

**AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday April 6, 2015 * Hailey City Hall Meeting Room**

5:30 p.m. CALL TO ORDER - Open Session for Public Concerns

CONSENT AGENDA:
No Consent Agenda Items

MAYOR’S REMARKS:
MR 000

PROCLAMATIONS & PRESENTATIONS:

<u>PP 115</u>	Hailey Chamber of Commerce Quarterly Report.....	1
<u>PP 116</u>	“Livable Main Street” grant effort - a presentation given by Lisa Horowitz	9

OLD BUSINESS:

<u>PH 117</u>	Discussion of Hailey’s policy on nuclear waste shipments to Idaho and storage within Idaho	11
<u>PH 118</u>	Discussion of Non-Discrimination Ordinance, which establishes protections against discrimination based on gender identity or sexual orientation within the City of Hailey	17
<u>PH 119</u>	Discussion of the characterization made recently by the Idaho Department of Water Resource that municipal water use is fully consumptive	27

PUBLIC HEARING:

<u>PH 120</u>	Sunburst Hills Final Plat Approval (this item has been cancelled and re-noticed for hearing on April 20, 2015).....	33
<u>PH 121</u>	Hailey Infrastructure Improvements – Report from Mayor Haemmerle regarding his meeting with Hailey Chamber of Commerce regarding Local Option Tax funding opportunities	35

NEW BUSINESS:

<u>NB 122</u>	Presentation of energy code options by Community Development Coordinator, Kristine Hilt	40
NB 123	Park Reservation Fee, Arena Use Fee, and Water Fill Spout Fee increases (this item has been cancelled and re-noticed for April 20 2015)	

STAFF REPORTS: Staff Reports Council Reports Mayor’s Reports

<u>SR 124</u>	Snow Report for 2014/2015 Winter	(no documents)	
<u>SR 125</u>	Library Director’s report for February 2015		53
<u>SR 126</u>	Draft agenda for April 20, 2015 council meeting.....		58

EXECUTIVE SESSION: Matters & Motions from Executive Session or Workshop

Next Ordinance Number - 1173 Next Resolution Number- 2015-20

AGENDA ITEM SUMMARY

DATE: 04/06/2015 **DEPARTMENT:** Admin **DEPT. HEAD SIGNATURE:** HD

SUBJECT:

Hailey Chamber of Commerce presentation quarterly financial report.

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IFAPPLICABLE)

2014 Contract for Services with Hailey Chamber of Commerce.

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The City of Hailey's contract for services with the Hailey Chamber of Commerce requires the Chamber to submit to the City:

1. quarterly reports – which will be delivered to city council during meeting.
2. monthly reports, from which monthly payment is made to the Chamber. These reports are submitted to the council each month with the Treasurer's report.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Budget Line Item # _____	YTD Line Item Balance \$ <u>61,000</u> _____
Estimated Hours Spent to Date: _____	Estimated Completion Date: _____
Staff Contact: _____	Phone # _____
Comments: _____	

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

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

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

No Action required. Dialogue and discussion only.

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 Chamber of Commerce
Quarterly Report
October 1st – December 31st 2015**

The Hailey Chamber of Commerce is pleased to present to you the first quarter report of the 2014 – 2015 fiscal year. The mission of the Hailey Chamber of Commerce is to promote and support our membership, businesses and community while maintaining and enhancing our quality of life.

In October the Chamber elected a new Board of Directors consisting of 19 members.

Executive Committee:

Debra Hall – President	Hallmark Idaho Properties
Richard Stahl – Vice President	Private Citizen
Joan Davies – Secretary	Rotarun
Justin Larsen – Treasurer	Valley Maintenance & Restoration
Jane Drussel – Past President	Jane's Artifacts

Members:

Beth Crawford	The Learning Garden School
Stacey Doby	St Luke's Hospital
Susan Engelhardt	Allstar Properties
Mike Glenn	Blaine County School District #61
Kirsten Hjelm	Webb Nursery
Maggie Howard	Citywide Home Loans
Tanya Olson	Power House
Lisa Patterson	Wildflower
Chris Roebuck	Christopher & Co.
Hallie Star	College of Southern Idaho - Blaine County Center
Sheri Thomas	Boulder Mountain Property Management
Staci Thomas	Bigwood Body/ABBA Towing
Sandi Viau	CPA
Freda Willson	Seasons Steakhouse LLC

Financial Status

As of the end of the first quarter, total regular and other income was \$62,769 payroll totaled \$20,328 and other expenses totaled \$25,127 resulting in a balance of \$17,313. Outstanding accounts payable totaled \$8,579. The Chamber is monitoring the budget closely to ensure compliance with state and local funding as well as Chamber secured funds.

Visitor Services

During the quarter the Chamber provided visitors and support services to 2,528 individuals. This included providing maps, directions, event information, referrals to local businesses, area information, relocation packets, event marketing, planning and coordination.

