appropriate item to discuss.

If I can do her concerns justice she would like to see a credit for those people who don't use 6,000 gallons per month when adjustments are made in April. As she pointed out to me those who use more than 6,000 gallons are not requested to pay us back for what they actually used, they are just adjusted going forward.

Tom Hellen  
Public Works Director/City Engineer  
(208) 788-9830 X14

Please be aware that all email correspondence is public record

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**From:** Cygnia F. Rapp [<mailto:cygnia@meltorganic.com>]

**Sent:** Wednesday, February 05, 2014 10:30 AM

**To:** Tom Hellen

**Subject:** sewer usage overcharge

Greetings Mr. Hellen,

Please see attached pdf for your review and use. I will also deliver a paper copy shortly. Please let me know if you have any questions. You are welcome to contact me directly at 208-727-7107. Thank you.

Best Wishes,  
Cygnia

## Tom Hellen

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**From:** Riccardi, Roger <Roger.Riccardi@ejgallo.com>  
**Sent:** Monday, February 10, 2014 2:49 PM  
**To:** Tom Hellen  
**Subject:** Riccardi

Tom thank you for the call today. I think it is unfair that I have \$ 8.50 water bill and a \$326 dollar sewer bill ! This has gone on for some time and I feel I have paid way more than my share. At the time of high use water was running outside. Being a non resident owner this is risky. The line froze and I spent 1000's and had to run off a neighbor's water. I have since insulated and sealed a basement stairwell as well as having a small 1/4 line and valve installed in my basement. As you can see from my water use this is the responsible thing to do. Please help as 3000 plus for sewer use is not fair. I love the town and support programming via the sun valley center. I keep a 1930's old town hailey cottage in the manner that makes hailey proud.

I look forward to hearing back from you. Back in march and glad to show you or your designate the work I have done. Also glad to show your our napa and sonoma wineries. We are a leader in water conservation and erosion control and have hosted many local and state meetings.

Regards Roger Riccardi 707 695 5823



**AGENDA ITEM SUMMARY**

DATE: 3-3-14

DEPARTMENT: Legal

DEPT. HEAD SIGNATURE: \_\_\_\_\_

**SUBJECT:**

Fee Ordinance Amendment

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_  
(IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

The Community Development Director would like to revise or create the following three fees:

- A fee for a Floodplain Development Permit that has no substantial impact. Instead of a \$400 fee for such a permit, the fee would be reduced to \$75 provided the work would not have a substantial impact on the floodplain.
- A fee for a permanent sign permit. The fee would increase from \$30 to \$50.
- A fee for a portable sign permit renewal. The fee would decrease from \$50 to \$20.

Ned

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:** Caselle # \_\_\_\_\_  
Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_  
Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
Staff Contact: \_\_\_\_\_ Phone # \_\_\_\_\_  
Comments: \_\_\_\_\_

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (IF APPLICABLE)

____ City Attorney	____ Clerk / Finance Director	____ Engineer	____ Building
____ Library	____ Planning	____ Fire Dept.	_____
____ Safety Committee	____ P & Z Commission	____ Police	_____
____ Streets	____ Public Works, Parks	____ Mayor	_____

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Conduct a public hearing and if satisfactory, make a motion to adopt Ordinance \_\_\_\_\_ conduct a first reading of the ordinance.

**FOLLOW-UP REMARKS:**



**HAILEY ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY ORDINANCE NO. 1032 ESTABLISHING A REVISED FEE SCHEDULE THAT ADDS A NEW FEE FOR APPLICATIONS FOR FLOODPLAIN DEVELOPMENT PERMITS OF PROJECTS WITH NO SUBSTANTIAL IMPACT AND THAT REVISES THE FEE FOR A PERMANENT SIGN PERMIT AND FOR A PORTABLE SIGN PERMIT RENEWAL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has adopted Ordinance No. 1032 setting forth fees for all development related applications;

WHEREAS, the Hailey City Council seeks to establish fees that are appropriate for the nature of the application, are equitable to the applicant, and cover administrative costs required to process the application;

WHEREAS, the City Council has determined that it is necessary for the City to set forth a new fee charged in connection with the submission and handling of a Floodplain Development Permit that has no substantial impact and to revise the fees for a permanent sign permit and for a portable sign permit renewal;

WHEREAS, the Hailey City Council finds that the fees adopted by this Ordinance are reasonably related to and do not exceed the actual cost of the service provided by the City; and

WHEREAS, new fees or fee increases above 5% have been duly noticed and discussed in a public hearing pursuant to Idaho Code Section 63-1311A.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY AS FOLLOWS:

SECTION 1. The Fee Schedule attached as Exhibit "A" to Hailey Ordinance No. 1032 is hereby amended by the deletion of the stricken language and by the addition of the underlined language, as shown on attached Exhibit "A."

SECTION 2. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 3. All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY  
THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014

ATTEST:

\_\_\_\_\_  
Mary Cone, City Clerk

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor

Publish: Idaho Mountain Express \_\_\_\_\_, 2014

"EXHIBIT A" TO ORDINANCE NO. \_\_\_\_\_ - FEE SCHEDULE\*  
 HAILEY ZONING AND SUBDIVISION FEE SCHEDULE

Annexation	\$1250 + \$15/developable acre** + additional fees for services rendered (including but not limited to fees for City Attorney, City Engineer, and Staff) to be negotiated before application is certified as complete
Appeal	\$255
Child Care Conditional Use	\$50
Comprehensive Plan Amendment	\$400
Conditional Use Permit	\$400
Design Review	\$450 + \$25/1000 gross square feet
Design Review – Single Family Dwelling or Accessory Structure or Duplex in Townsite Overlay	\$250
Design Review –Accessory (not associated with a residential Principle Use)	\$250
Design Review - Modifications to Projects that have Received Design Review Approval (determined by the Administrator not to be minor)	\$50
Design Review - No Substantial Impact	\$75
Design Review - Recommendation for Exemption	\$30
Fence Permit	\$30
Floodplain Development Permit	\$400
Floodplain Development Permit- No Substantial Impact	\$75
Lot Line Shift	\$240
Miscellaneous	\$55
Pre-application Meeting	\$50/hour/department head for meetings and/or phone calls exceeding 1 hour
PUD (in addition to other app)	\$500 + additional fees for services rendered by City Attorney (development agreement)
Rezone	\$400 + additional fees for services rendered by City Attorney, associated with a development agreement)
Permanent Sign Permit	\$30 <del>\$50</del>
Portable Sign Permit	\$30
Portable Sign: <u>Renewal Fee</u> and inspection fee for portable sign in ROW	\$50 <del>\$20</del>
Sign: Inspection fee for permanent or portable sign. in ROW	\$50