Welcome Center	499
Phone Inquiries	498
Emails	1,531

Website

Due to the age of our website platform and the increased activity on the site causing down time the Chamber migrated the website to a new platform during November and December. Many thanks to Mike Landis, JML Publishing and Carol Waller, CW Communication for their contributions to the project. Please take a few minutes to look at the website at: www.haileyidaho.com The Chamber would appreciate your comments and suggestions.

Website Statistics:

Unique Visitors	11,247
Total Website Visits	16,078
Website Pages	50,033

Facebook Statistics:

Total Fans	2,945
Facebook Posts	695
Facebook visits	158,663

Events and Programs

The Hailey Chamber works year round on event promotion and creation. Creating and maintaining events is an integral part of keeping business in Hailey thriving. The following events took place during the quarter with the aid and support of the Hailey Chamber.

Trailing of the Sheep

This is considered a marquee event for the entire Wood River Valley. The event is a celebration of the history and culture of sheep ranching. This event is a proven success and has brought significant media attention, as well as, increased lodging occupancies valley wide. The Hailey Chamber supports this event with financial and in-kind services. In-kind support included maintaining a seat on the planning committee, assisted the Folk Life Fair, set-up and staffing of the information booth. Financial support included \$5,000 from the Idaho Tourism Council to aid with Public Relations and advertising in the Utah Family Magazine and the Boise Weekly.

Return on Investment:

Combined attendance: 23,000

Event Duration: 4 days

Event Investment: 5,500

- Trailing of the Sheep: For this event we invested \$5,000 in public relations work paid for by ITC Grant and \$500 in cash support.
- The Welcome Center was opened on that Saturday to assist visitors to the area.
- Additional support was provided through general promotion through our Chamber office (Facebook, emails, Website, etc.).

Estimated Direct Economic Impact:

\$450,000 estimated spent in Hailey. Calculated estimating 1,500 people at \$150 per day for two days.

Crosstoberfest

Event Summary: The Hailey Chamber partnered with The Power House to promote this event. With funds from ITC the Hailey Chamber produced print and radio ads to promote the event primarily in the Boise and Utah areas. We ran 40 ads with Boise State Public Radio. Two email blasts were sent through Utah Valley Magazine. PSA's ran for 3 weeks prior to the event through Neuhoff Communications. To stretch dollars, we cross advertised Trailing of the Sheep and Crosstoberfest in the Boise Weekly and ran a Crosstoberfest banner ad.

In addition to the development and execution of the Crosstoberfest marketing plan, the Hailey Chamber also distributed press releases and promoted the event via social media, as well as printed and distributed posters. The Hailey Chamber also provided support by printing and distributing posters, and social media marketing.

This event in its eleventh year was held in Hailey for the third time. Cyclocross (the sport this event is centered around) is one of the fastest growing sports in America and is the fastest growing segment of the biking sport. This event type brings the consumers that Hailey is looking to gain ground with, "the active affluent". We were able to provide support and marketing to help this event establish itself in Hailey.

It is important to provide a solid base for events that we believe will have a significant impact on visits to Hailey. While the attendance for this event is smaller in comparison to some of our other events, its potential for growth is huge and we should continue to support this event and other biking events to the best of our ability.

Return on investment:

Event attendance: 300

Event Duration: 2 days

Event Investment: Our financial contribution to this event was approximately \$4,500. The ITC has reimbursed the Hailey Chamber for the marketing funds.

Estimated Direct Economic Impact: \$60,000. Calculated estimating 200 people for two days.

Halloween Hoopla

The Hailey Chamber organized and produced the Hailey Halloween Hoopla and Scarecrow Contest. The Hailey Chamber contributed financing for the marketing of the event as well as in-kind staffing and volunteer support. The Hailey Halloween Hoopla is one of the most popular "hometown events". The event brings people to the downtown core and encourages commerce in Hailey and a sense of community. Approximately 75% of Main Street businesses participated in this event. Approximately 1,200 people participated during the 2 hour event this year. Local families flooded the streets, this was a huge success.