Short Plat Subdivision	\$300/lot, subplot, or unit; not to exceed \$1200
Subdivision	\$1,250 + \$55/lot, subplot, or unit + additional fees for services rendered by City Attorney (development agreement)
Subdivision Ordinance and Zoning Ordinance Text Amendment	\$400
Vacation	\$400
Variance	\$350
Wireless Permit	\$350
Wireless Master Development Plan	\$250
Wireless Conditional Use Permit	\$600
Wireless Annual Renewal	\$60
In Lieu Parking Contribution	\$9,975 / space
<p>*All Fees: Plus actual cost of noticing (newspaper and/or mail), recording fees, and all other direct costs, not including staff time except where otherwise provided.</p> <p>** Developable acre: lying below 25% slope line and not within proposed park/green space</p>	

**AGENDA ITEM SUMMARY**

**DATE:** 03/03/2014      **DEPARTMENT:** Library      **DEPT. HEAD SIGNATURE:** \_\_\_\_\_

**SUBJECT:** \_\_\_\_\_

Motion to authorize the implementation of color copies/printing fee by adopting Resolution 2014-17

**AUTHORITY:** X ID Code 63-1311A     IAR \_\_\_\_\_     City Ordinance/Code \_\_\_\_\_

63-1311A. Advertisement of and hearing on fee increases. No taxing district may make a decision approving a fee increase that is in excess of five percent (5%) of the amount of the fee last collected or a decision imposing a new fee, unless it first holds a hearing upon such proposed fee increase or fee imposition at a regular or special meeting of the district's governing body and after it gives public notice of such hearing in the manner provided in this section.

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

The Hailey Public Library received a grant from the Donald W. and Gretchen K. Fraser Fund of the Idaho Community Foundation. The grant was used to purchase an all-in-one color printer with scanning, faxing and Wi-Fi capabilities. To offset the cost of replacement color cartridges, the board considered and adopted a new charge at the regular board meeting on January 15, 2014. The new policy states:

*Printing and scanning is available from all computer stations. Black and white printing and copying is available at \$.10 per page and color printing and copying is \$.50 cents per page.*

As required by the above state law, this was noticed on January 13, 2014.

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:**      Caselle

# \_\_\_\_\_  
Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_  
Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
Staff Contact: \_\_\_\_\_ Phone # \_\_\_\_\_  
Comments: \_\_\_\_\_

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (IF APPLICABLE)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> City Administrator | <input checked="" type="checkbox"/> Library  | <input type="checkbox"/> Benefits Committee   |
| <input type="checkbox"/> City Attorney                 | <input type="checkbox"/> Mayor               | <input type="checkbox"/> Streets              |
| <input checked="" type="checkbox"/> City Clerk         | <input type="checkbox"/> Planning            | <input checked="" type="checkbox"/> Treasurer |
| <input type="checkbox"/> Building                      | <input type="checkbox"/> Police              | _____   |
| <input type="checkbox"/> Engineer                      | <input type="checkbox"/> Public Works, Parks | _____   |
| <input type="checkbox"/> Fire Dept.                    | <input type="checkbox"/> P & Z Commission    | _____   |

**RESOLUTION NO. 2014 - 17**

A RESOLUTION OF THE HAILEY CITY COUNCIL, ESTABLISHING A FEE FOR COLOR COPIES, AT THE HAILEY PUBLIC LIBRARY.

WHEREAS, the Hailey Public Library Board has the authority manage the affairs of the Hailey Public Library pursuant to Municipal Code Section 2.16.020;

WHEREAS, the Hailey Public Library Board wishes to enact a fee for color copies, due to multiple requests from the public.

WHEREAS, the Hailey Public Library seeks to cover its direct costs for services;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hailey, Idaho that a \$.50 (50 cents) fee, per side, shall be collected when the Hailey Public Library makes a color copy.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THE 3rd DAY OF MARCH, 2014 AND EFFECTIVE THIS SAME DAY.

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cone, City Clerk

**AGENDA ITEM SUMMARY**

DATE: 3-3-14

DEPARTMENT: Legal

DEPT. HEAD SIGNATURE: \_\_\_\_\_

**SUBJECT:**

Ordinance No. 1144 (Noise Ordinance Amendment)

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_  
(IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

At the February 3, 2014 council meeting, the Mayor and City Council approved the ordinance submitted at the meeting with two minor revisions. First, the council wanted to make sure emergency vehicles and snowplowing vehicles were not subject to the noise regulations. After reviewing the ordinance further, I believe the proposed ordinance is adequate. Section 9.04.030(A) prohibits "unnecessary" noise. I do not believe sirens would be a violation of Section 9.04.030(A) because sirens would be necessary. In addition, Section 9.04.030(B)(2) allows sound for snow removal. In light of these provisions, I think the Council's revision is already covered.

Second, the council wanted the first sentence in Section 9.04.030(C) clarified. The prior version read: "An outdoor amplified sound permit is required for those events where amplified sound is located outside of an enclosed building." Now, the language reads: "An outdoor amplified sound permit is required for those events where any of the source of amplified sound is located outside of an enclosed building." I believe this revision better addresses the council's intent.

As part of my review, I also looked at the new language about imposing conditions relating to decibel levels and times. I added language to the ordinance that the decision maker could impose more restrictive conditions. I thought it would be prudent to make sure the decision maker believed he/she/it had the authority to impose lesser time periods or sound levels depending on the event.

At the last meeting, the Mayor read Ordinance No. 1144 by title only and indicated that there would be a further public hearing at the next meeting.

Ned

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:** Caselle # \_\_\_\_\_  
Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_  
Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
Staff Contact: \_\_\_\_\_ Phone # \_\_\_\_\_  
Comments: \_\_\_\_\_

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (IF APPLICABLE)  
\_\_\_\_ City Attorney \_\_\_\_\_ Clerk / Finance Director \_\_\_\_\_ Engineer \_\_\_\_\_ Building  
\_\_\_\_ Library \_\_\_\_\_ Planning \_\_\_\_\_ Fire Dept. \_\_\_\_\_  
\_\_\_\_ Safety Committee \_\_\_\_\_ P & Z Commission \_\_\_\_\_ Police \_\_\_\_\_  
\_\_\_\_ Streets \_\_\_\_\_ Public Works, Parks \_\_\_\_\_ Mayor \_\_\_\_\_

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Conduct a public hearing and if the revision noted above is satisfactory, make a motion to conduct a second reading of Ordinance No. 1144.



## Heather Dawson

---

**From:** Lagergren@cs.com  
**Sent:** Tuesday, February 04, 2014 9:57 AM  
**To:** Heather Dawson  
**Subject:** Questions

Hi Heather,

First, congratulations to the City for partnering with the Wood River Land Trust on water conservation, etc., especially as we have routinely seen puddles of water standing in parts of the parks, and the Middle School grounds in the past.

Now, is it correct that the council adopted the Noise Ordinance with the maximum dB level as 90 dB?

I did not hear any discussion to change from 90 dB to 85 dB or less, as I had requested them to consider.

Why did they not discuss their positions to keep the level at 90 instead of reducing it to 85 when the science was presented to them?

I would like to have a justification for **why did the mayor and each of the council members ignore** the fact that OSHA, CDC, EPA and WHO declares that greater than 85 dB causes hearing loss. Is this possible to obtain?

I will appreciate your help getting answers.

Sincerely,

Ginna Lagergren

Hailey Police Department Sound Checks During 2012 and 2013 Hailey Events

Wicked Spud Sound Checks

July 2012 84 dB

August 2012 78 dB

July 2013 87 dB

Sun Valley Brewery

August 2012 90.5dB

July 2013 88 dB

Bull Riding Event

Announcing and music during some Bull Rides peaked at 93.5 dB with added crowd noise

Concert after event 83 dB

## HAILEY ORDINANCE NO. 1144

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, BY AMENDING HAILEY MUNICIPAL CODE BY AMENDING SECTION 9.04.030 TO LIMIT THE HOURS OF AMPLIFIED SOUND, TO ENUMERATE LOUD, DISTURBING AND UNNECESSARY NOISES AND TO REGULATE INDOOR AND OUTDOOR AMPLIFIED SOUND; BY AMENDING SECTION 12.12.040 TO ELIMINATE LIONS PARK FROM THE REGULATIONS OF CHAPTER 12.12 AND TO ADD CONDITIONS FOR HOURS AND DECIBEL LEVELS OF AMPLIFIED SOUND FOR A PARK RESERVATION; BY AMENDING SECTION 12.14.020 TO REVISE THE DEFINITION OF GOVERNMENT EVENTS; BY AMENDING SECTION 12.14.080 TO ADD CONDITIONS FOR HOURS AND DECIBEL LEVELS OF AMPLIFIED SOUND FOR A SPECIAL EVENT PERMIT; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Mayor and the City Council of the City of Hailey wish to make the City of Hailey an event friendly place while maintaining public safety and residential quality of life;

WHEREAS, to promote the peace and quiet of neighborhoods, the Mayor and the City Council believe it is necessary to regulate both indoor and outdoor amplified sound; and

WHEREAS, the Mayor and City Council find that an amendment to the amplified sound permit regulations will further the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

**Section 1.** Section 9.04.030 of the Hailey Municipal Code is amended by the deletion of the stricken language and the addition of the underlined language as follows:

9.04.030 Noise.

A. Except as otherwise provided herein, it is unlawful for any person to make, create, continue or cause to be made, created or continued, any loud or unnecessary noise, regardless whether the source of the noise occurs inside or outside of a building, which noise disturbs or injures others within the limits of the city, or which adversely affects the comfort, health, peace or safety of others within the limits of the city.

1. ~~Outdoor a~~Amplified sound may be permitted with an approved Special Events permit, an approved park reservation or an approved amplified sound permit. ~~Permitted outdoor provided the~~ amplified sound shall be limited to the hours between 10:00 a.m. and 10:00 p.m.

2. Amplified sound may be permitted with an approved Special Events permit for an event expected to attract more than 1500 people at any time in City Parks as defined by Section 12.14.020 of the Hailey Municipal Code, and between 10:00 a.m. and 11:30

~~p.m. in the Business (B) zoning district, and between 10:00 a.m. and midnight at Hailey's multi-purpose arena provided the amplified sound shall be limited to the hours between 10:00 a.m. and 11:00 p.m.~~

3. Amplified sound may be permitted with an approved Special Event permit for an occasional event determined to be of significant benefit to the community, in which case the City may condition approval on the use of amplified sound during limited hours deemed appropriate based on the event and proximity to neighborhoods.

B. Except as otherwise provided herein, the following acts are declared to constitute the making of loud, disturbing and unnecessary noises in violation of this sSection 9.04.030, but the enumeration contained in this subsection shall not be deemed to be exclusive:

1. Radios, Phonographs, Loudspeakers and Sound Amplifiers. The using, playing or operating, or permitting the playing, using or operating, of any radio, television, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of neighboring residents or inhabitants, including the projection of volume or sound louder than is necessary for the hearing of the person or persons in a building or vehicle in which such machine or device is operated. The operation of any such radio, television, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device in such a manner as to be plainly audible at a distance of fifty feet (50') from the property line of any property where the same is located, or at a distance of fifty feet (50') from any vehicle in which the same is located, shall be prima facie evidence of violation of this section, except with an approved special event permit, an approved park reservation permit or an approved amplified sound permit;

2. Building and Site Construction, Alteration, Demolition, Repair and Maintenance. The construction, including excavation, of new buildings and the demolition, alteration or repair of any existing building, except between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on Saturdays and nine a.m. to seven p.m. on Sundays, except in cases where urgent necessity in the interest of public health and safety has been demonstrated to the city administrator and except sounds emitted by snow removal and yard maintenance equipment in operation;

3. Pile Drivers, Hammers, Etc. The operation of any pile driver, pneumatic hammer, derrick, ram, or electric hoist, the use of which involves loud or unusual noise, and blasting or any other use of explosives, except between the hours of seven a.m. and seven p.m. Monday through Friday, except in cases where urgent necessity in the interest of public health and safety has been demonstrated to the city administrator;

4. Animals. The keeping of any animal under circumstances where resulting frequent or long, continuous noise disturbs the peace, comfort or repose of other persons in the vicinity where the animal is kept.

5. Unless otherwise permitted pursuant to an approved special event permit, amplified sound permit or park reservation, noise in excess of the following levels as measured at the property line or at the party wall between the units (if the property consists of multiple apartment units) in the following zoning districts as determined by the Hailey Zoning Ordinance within the city during the following times:

Zoning District	Nighttime 10:00 p.m. to 7:00 a.m.		Evening 7:00 p.m. to 10:00 p.m.
LI, TI, SCI	65 dB		65 dB
B, LB	65 dB		90 dB

C. An ~~outdoor~~ amplified sound permit is required for those events where any of the source of amplified sound is located outside of an enclosed building.

1. An ~~outdoor~~ amplified sound permit application must be completed and filed with the city five (5) business days prior to the event date. An ~~outdoor~~ amplified sound permit may be administratively approved after an applicant submits the following information on a form provided by the city.

- a. the name, address, and telephone number of the applicant;
- b. the address of the location of the property where the amplified sound will be generated;
- c. the maximum decibel level expected to be generated;
- d. the time during which the sound equipment will be used;
- e. an application fee, if established by separate resolution; and
- f. a statement that the applicant has obtained a copy of the applicable requirements of this chapter and agrees to comply with all applicable requirements.

2. An ~~outdoor~~ amplified sound permit may be administratively approved upon finding that the requirements of this chapter have been met.

3. Approval of Permit. The Chief of Police or his/her designee shall approve the application unless one of the following finding are made:

- a. Use of the equipment would constitute a detriment to traffic safety;
- b. The issuance of the permit would be otherwise detrimental to the public health, safety or welfare;
- c. The issuance of the permit will substantially interfere with the peace and quiet of the neighborhood or the community;
- d. The applicant would violate the provisions of this Code or any other law.