Wood River Valley Expo

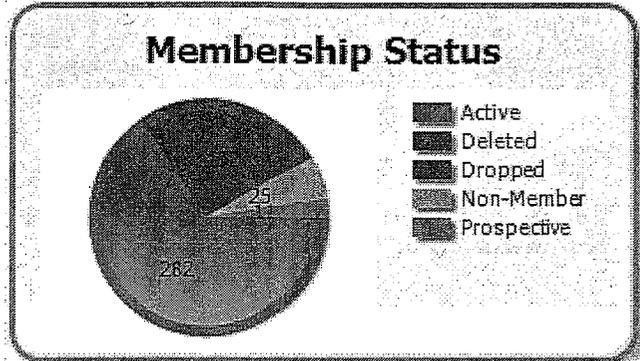
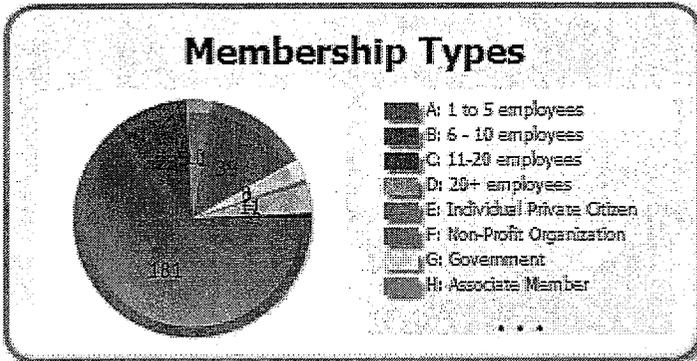
In prior years the Business Showcase was held in Sun Valley and organized by Zion's Bank. This year Zion's Bank asked the Chamber for assistance to move the event to Hailey for the first time. The event was held at the Community Campus November 5th from 4 – 8pm. The total number of public attendees was approximately 200 of which each received a swag bag with business flyers and trinkets. Although it was a good turnout, the attendance was less than we had anticipated. This could have been due to the time and or date of the Expo. This will be reviewed to determine optimal timing for the 2015 event. Numerous donated prizes were given away during the evening. The Business to Business networking was a huge success and feedback was positive. The educational workshops were not well attended and this will either be eliminated from the agenda or scheduled prior to the opening of the Expo. The Keynote Speaker, Robert Jeppsen spoke on marketing your small business and it was well attended. The number of organizations with booths attending was 67 and total registered guest was 76. 28 companies sponsored the event through in-kind advertising and prize donations valued at \$13,200 or cash contributions of \$4,300. After fixed costs were paid, the balance was \$700 which will be used for the 2015 Expo. Overall this event was a success.

Hailey Hometown Holidays

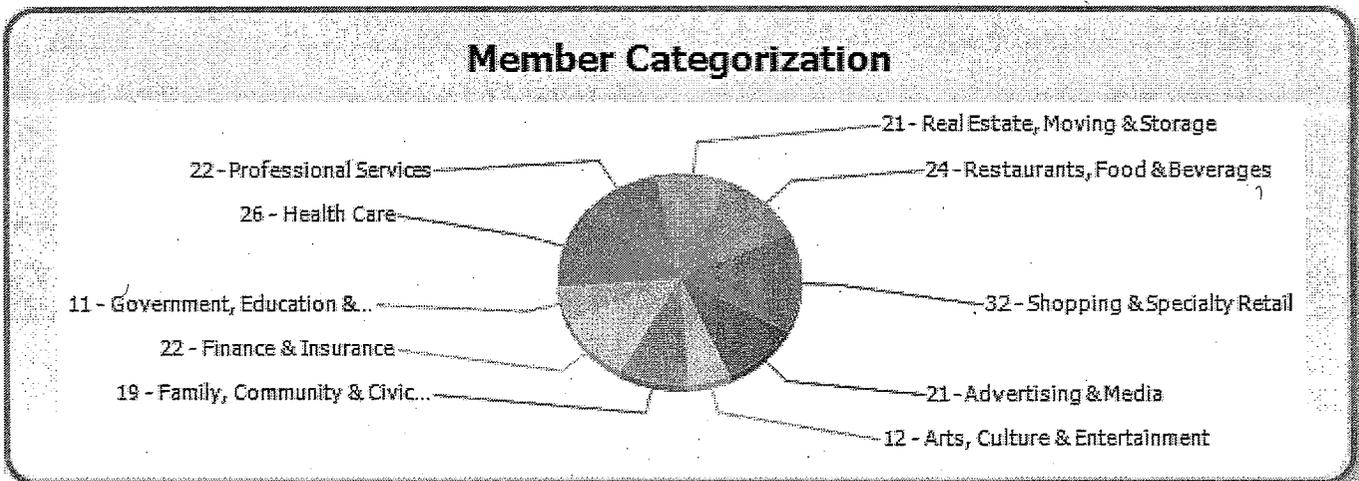
Each year the Hailey Chamber coordinates with the business community and the city of Hailey to create and organize the Hailey Hometown Holiday Square and Tree Lighting. The event was held over three Saturday's beginning December 6th, 13th and 20th. The Chamber assisted the City with coordination of Santa's and music. The location of the event on Main street was great. The Hailey Holiday Raffles were great, approximately 70 people attended each week. 13 businesses contributed prizes and 9 businesses contributed cash to purchase Chamberbucks. In total, \$2,600 was raffled off to spend locally. These events serve as a kick-off for the holiday season. These events encouraged local shopping as well as create a sense of community.

Membership

The Chamber increased membership dues overall by 10% effective with the January 2015 Membership year. Renewal invoices totaled 59,407 and as of the end of December \$36,786 had been paid. 11 new members joined the Chamber and one dropped for a total of 282 members. The majority of membership type is 1 – 5 employees followed by non-profit and 6 – 10 employees. Members now have the capability to pay for membership, sponsors and event registrations through the Chamber website.