4. Upon approval of an ~~outdoor~~ amplified sound permit a Hailey Police officer may visit the property on the day of set up of the amplified sound equipment to measure the decibel level emitted and mark the maximum decibel level permitted on the equipment.

5. An amplified sound permit shall include the minimum conditions that any amplified sound shall be limited between 10:00 a.m. and 10:00 p.m. and that any amplified sound shall not exceed ninety (90) dB measured at the property line at any time during the event; provided, however, the Chief of Police or his/her designee is authorized to impose more restrictive conditions.

~~The decibel level shall not exceed ninety (90) dB measured at the property line at any time during the event.~~

6. Disapproval of Permit. In the event the permit application is not approved, the Chief of Police or his designee shall state the reason(s) for such in writing and provide the applicant with the written statement.

7. Right of Appeal. Any person whose permit application is denied may appeal to the City Council within ten (10) calendar days from the date of notification of decision.

D. Penalties. Any person who violates any provision of this section shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine not exceeding three hundred dollars, imprisonment in the county jail for a period not exceeding thirty days, or both such fine and imprisonment.

**Section 2.** Section 12.12.040 of the Hailey Municipal Code is amended by the deletion of the stricken language and the addition of the underlined language as follows:

12.12.040 Reservation of City Parks.

A. Applicability. Reservation for the exclusive use of a City Park or a portion thereof, for gatherings of less than 250 people shall require the prior issuance of a park reservation. For gatherings that are reasonably expected to attract 250 or more people, the procedures and requirements of Chapter 12.14 of the Hailey Municipal Code shall apply instead.

1. Hop Porter, ~~and McKercher and Lions~~ Parks shall be kept available for special events, defined and administered pursuant to Chapter 12.14, on the Friday, Saturday and Sunday of the following weekends of each year.

a. Memorial Day  
b. The weekend closest to July Fourth. If July 4<sup>th</sup> is on a Tuesday the weekend before is reserved. If July 4<sup>th</sup> is on a Wednesday or Thursday then the weekend after is reserved.

c. The first weekend of August for the Northern Rockies Folk Festival.

d. Labor Day

e. The second weekend in October for the Trailing of the Sheep Festival

2. Deerfield, Foxmoor, Curtis, the Skate Park, Balmoral, and Echo Hill Parks are neighborhood parks that should remain available for use by the general public and shall not be reserved for exclusive use except with an approved special events application pursuant to Chapter 12.14.

3. Jimmy's Garden and E. W. Fox Demonstration Garden shall not be reserved for exclusive use.

4. Sports fields at Balmoral, Keefer, ~~Lions~~ and McKercher Parks shall be available for recreational league use through a Seasonal Event permit.

5. Reservation of Deerfield and Foxmoor Parks for Seasonal Events shall be prohibited due to the limited parking available.

B. Administration. The Administrator of this Chapter is responsible for the coordination of any applicable departmental review and issuance of a park reservation.

1. Authority of Administrator.

a. For events that are reasonably expected to attract less than 250 participants, the Administrator has the authority to issue a park reservation and shall comply with the provisions of this Chapter 12.12.

b. For events that are reasonably expected to attract 250 or more people, the applicant shall comply with Chapter 12.14 of the Hailey Municipal Code.

C. Application Procedure.

1. An application for a park reservation shall be signed by the applicant on a form provided by the Administrator and shall be filed with the Administrator.

2. At a minimum, the applicant shall provide, on a form provided by the Administrator, sufficient information to address the requirements set forth in this Chapter.

3. Except as otherwise provided herein, all park reservation applications shall be issued according to date received. Requests for parks use permits received first shall have priority over applications received later. All park reservation applications received during the same business day shall be considered to have been received at the same time.

a. If Hop Porter, or McKercher ~~or~~ Lions Park is not reserved for a Special Event on one of the weekends listed in 12.12.040(A)(1), then a park reservation application may be submitted to reserve the park on one of the weekends listed in 12.12.040(A)(1) not more than fourteen (14) calendar days prior to the start of the desired reservation date.

4. A park reservation shall include the minimum conditions that any amplified sound shall be limited between 10:00 a.m. and dusk and that any amplified sound shall not exceed ninety (90) dB measured at the property line at any time during the event; provided, however, the Administrator is authorized to impose more restrictive conditions.

D. Fees.

Except as otherwise provided herein, the applicant shall pay a non-refundable reservation fee, in addition to any applicable per diem or service fees for the use of the park, as established by resolution of the City Council, at the time of the filing of the park reservation application.

1. An individual or group may apply with the city to adopt-a-park. The following minimum requirements shall be met in accordance with the applicable park maintenance standards:

- a) spring and/or fall clean-up
- b) spring and/or fall fertilizing
- c) weed control
- d) weekly mowing

2. If an adopt-a-park application is approved the city will recognize the individual or group on the applicable park sign and waive park reservation fees as follows for the same individual or group named on the adopt-a-park application:

a. One reservation for one hundred (100) to two hundred forty-nine (249) people.

3. An individual or group may apply with the city for a waiver of the Seasonal Use Fee provided the following minimum requirements are met:

- a. 10 hours of service in the park

- b. A proposed plan of the service to be performed presented to the Parks & Lands Board for recommendation to the City Council
- c. Adequate performance in previous years if this request is made by the same individual or group as the prior year.

E. Compliance with the terms and requirements of this section shall exempt the applicant or organizer of the event subject to such requirements from the provision and requirements of Chapter 5.16 of the Hailey Municipal Code.

**Section 3.** Section 12.14.020 of the Hailey Municipal Code is amended by addition of the underlined language in definition of “Government Event”, as follows:

“Government Event” means an event solely produced by a government on its property and solely administrated under its sole authority.

**Section 4.** Section 12.14.080 of the Hailey Municipal Code is amended by the addition of the underlined language as follows:

12.14.080     Standards.

A. A Special Event permit may be issued after the following findings are made by the Administrator.

- 1. The Special Event will in fact qualify as a Special Event.
- 2. The Special Event meets all of the applicable requirements set forth in §12.14.040.
- 3. All required fees and deposits have been paid.

B. Following an evaluation of the above requirements and standards, the application may be approved, conditionally approved or denied. Conditions may be imposed that are deemed to be reasonably related to the above standards and that will promote the public health, safety and general welfare. The minimum conditions shall include conditions i) that any amplified sound shall not exceed ninety (90) dB measured at the property line at any time during the event and that any amplified sound shall be limited between 10:00 a.m. and 10:00 p.m. for events described in Section 9.04.030(A)(1), or ii) that any amplified sound shall not exceed ninety (90) dB measured at the property line at any time during the event and that any amplified sound shall be limited between 10:00 a.m. and 11:00 p.m. for events described in Section 9.04.030(A)(2), or iii) that any amplified sound shall not exceed a reasonable decibel level measured at the property line at any time during the event and that any amplified sound shall be limited to times deemed appropriate and commensurate for events described in Section 9.04.030(A)(3); provided, however, the City Council or Administrator, as the case may be, is authorized to impose more restrictive conditions.