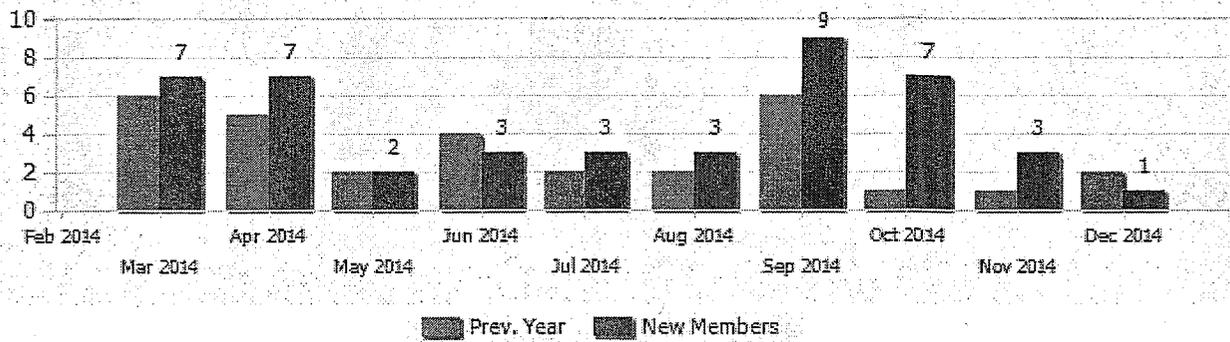


* Looking at all Active and Courtesy Members



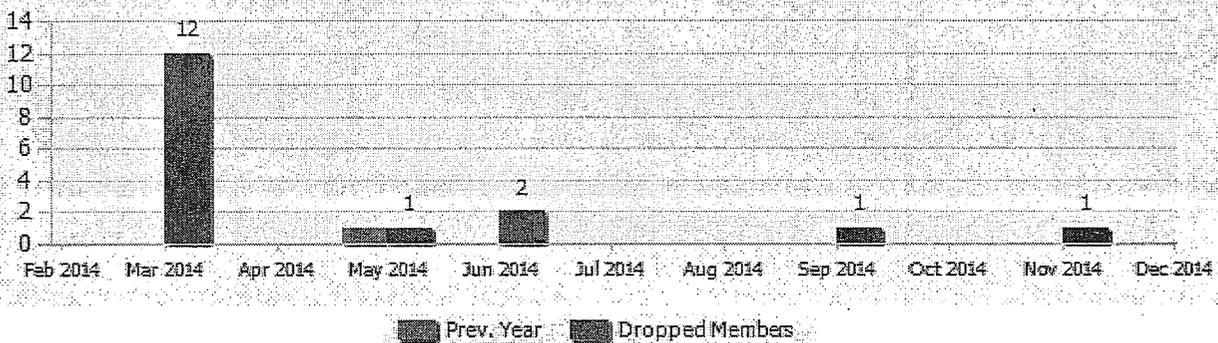
* Looking at the top 10 QuickLink Categories across all Active and Courtesy Members

New Members vs. Previous Year



* Looking at the Join Date of all Member records, regardless of current status

Dropped Members vs. Previous Year



* Looking at the Drop Date of all Member records, regardless of current status

The Chamber continues to hold Wake Up Hailey (WUH) and Business After Hours (BAH) events. As usual we did not have a BAH during December due to the holidays. The average attendance was 30 and 150, respectively. The Chamber continues to write business spotlights and announcements in the Weekly Sun to showcase local businesses and major happenings.

Community Support and Projects

The Chamber was involved in multiple projects related to improving our business, economy and community life in Hailey. We had a presence at the Sun Valley Economic Development meeting, enhanced Rotarun, Kiwanis and BCRD Ski The Rails events. We continually promote Fly Sun Valley Alliance for our air support. The Chamber donated Chamberbucks to the Fire Department’s “Do The Right Thing” program.

Marketing and Public Relations

Chamberbucks Program

Chamberbucks sales were \$8,525 for the quarter, and redemptions totaled \$7,783. This program is designed to help promote shopping locally. We are searching for a solution to the processing of Chamberbucks that will be less labor intensive.

Neuhoff Communications

The Chamber continued to advertise events through KSVT and KMVT.

Social Media, Marketing and Web

We continue to promote local events, businesses and the Hailey Chamber through Facebook, the website, print ads, radio and television.

Moving Forward

1. The Chamber will hold its Annual Membership meeting in January.
2. The Chamber will hold a Board of Directors Planning Retreat in March.
3. We are focusing on obtaining a higher award amount from ITC which will involve additional research prior to submission of a proposal.
4. We are working on a summer campaign in partnership with Neuhoff Communications and the ITC. This would consistently brand Hailey as a summer destination while highlighting individual events.

Following are some of the print advertising the chamber provided during the quarter.

Respectfully Submitted,
Pat Bowton
Operations Director
Hailey Chamber of Commerce

Return to Agenda

AGENDA ITEM SUMMARY

DATE: 03-02-2015 **DEPARTMENT:** Community Development **DEPT. HEAD SIGNATURE:** _____

SUBJECT:

Summary of an umbrella initiative that encompasses several grant projects and other projects that affect Main Street; called, "Liveable Main Street".

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

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 type="checkbox"/> City Administrator | <input type="checkbox"/> Library | <input type="checkbox"/> Benefits Committee |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input checked="" 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 checked="" type="checkbox"/> Public Works, Parks | _____ |
| <input type="checkbox"/> Fire Dept. | <input type="checkbox"/> P & Z Commission | _____ |

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

No action is required at this time. Staff will provide a short overview of the types of projects considered under the umbrella heading, "Liveable Main Street". Examples include Main Street sidewalk and bike path design, traffic speed, traffic noise, Wayfinding, Town Square Study Project, outside dining, bike/pedestrian connections to other parts of Hailey, public art.

ADMINISTRATIVE COMMENTS/APPROVAL:

City Administrator _____ Dept. Head in Attendance at 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)

Return to Agenda

AGENDA ITEM SUMMARY

DATE: 04/06/2015

DEPARTMENT: Admin

DEPT. HEAD SIGNATURE: HD

SUBJECT:

Public Hearing on nuclear waste shipments and storage to/in Idaho.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Mayor Haemmerle set a public hearing pertaining to nuclear waste shipments and storage in Idaho, to which the Idaho governor and our state legislators are invited. Attached is the letter that went to Governor Otter, as well as a draft Resolution.

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 type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input type="checkbox"/> Streets |
| <input type="checkbox"/> City Clerk | <input 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:

A resolution has been prepared for discussion and public hearing. No decision will be made during this meeting.

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)

RESOLUTION NO. 2015 - _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF HAILEY, IDAHO, ESTABLISHING THE CITY OF HAILEY'S OFFICIAL POLICY OPPOSING THE STORAGE OF OR SHIPMENT TO IDAHO OF NUCLEAR WASTE, AND EXPRESSING TO UNITED STATES GOVERNMENT OFFICIALS AND IDAHO STATE GOVERNMENT OFFICIALS THE CITY OF HAILEY'S DEMAND FOR FIRM ADHERANCE TO THE 1995 SETTLEMENT AGREEMENT BETWEEN THE STATE OF IDAHO, THE U.S. NAVY, AND THE U.S. DEPARTMENT OF ENERGY (DOE).

WHEREAS, in October of 1995, the state of Idaho, U.S. Navy, and U.S. Department of Energy (DOE) reached an agreement (most often called the Settlement Agreement) settling a lawsuit filed by the state to prevent shipment of spent nuclear fuel to the INL for storage; and

WHEREAS, the Settlement Agreement made Idaho the only state in the nation that has a court order mandating that federal nuclear waste leave state boundaries by a specific date. No other state in the nation has such a legally binding commitment; and

WHEREAS, according to Idaho's INL Oversight Program, there were 261 metric tons of heavy metal from spent fuel, 65,000 cubic meters of stored transuranic wastes, another 62,000 cubic meters of buried transuranic waste, approximately 2 million gallons of high-level liquid waste and 3,700 cubic meters of calcined (dried liquid) waste already stored at the INL when Governor Phil Batt took office. Until Governor Batt reached his agreement with federal officials, there was no legally binding commitment to remove any of this waste from Idaho; and

WHEREAS, DEQ's INL Oversight Division estimates that approximately 10,851 shipments of nuclear material will leave Idaho under the Settlement Agreement. The first shipments began leaving Idaho in early 1999. The last shipments is required to leave Idaho by 2035; and

WHEREAS, on January 6, 2011, Idaho Governor Otter and Attorney General Wasden signed a side agreement with INL amends section D.2.e of the 1995 Agreement restricting INL from accepting any shipments of "spent fuel from commercial nuclear power plants" (Commercial Power SNF). After the amendment was signed, the INL was allowed to receive research quantities of Commercial Power SNF for the purpose of research and examinations conducted at the INL; and

WHEREAS, the 1995 Settlement Agreement contains firm deadlines for removing specific radioactive materials from Idaho, which are not lessened in any way by the 2011 amendment. One such deadline was missed at the end of calendar year 2014. The 1995 Agreement stipulates that failure to meet those deadlines shall result in prohibitions against any DOE spent fuel coming to Idaho until these obligations are met; and

WHEREAS, instead of imposing no-shipment penalties at this missed deadline, Governor Otter and Attorney General Wasden agreed, on January 8, 2015 to the DOE's request to ship Commercial Power SNF in June 2015 and again in early 2016; and