**Section 5. Severability Clause.** If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 6. Repealer Clause. All ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 7. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor  
City of Hailey

ATTEST:

\_\_\_\_\_  
Mary Cone, City Clerk



AGENDA ITEM SUMMARY

DATE: 3-3-2014

DEPARTMENT:

CDD

DEPT. HEAD SIGNATURE: MA

**SUBJECT:** Consideration of a City of Hailey initiated text amendment to Title 15 of the Hailey Municipal Code, the Building Ordinance, by amending chapter 15.08 and subsections within. Amendments include a re-roof fee, fireplace fee, Build Better Program modifications, definitions, and specifics for requirements within.

**AUTHORITY:**  ID Code       IAR \_\_\_\_\_       City Ordinance/Code Title 15, HMC  
(IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

Below is a summary of the proposed revisions:

**Build Better Program**

1. Amend sections of the ordinance that were applicable during the voluntary period of the ordinance but are now unnecessary with the ordinance mandated for all new construction. In particular:
  - a. Change the building permit fee discount from 50% to 8% for projects that elect the Performance Path. This is based on analysis done by the Department of Building Safety on the amount of time saved during the review and inspection period when a builder elects the Performance Path (HERS Rater). Since the ordinance was mandated for all new construction, we have had no builders choose the Performance Path.
  - b. Eliminate the option for deferral of payment of the Building Permit until after the project receives the Certificate of Occupancy. This was an incentive when the program was voluntary.
2. Add/Revise two fees as follows:
  - a. The current Re-roof Fee is based on valuation, however it requires the same amount of time to inspect an expensive roof as it does an inexpensive roof. The amended fee would be \$75.00, which is in line with our other building inspection fees per project.
  - b. Addition of a Fireplace Installation for Solid Fuel Burners Fee. The proposed language is as follows:
    - i. Fireplace Installation for Solid Fuel Burners Fee. Fee shall be \$75 per fireplace installation for solid fuel burners and shall be due at the time the application is due.
3. Increase minimum square footage for a building permit from 120 square feet to 200 square feet.
  - a. This amendment is in line with the 2012 IBC, which exempts all structures less than 200 square feet from the requirements of the Building Code.

In compliance with Idaho Code 39-4109-(5), proper notice was sent to all entities that require notice according to Idaho Code 39-4109 (5). Notice was sent out on December 13, 2013.

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:**

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (IF APPLICABLE)

<input type="checkbox"/> City Administrator	<input type="checkbox"/> Library	<input type="checkbox"/> Benefits Committee
<input checked="" type="checkbox"/> City Attorney	<input type="checkbox"/> Mayor	<input type="checkbox"/> Streets
<input type="checkbox"/> City Clerk	<input checked="" type="checkbox"/> Planning	<input type="checkbox"/> Treasurer
<input type="checkbox"/> Building	<input type="checkbox"/> Police	_____
<input type="checkbox"/> Engineer	<input type="checkbox"/> Public Works, Parks	_____
<input type="checkbox"/> Fire Dept.	<input type="checkbox"/> P & Z Commission	_____

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Adopt Ordinance \_\_\_\_\_ to revise sections of Title 15 of the Hailey Municipal Code, the Building Ordinance, by amending chapter 15.08 and subsections within. Amendments include a re-roof fee, fireplace fee, Build Better Program modifications, definitions, and specifics for requirements within.



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**ACTION OF THE CITY COUNCIL:**

Date : \_\_\_\_\_

City Clerk \_\_\_\_\_

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**FOLLOW-UP:**

\*Ord./Res./Agrmt./Order Originals: Record  
Copies (all info.):  
Instrument # \_\_\_\_\_

\*Additional/Exceptional Originals to: \_\_\_\_\_  
Copies (AIS only)

HAILEY ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING CHAPTER 15.08 OF THE HAILEY MUNICIPAL CODE BY AMENDING SUBSECTION 15.08.012(A) TO EXEMPT QUALIFYING MODULAR BUILDINGS AND MANUFACTURED HOMES FROM THE PROVISIONS OF THE BUILD BETTER PROGRAM, AMENDING SUBSECTION 15.08.012(C) TO INCREASE THE CONDITIONED SPACE SIZE OF NEW COMMERCIAL CONSTRUCTION FROM 10,000 TO 20,000 SQUARE FEET BEFORE ENERGY EFFICIENCY VERIFICATION IS REQUIRED, AMENDING SUBSECTION 15.08.012(D) TO QUANTIFY WATER CONSERVATION STANDARDS, AMENDING SUBSECTION 15.08.012(E)(5) TO CLARIFY THE ALLOCATION OF POINTS FOR ENERGY EFFICIENCY, AMENDING SUBSECTION 15.08.012(E)(8) TO ALLOW SUSTAINABLE FORESTRY INITIATIVE PRODUCTS TO BE USED AS SUSTAINABLE PRODUCTS; AMENDING SUBSECTION 15.08.020(E) TO PROVIDE A REDUCTION IN BUILDING PERMIT FEES FOR NEW RESIDENTIAL CONSTRUCTION IF CONSTRUCTED IN ACCORDANCE WITH THE BUILD BETTER PROGRAM AND WHEN USING A RESNET CERTIFIED HERS RATER; AMENDING SUBSECTION 15.08.020(H) TO DELETE THE KETCHUM BUILDING OFFICIAL FROM THE BOARD OF APPEALS; ADDING A NEW SUBSECTION 15.08.020(Y) TO REVISE PLUMBING FIXTURE REQUIREMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Idaho Code § 39-4116 allows the City of Hailey to amend the International Building Code, the International Residential Code and the International Energy Conservation Code (“Codes”) to reflect local conditions, provided the amendments provide an equivalent level of protection; and

WHEREAS, good cause exists for an amendment to the Codes and that such an amendment is reasonably necessary;

WHEREAS, the City of Hailey has conducted a public hearing to consider such amendments after notice was provided in accordance with Idaho Code § 39-4116 and Chapter 9, Title 50, Idaho Code; and

WHEREAS, the City Council of the City of Hailey have determined that certain amendments and modifications to the Code will promote the public health, safety and welfare of the citizens of and visitors to the City of Hailey, Idaho;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

**Section 1.** Section 15.08.012(A) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

A. Applicability. This Section 15.08.012 is a supplement to the other adopted International Codes and is not intended to be used as independent construction regulations or to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances. All commercial and residential New Construction, Additions and Alterations shall comply with the standards of Section 15.08.012, unless otherwise stated herein.