WHEREAS, these decisions to relinquish unique and powerful authorities held by the State of Idaho through the 1995 Agreement are in violation of Idaho elected officials' mandate by their oath of office to protect the health, safety, and general welfare of the citizens of Idaho, and;

WHEREAS, these decisions to relinquish unique and powerful authorities held by the State of Idaho through the 1995 Agreement impede Idaho citizens' health and livelihood, as well as the economy of the State; and

WHEREAS, these decisions to relinquish unique and powerful authorities held by the State of Idaho through the 1995 Agreement potentially undermine a 1991 Blaine County Resolution declaring Blaine County to be nuclear free; and

WHEREAS, these decisions to relinquish unique and powerful authorities held by the State of Idaho through the 1995 Agreement threaten the health, livelihood, and economy of citizens and businesses of the City of Hailey. Hailey is a small town whose economy depends on high quality environmental elements. Our economic recruitment and livability is influenced by a sound, wholesome and attractive environment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, BLAINE COUNTY, IDAHO:

The City of Hailey opposes any and all increases in nuclear waste shipments to Idaho, and advocates only a decrease in nuclear waste storage within Idaho. We demand firm adherence by federal and Idaho state officials to the 1995 Settlement Agreement between the State of Idaho, the U.S. Navy, and the U.S. Department of Energy. With a large portion of the state already at risk due to the presence of nuclear materials above the Snake River Aquifer, we strenuously object to further degradation of our right to health, safety, and general welfare which puts our livelihood, natural resources and water supply at risk.

PASSED by the City Council and APPROVED by the Mayor on April ____, 2015.

CITY OF HAILEY, IDAHO

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk

March 5, 2015

The Honorable Butch Otter
Office of the Governor
Idaho State Capitol
P.O. Box 83720
Boise, ID 83720

Subject: **Hailey City Hearings on State Matters**

Dear Governor Otter:

A month ago we invited you to a Hailey City Council meeting to hear from you regarding the matter of increased nuclear waste storage in Idaho, above the Eastern Snake Plain Aquifer. We did not receive a reply.

This letter is intended to inform you that we have set three items for public hearing on April 6, 2015, all of which pertain to state matters which give us grave concern at the local level. Please feel welcome to join us if you so choose. We will discuss:

1. A Resolution setting the Hailey City Council's policy on nuclear waste shipments to Idaho and storage within Idaho.
2. A Non-Discrimination Ordinance, which establishes protections against discrimination for gender identity or sexual orientation within the City of Hailey.
3. A discussion of the characterization made recently by the Idaho Department of Water Resource that municipal water use is fully consumptive. It seems preposterous to us that, during a water call, under this interpretation a resident just outside a city will be able to use its domestic well water for any purpose, while those residents within a city will have no availability to water at all, including drinking water.

You are welcome to attend the City of Hailey's City Council meeting on Monday, April 6, 2015 at 5:30 p.m. to participate in these discussions. We feel it imperative that if our state does not take appropriate action in these matters, we must do so at the local level.

Sincerely


Fritz X. Haemmerle
Mayor, City of Hailey

February 10, 2015

The Honorable Butch Otter
Office of the Governor
Idaho State Capitol
P.O. Box 83720
Boise, ID 83720

Subject: Nuclear Waste in Idaho

Dear Governor Otter:

We are concerned about storage of nuclear waste above the Eastern Snake Plain Aquifer. Recent news articles relate that you and Attorney General Lawrence Wasden have agreed to receive spent nuclear rods as nuclear waste to be stored within Idaho. Your office is allowing additional storage of waste, rather than a reduction in waste. This action appears to negate Idaho's 1995 agreement with the federal governments, which intends to accomplish full removal on all waste from Idaho by 2035.

We would like to know more about this matter, as our health and livelihood are threatened by this type of decision. Hailey is a small town whose economy depends on high quality environmental elements. Our economic recruitment and livability is influenced by a sound, wholesome and attractive environment.

Please plan to attend the City of Hailey's next city council meeting on Monday, March 2, 2015 at 5:30 p.m. We would like a full explanation of the elements pertaining to this decision. It is important to us to know the full facts and perspectives in this matter.

Sincerely,



Fritz X. Haemmerle
Mayor, City of Hailey

Return to Agenda

AGENDA ITEM SUMMARY

DATE: 4-6-15

DEPARTMENT: Legal

DEPT. HEAD SIGNATURE: _____

SUBJECT:

Non-Discrimination Ordinance

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The attached memo and draft ordinance were submitted to Hailey City Council on March 2, 2015 as new business, and a public hearing was scheduled for April 6, 2015. State legislators and Idaho's governor have been invited to participate in this public hearing.

Although we have no council quorum, public comment can be taken on this draft legislation, with decisions made at a later meeting.

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:

Take public comment on the proposed Non-Discrimination Ordinance.
Schedule future hearings and deliberations for a later date, possibly April 20, 2015.