1. Referenced Codes and Standards. It is the expressed intent of this section to require higher minimum standards relating to Building performance than the corresponding minimum standards set by the referenced codes and standards, and in such cases, the higher minimum standards of this section shall take precedence.

2. Other Laws and Codes. The provisions of this chapter shall not be deemed to nullify any provisions of local, state or federal laws and codes.

3. Residential New Construction Exemptions. U.S. Green Building Council's Leadership in Energy and Environmental Design for Homes certification level or National Association of Home Builder's Green Building Program bronze level project are exempt from the Build Better Program requirements. Either exemption must verify that the project is 10% more energy efficient than the IECC, using a HERS Index or the alternative method described in Section C.1.a.ii. of this Ordinance. The exemptions listed above must show intent to meet the requirements at the Building Permit review stage through plans and an initial HERS score based on the proposed design. Prior to receiving a certificate of occupancy, copies of all program documentation and a final HERS score shall be submitted to the Building Department.

4. Commercial New Construction Exemptions. U.S. Green Building Council's Leadership in Energy and Environmental Design for New Construction minimum certification level projects are exempt from the Build Better Program requirements, provided the applicant verifies that the project meets the minimum energy efficiency requirements for Commercial Buildings, as identified in Section 15.08.012.C.2.a of the Hailey Municipal Code. The applicant must identify the intent to meet U.S. Green Building Council's Leadership in Energy and Environmental Design for New Construction certification level, at a minimum, at the Building Permit review stage with an indication on the plans and with a written narrative what Leadership in Energy and Environmental Design points will be achieved. Prior to receiving a certificate of occupancy, copies of all program documentation shall be submitted to the Building Department.

5. Exemptions for Commercial and Residential Alterations and Additions. In addition to the exemptions listed in Section 101.4 of the IECC, the following projects are exempt from Section 15.08.012:

- a. Window, glass-only replacements of the same size and location.
- b. Bathroom remodel projects limited to the replacement of fixtures and cabinets.
- c. Kitchen remodel projects limited to the replacement of cabinets, counter tops, plumbing fixtures, and appliances.
- d. Electrical work associated with permits issued only for electrical work
- e. Plumbing associated with permits issued only for plumbing.

- f. Replacement of HVAC appliances associated with permits issued only for appliance replacement.
- g. Reroofs.
- h. Additions less than 500 square feet of Conditioned Floor Area.
- i. New Construction or Additions of any size that do not include any Conditioned Floor Area.
- j. Alterations that do not affect the integrity of the Building Envelope.
- k. Alterations that do not require a Building Permit.
- l. Tenant and ADA improvements required by the Building Department.
- m. Structures listed on the National Historic Register.
- n. Modular Buildings built offsite and inspected by the Idaho Department of Building Safety with the official insignia affixed to the modular building.
- o. Manufactured Home built offsite and inspected by the Idaho Department of Building Safety with the official insignia affixed to the manufactured home.

Any commercial or residential alteration or addition which is not otherwise exempt shall comply with the requirements of Section 15.08.012 to the greatest extent possible, unless the Administrators find that compliance with all or part of the provisions of Section 15.08.012 would a) create an undue hardship on the applicant and b) not materially advance the goal of this ordinance to conserve energy, water and other natural resources.

**Section 2.** Section 15.08.012(C) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

C. Energy Efficiency. All commercial and residential New Construction and Additions shall comply with the IECC, and shall increase energy efficiency 10% beyond the IECC requirements.

1. Residential Energy Efficiency. Energy Efficiency shall be 10% greater than the IECC requirements for New Construction, Additions, and Alterations with Conditioned Space, 500 square feet or greater.

a. New Construction. Energy efficiency shall be verified by a RESNET Certified HERS Rater using a REM/RATE™ Energy Analysis and IECC Section 405 criteria, unless specified herein. Applicants shall submit an initial HERS Index score based on the proposed design with a Building Permit application. Prior to receiving a certificate of occupancy, a final HERS Index score shall be submitted to the Building Department, verifying that both project is 10% more energy efficient compared to the IECC.

i) New residential construction certified under the current ENERGY STAR Northwest Program is exempt from Section 15.08.012.C.1, providing the Building plans and the constructed building are certified ENERGY STAR Northwest.

ii) New residential construction is not required to be verified by a HERS Rater if they install a 90% AFUE furnace or equivalent system is

installed, a 0.62 EF water heater or equivalent system is installed, all lights are LED or CFL, and air sealing tests verify 5 air exchanges per hour at 50 Pascals.

b. Additions. A RESNET Certified HERS Rater shall conduct a Certified HERS Audit of the entire Building associated with the Addition, unless a previous Certified HERS Audit has been conducted and submitted to the Building Department within the last 5 years. The energy efficiency of the Addition itself shall be verified by a REScheck Energy Analysis. Applicants shall submit a REScheck Energy Analysis based on the proposed design with a Building Permit application. Prior to receiving a certificate of occupancy, the specifications of the REScheck Energy Analysis will be verified by the Building Department during routine inspections. The REScheck Energy Analysis shall project a 10% more energy efficient design compared to the IECC.

c. Alterations. A REScheck Energy Analysis shall be submitted to the Building Department verifying that the Alteration exceeds the energy efficiency requirements of the IECC by 10% or by calculating the energy efficiency rating of a specific component that affects energy efficiency associated with the alteration. For example: the IECC requires a U-factor of 0.35 for a new window installation. A new window that is 10% more efficient would have a U-factor of 0.315 (or 0.32 rounded up) or better.

## 2. Commercial Energy Efficiency.

a. New Construction. Buildings less than ~~10,000~~ 20,000 square feet of Conditioned Space shall verify energy efficiency using a COMcheck Energy Analysis and Buildings ~~10,000~~ 20,000 square feet or larger shall verify energy efficiency using an energy model.

i) Buildings under ~~10,000~~20,000 square feet of Conditioned Space. Applicants shall submit a COMcheck Energy Analysis based on the proposed design with a Building Permit application. Prior to receiving a certificate of occupancy, the specifications of the COMcheck Energy Analysis will be verified by the Building Department during routine inspections. The COMcheck Energy Analysis shall project a 10% more energy efficient design compared to the IECC.

ii) Buildings ~~10,000~~20,000 square feet of Conditioned Space or larger shall be energy modeled by a licensed engineer using Building Department Approved energy modeling software. Approved software includes, but is not limited to, the most recently published version of the following: eQuest, Trace, Carrier HAP, and EnergyPlus. The model shall verify that amount of energy used is 10% more energy efficient compared to the IECC and shall be submitted to the Building Department with the Building Permit application. Prior to receiving a certificate of occupancy, the specifications of the energy model will be verified by the Building Department during routine inspections.

b. Additions. An energy audit shall be conducted by an Idaho licensed engineer on the entire Building associated with the Addition, unless an energy audit by an Idaho licensed engineer has been conducted and submitted to the Building Department within the last 5 years. Energy efficiency shall be verified by a COMcheck Energy Analysis or modeled in accordance with Section 5.08.012,C,2,a,ii. if the addition is greater than ~~10,000~~20,000 square feet of Conditioned Space or larger. Applicants shall submit a COMcheck Energy Analysis based on the proposed design with a Building

Permit application. Prior to receiving a certificate of occupancy, the specifications of the COMcheck Energy Analysis will be verified by the Building Department during routine inspections. The COMcheck Energy Analysis shall project a 10% more energy efficient design compared to the IECC.

c. Alterations. A COMcheck Energy Analysis shall be submitted to the Building Department verifying that the Alteration exceeds the energy efficiency requirements of the IECC by 10% or by calculating the energy efficiency rating of a specific component that affects energy efficiency associated with the alteration. For example: the IECC requires a U-factor of 0.35 for a new window installation. A new window that is 10% more efficient would have a U-factor of 0.315 (or 0.32 rounded up) or better.

**Section 3.** Section 15.08.012(D) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

D. Water, Indoor Air, Construction Waste, Durability and Assurance (WICDA). The provisions of WICDA apply to ~~new~~ residential and commercial New Construction only construction.

1. Water Conservation. All faucets, showerheads, and toilets installed in a Building for domestic use and restroom facilities, shall use 20% less water (faucets – 1.5 gpm, showerheads – 2.0 gpm and toilets 1.28 gpf or less) than standard fixtures or be labeled by the WaterSense Program, which use at least 20% less water than standard fixtures. Water Sense labels or equivalent documentation shall be submitted to the Building Department or provided during final inspection for verification.

2. Indoor Air. The applicable sections of the most recent edition of the International Mechanical Code shall be met to ensure proper ventilation.

3. Construction Waste. In Addition to waste receptacles, bins for cardboard and clean wood waste shall be provided and sorted accordingly on-site during construction and will be verified by the Program Administrators during regularly scheduled inspections.

4. Durability and Assurance. Details and specifications shall be submitted in the drawings, details, or in packet form with the Building Permit in order to promote durability; and high performance of the Building enclosure and its components and systems through appropriate design, materials, selection, and construction practices.

a. Under the following categories, the Program Administrators shall specify what items shall be applicable and provide a list of these items with the Building Permit:

- i) Foundations
- ii) Walls
- iii) Roofs
- iv) Air infiltration
- v) Heat loss

b. Before the issuance of a certificate of occupancy, applicants shall sign a declaration that states all items are installed to manufacture's specifications and plan details.

**Section 4.** Section 15.08.012(E)(5) of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

5. Energy Efficiency.

a. Insulation: Up to 7 points.

i) Wall Insulation: 2 points.

(1) Application: R-24 minimum wall cavity insulation.

(2) Verification: checked during plan review by the Program Administrators and verified by the Certified HERS Rater for New Construction and checked during plan review and verified by the Program Administrators for Additions.

ii) Basement or Foundation Insulation: 1 to 5 points.

(1) Application: Insulation must be installed on the full height of a basement or foundation wall.

(2) Verification: checked during plan review by the Program Administrators and verified by the Certified HERS Rater for New Construction and checked during plan review and verified by the Program Administrators for Additions.

Points	R-Value and insulated concrete forms
1	15, or
2	20, or
3	25, and
2	Use of insulated concrete forms on the foundation (stem wall and footing)

b. Windows: Up to 3 points.

i) Application: new windows or replacement windows installed as part of an Addition are awarded points as follows:

Points	Maximum U-factor*
1	0.3
2	0.28
3	0.26

\*U-factor, as established by the National Fenestration Rating Council (NFRC).

ii) Verification: checked during plan review by the Program Administrators and verified by the Certified HERS Rater for New Construction and checked during plan review and verified by the Program Administrators for Additions. The inspector must be able to clearly identify the U-factor and Solar Heat Gain Coefficient (SHGC) ratings and window type by the National Fenestration Rating Council's stamp or the manufacturer's label. Applicant must show the number of windows to be upgraded on Building plans.

c. Air Sealing of an Existing Building: Up to 4 points.

i) These points shall not be applied to New Construction activity. Points will be awarded when a HERS rating is applied to the existing structure

before and after construction, showing the following blower door results:

ii) Points will be awarded when a blower door test, conducted by a certified HERS Rater, showing the following blower door results and when mechanical ventilation is installed that meets the requirements of Section 15.08.012(D)(2):

Points	Natural Air Changes Per Hour at 50 Pascal
1	4
2	3
3	2
4	1

**Section 5.** Section 15.08.012(E)(8) of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

8. Sustainable Products.

a. Forest Stewardship Council (FSC) and Sustainable Forestry Initiative (SFI) Certified: Up to 6 points.

Points	Number of board feet (BF) of FSC or SFI lumber per square feet (SF) of floor area
2	2 BF per SF of floor area (2BF/SF)
4	3 BF per SF of floor area (3 BF/SF)
6	50% or more of dimensional lumber in total BF is FSC or SFI, excluding engineered wood products

b. Environmentally Preferred, Low Emission, and Local Materials: Up to 10 points from Chart A.

i) Application: For each assembly, all product specification type requirements shall be met in order to receive the points available. Environmentally preferred and low emission qualifying products have more than one of these attributes: recycled content, reclaimed, bio-based, agricultural residue, rapidly renewable, and low or no volatile organic compounds (VOCs) emissions. A "recycled content" product must contain a minimum of 25 percent post-consumer recycled content except as noted otherwise above.

Post-industrial (pre-consumer) recycled content is counted at half the rate of post-consumer content. Except as otherwise noted in Chart A, 90 percent of the component, by weight or volume, must meet the specification shown. Locally sourced materials are products that are manufactured within 500 miles of the city are considered local.

**Environmentally Preferred, Low Emission, and Local Materials  
Chart**

Up to 10	Product Specification Types				
	Assembly	Component	EPP Specifications	Emission Specifications	Local
1	Exterior Wall	Framing	FSC or SFI Certified		X

1	Exterior Wall	Framing	Finger-jointed studs (vertical use only for structural components)		X
1	Exterior Wall	Siding or masonry	Recycled content or FSC or SFI		X
1	Floor	Flooring	90% of home	NO carpet in home	
1	Floor	Framing	FSC or SFI Certified		X
1	Foundation	Cement	Fly ash or slag as replacement for, not Addition to, cement content (min. 20%)		X
1	Interior Wall	Framing	FSC or SFI Certified		X
1	Interior Wall	Framing	Finger-Jointed, (vertical use only for structural components)		X
1	Interior Walls AND ceilings	Gypsum board	Recycled content		X
1	Interior Walls AND millwork	Paint		VOC concentrations of 150g/L or less AND 48 hour pre-flush	
0.5	Interior Walls AND millwork	Wood finishes		VOC concentrations of 150 g/L or less	
1	Landscape	Decking or patio material	Recycled content or FSC or SFI Certified		X
1.5	Other	Cabinets	Recovered, recycled content, or FSC or SFI Certified	Wood and/or agrifiber products with no added urea-formaldehyde resins	X
1	Other	Counters	Recycled content	Wood and/or agrifiber products with no added urea-formaldehyde resins	
1.5	Other	Doors (not incl. garage)	Recycled content or FSC or SFI Certified	Wood and/or agrifiber products with no added urea-formaldehyde resins	X
1.5	Other	Trim	Recovered, recycled content, or FSC or SFI Certified	Wood and/or agrifiber products with no added urea-formaldehyde resins	X
0.5	Other	Adhesives and sealants		VOC concentrations of 70 g/L or less	

1	Other	Windows	Recycled content or <u>FSC or SFI</u> Certified		X
1	Roof	Framing	<u>FSC or SFI</u> Certified		X
1	Roof	Roofing	Recycled content or vegetated (min. 200 sf)		X
1	Roof AND floor AND wall	Insulation	Recycled content (min 20%)		X
1	Roof, floor, wall (2 of 3)	Sheathing	Recycled content or <u>FSC or SFI</u> Certified		X

**Section 6.** Section 15.08.020(E) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

E. Fees, Deposits and Refunds: For buildings, structures and other improvements requiring a building or other permit under this chapter, fees, deposits and refunds shall be paid to the city of Hailey as specified herein.

1. Building Permit Fee. Fees shall be charged utilizing Table 1-A of the 97 UBC, published by the International Conference of Building Officials (ICBO). Building valuation shall be factored at one hundred twenty dollars (\$120.00) per square foot. For new construction or substantial remodels, an application fee of \$500 shall be made at the time the building permit application is submitted to the city. Said fee shall be credited to the total amount of the building permit fee, but shall be forfeited if the building permit is not obtained by the applicant within 180 days of permit approval. Except as otherwise provided for herein, the remainder of the building permit fee and the deposit for final inspection shall be collected when the building permit is issued. ~~At the election of the applicant, payment of the remainder of the building permit fee for a Building built according to the Build Better Program, or an Energy Star certified single family residence may be deferred to the date of the issuance of a certificate of occupancy. For the purpose of Section 15.08.020(E), an Energy Star certified single family residence shall mean a single family residence certified as an Energy Star project in accordance with the Northwest Energy Star Program, as amended. The Building built to the Build Better Program shall mean a Building that meets the specifications outlined in Section 15.08.012.~~

a. New residential construction, excluding additions and alterations, shall receive a ~~50%~~ 10.0% reduction in building permit fees when built in accordance with the Build Better Program and when using a RESNET Certified HERS Rater (Performance Path), in accordance with 15.08.012.C.1.a..

2. Plan Review Fee: Building Department review will be 65% of the building permit fee. Except as otherwise provided for herein, the plan review fee shall be collected when the building permit is issued. At the election of the applicant, payment of the plan review fee for an Energy Star certified single family residence or a Building Built to the Build Better Program specifications may be deferred to the date of the issuance of a certificate of occupancy.

a. ~~The plan review fee for new residential construction, excluding additions and alterations, built in accordance with the Build Better Program, shall receive a 50% reduction. By way of example, if a building permit fee is \$1000~~

according to Table 1-A of the 1997 UBC, ~~the plan review fee for new residential construction built in accordance with the Build Better Program shall be \$325 (\$1000 x 0.65 x 0.5).~~

3. Fire Review Fee: Fire Department review for commercial or multi-family projects shall be 35% of the building plan review fee. Except as otherwise provided for herein, the fire review fee shall be collected when the building permit is issued. ~~At the election of the applicant, payment of the fire review fee of an Energy Star certified single family residence or a Building built to the Build Better Program specifications may be deferred to the date of the issuance of a certificate of occupancy.~~

4. Deferred Submittal Fee: An additional 100% of the original plan review fee may be charged for all deferred submittals.

5. Moved Structure Fee: Moved structures will be calculated by using the estimated cost of the move applied to Table 1-A of the 97 UBC.

6. Manufactured Homes Fee: Fees shall be based on the on-site elements constructed, not the home itself.

7. Demolition Fee: Fee shall be \$75 and shall be due at the time the application is submitted to the city.

8. Re-roof Fee: ~~Fee shall be calculated using Table 1-A of the 97 UBC. Valuation shall be based on scope of the work and materials.~~ Fee will be \$75 per roof and shall be due at the time the application is submitted to the city.

9. Fence Fee: Fee will be \$30 and be paid when the application is submitted.

10. Shed Fee: Permits must be obtained for all sheds exceeding ~~120~~ 200 square feet. Fees shall be based on Table 1-A of the 97 UBC.

11. Alternative Energy Review Fee. Fee shall be \$75 per Alternative Energy System application and shall be due at the time the application is submitted to the city.

12. Window Replacement Fee. Fee shall be \$75 per window replacement application and shall be due at the time the application is submitted to the city.

13. Fireplace Installation for Solid Fuel Burners Fee. Fee shall be \$75 per fireplace installation for solid fuel burners and shall be due at the time the application is due.

**Section 7.** Section 15.08.020(H) of the Hailey Municipal Code is hereby amended by the deletion of the stricken language, as follows:

H. Board of Appeals. Section 112 of the IBC and IRC shall be amended by the addition of a new section 112.3.1, as follows:

Section 112.3.1 Board Membership: The Mayor and the Hailey City Council will appoint a three (3) person Board to stand as the Board of Appeals, as needed, with membership to be selected from but not limited to the following list of professionals in the various fields of expertise in the building industry:

- Blaine County, Idaho Building Official;

- ~~The City of Ketchum, Idaho Building Official~~
- The City of Hailey Fire Chief;
- General Contractor associated with the Building Contractors Association of the Wood River Valley;
- A licensed Idaho Architect; and,
- A licensed Idaho Structural Engineer.

**Section 8.** Section 15.08.020 of the Hailey Municipal Code is hereby amended by the addition of a new subsection 15.08.020(Y), as follows:

Y. Required Plumbing Fixtures. IBC Table 2902.1 shall be amended as follows:

1. Delete footnote (f) contained under Table 2902.1 Minimum Number of Required Plumbing Fixtures, and replace with the following: Drinking fountains are not required for an occupant load of thirty (30) or fewer.

2. Add the following footnote to Table 2902.1 Minimum Number of Required Plumbing Fixtures: (g) For business occupancies, excluding restaurants, and mercantile occupancies with an occupant load of thirty (30) or fewer, service sinks shall not be required.

**Section 9. Severability Clause.** If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

**Section 10. Repealer Clause.** All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

**Section 11. Effective Date.** This Ordinance shall be in full force and effect after its passage, approval and publication according to law

**PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL** and approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cone, City Clerk