FOLLOW-UP REMARKS:

MEMORANDUM

TO: Hailey Mayor and City Council Members
FROM: Ned C. Williamson
DATE: March 2, 2015
RE: Non-Discrimination Ordinance

At the last City Council meeting, I was asked to draft a Lesbian, Gay, Bisexual and Transgender ("LGBT") ordinance. As part of this task, I have reviewed the attached nine ordinances addressing sexual orientation and gender identity discrimination adopted by Boise, Couer d' Alene, Idaho Falls, Ketchum, Lewiston, Moscow, Pocatello, Sandpoint and Victor. I believe these nine cities are the only cities in Idaho which have adopted such non-discrimination ordinances.

All of the ordinances are designed to prohibit discrimination in employment, housing and public accommodations based on sexual orientation and gender identity or expression. Each ordinance uses a title other than LGBT. The literature refers to such an ordinance as a Non-Discrimination Ordinance ("NDO"). In large part, municipalities are adopting NDO's because the state legislature has not amended the Idaho Human Rights Act. Presently, Idaho law prohibits discrimination on the basis of race, color, religion, sex or national origin. *Idaho Code* § 67-5909; *see also Idaho Code* § 18-7301. The state legislature has refused to "Add the Words" of sexual orientation and gender identity to this state law.

The recent court rulings on same sex marriage are important to consider when considering any NDO. The rulings impact the portion of NDO's involving discrimination based on sexual orientation. I would not think these decisions will impact the portion of the NDO's involving discrimination based on gender identity/expression. In 2006, Idaho voters amended the Idaho Constitution to add a provision that a marriage between a man and woman is the only domestic legal union recognized in the State of Idaho. *Idaho Constitution, Article III, § 28*. In other words, the Idaho Constitution expressly bans same sex marriage. But last year, an Idaho federal magistrate struck down the constitutional ban of homosexual marriage. This decision was affirmed by the Ninth Circuit Court, but Idaho has appealed the case to the United States Supreme Court. It appears that the United States Supreme Court will decide whether to accept in the very near future. Idaho has argued that the United States Supreme Court should hear the case because there is a split of authority among the federal circuit courts. Most federal courts have ruled in favor of same sex marriages.

I am aware of recent challenges in two communities to that community's NDO. The first challenge was a political challenge. Pocatello conducted a referendum vote on the Pocatello NDO. Although the vote was close, Pocatello voted against the referendum, which meant the NDO was not repealed.

The second challenge was a legal challenge. Shortly after the Idaho federal magistrate struck down Idaho's 2006 same-sex marriage ban, a Couer d' Alene church, called the Hitching Post, filed suit against the City of Couer d' Alene and sought a court order allowing it to refuse to conduct same-sex marriages. Eventually, the city stated that the Hitching Post would not be subject to the city's NDO because of the exemption for religious corporations found in the city's NDO. It is important to note that individuals performing marriage ceremonies who are not religious corporations and who declined to perform same-sex marriages may be subject to a claim of discrimination under a NDO. When reviewing the proposed Hailey NDO, you will see that I have included the same exemption for religious corporations.

With this background in mind, I will now address a potential NDO for Hailey. If Hailey elects to proceed with a NDO, I believe we ought to consider much of the same language found in the attached ordinances. All of the ordinances have virtually the same language and all of NDO's are designed to prohibit discrimination in housing, employment and public accommodations. All of the attached NDO's contain exceptions. To avoid constitutional challenges based on freedom of religion and freedom of association, I believe we should include most of the exceptions adopted in the attached NDO's. Like most of the NDO's enacted throughout the State of Idaho, the attached draft of the Hailey NDO prohibits discrimination in housing, employment and public accommodations based on sexual orientation and gender identity/expression, subject to several exceptions. The proposed Hailey NDO is a hybrid of the Boise and Moscow NDO's.

Some of the NDO's establish a monitoring and enforcement commission and provide for a mediation procedure. *See e.g.*, Ketchum, Lewiston, Pocatello and Sandpoint NDO. I would discourage the City Council from creating another commission in Hailey. We have many great commissions but it has been difficult to maintain full membership and they have created a strain on resources.

When debating this proposed NDO, I would, at the very least, encourage the mayor and council to balance the potential fiscal impact of this ordinance with the potential social benefits. As demonstrated in Couer d' Alene, a NDO may result in a lawsuit. The potential fiscal impact should be weighed against the benefit of a NDO to this community.

For your information, I believe the City Personnel Policy adequately prohibits discrimination against employees based on sexual orientation and gender identity or expression. If we adopt a NDO, we may, however, want to strengthen our personnel policy and make sure individual departments' personnel policies adequately protect against discrimination based on sexual orientation and gender identity or expression.

If you have any questions, please contact me.

HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING THE HAILEY MUNICIPAL CODE TO ADD A NEW CHAPTER 9.16 TO PROHIBIT DISCRIMINATORY ACTS IN HOUSING, EMPLOYMENT AND PUBLIC ACCOMODATIONS BASED UPON SEXUAL ORIENTATION AND/OR GENDER IDENTITY OR EXPRESSION SUBJECT TO CERTAIN EXCEPTIONS; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, state and federal laws prohibit discrimination in the areas of employment, public accommodation, and housing on the basis of race, color, age, sex, national origin, familial status, veteran's status, and/or disability, but there are no specific protections against discrimination on the basis of sexual orientation or gender expression/identity;

WHEREAS, the City of Hailey believes that current State and Federal processes for the investigation and correction of discrimination on the basis of race, color, religious creed, ancestry, age, sex, national origin, familial status, veteran's status, and/or disability are sufficient such that the City should not interfere or alter such processes;

WHEREAS, those within the community who feel that they are or have been discriminated against on the basis of race, color, religious creed, ancestry, age, sex, national origin, familial status, veteran's status, and/or disability should be encouraged to make their claim for such discrimination directly to the state and/or federal agency directly responsible for receiving and investigating those claims;

WHEREAS, because there are no specific protections against discrimination on the basis of sexual orientation or gender expression/identity within Hailey, the Mayor and Council wish to prohibit such discrimination through a duly adopted City Ordinance;

WHEREAS, it is the policy and intent of the City of Hailey, Idaho that no person be denied equal protection under the law nor shall any person be discriminated against because of his or her sexual orientation or gender expression/identity;

WHEREAS, nothing contained herein shall be construed as supporting and/or advocating any particular doctrine, position, point of view or religious view; and

WHEREAS, it is the intention of this Ordinance that all persons are treated fairly and equally in 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. The Hailey Municipal Code is amended by the addition of a new Chapter 9.16, as follows:

Chapter 9.16

Non-Discrimination

9.16.010 Purpose and Intent

A. In order to ensure that all persons, regardless of sexual orientation and/or gender identity/expression enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing, commercial property and use of public accommodations, the City of Hailey has determined that discrimination on the basis of sexual orientation and gender identity/expression must be addressed and appropriate legislation be enacted.

B. It is hereby declared that every individual in the City of Hailey has the right to work and earn wages through gainful employment, has the right to seek housing and has the right to enjoy public accommodation and hospitality.

C. It is hereby declared to be the public policy of the City of Hailey to foster the employment of all individuals in accordance with their abilities. Every individual has the right to work and earn wages through gainful employment. Discriminatory employment practices are detrimental because they impede the social and economic progress of a city by preventing all of the city's citizens from contributing to the cultural, spiritual, social and commercial life of the community. The contributions of all the citizens of the City of Hailey are essential to the City's growth, vitality and prosperity.

D. It is the intent of this Chapter that all persons be treated fairly and equally, and it is the express intent of this Chapter to guarantee fair and equal treatment under the law to all people in the City of Hailey. The denial of fair and equal treatment under the law due to sexual orientation or gender identity/expression is detrimental to the health, safety and welfare of the city's citizens, and damages a city's economic well-being.

E. This Chapter shall be deemed an exercise of the police power of the City of Hailey for the protection of the public welfare, prosperity, health and peace of the City of Hailey, its residents and the community.

F. The prohibitions against discriminatory acts as provided for in this ordinance are intended to supplement state and federal civil rights law prohibiting discrimination in the areas of employment, public accommodations and housing. Therefore, this Chapter shall not apply to complaints alleging discrimination on a basis proscribed under state or federal law (e.g., race, color, religious creed, ancestry, age, sex, national origin, familial status, veteran's status and/or disability).

G. Nothing in this Chapter is intended to alter or abridge other rights, protections or privileges secured under state and/or federal law. This Chapter shall not create a private cause of action, nor shall it create any right or remedy that is the same or substantially equivalent to a remedy under federal or state law.

H. This Chapter shall not create any special rights or privileges which would not be available to all of Hailey's citizens because every person has a sexual orientation and a gender identity.

I. This Chapter shall be construed and applied in a manner consistent with constitutional right of freedom of speech and exercise of religion.

9.16.020 Definitions. The following capitalized definitions shall be used to define words and phrases within this Chapter 9.16:

A. "Deny" shall mean any act which, directly or indirectly, by any person or his agent or employee, results or is intended or calculated to result in whole or in part in any discrimination, distinction, restriction, or unequal treatment or representation. It also includes, but is not limited to, the requiring of a person to pay a larger sum than the uniform rates charged other persons, or the refusing or withholding from persons the admission, patronage, custom, presence, frequenting, dwelling, staying, or lodging in any place of public resort, accommodation, assemblage, or amusement except for conditions and limitations established by law and applicable alike to all persons, regardless of sexual orientation and/or gender identity/expression.

B. "Discriminate" shall mean any direct or indirect exclusion, distinction, segregation, limitation, refusal, denial or other differentiation in the treatment of a person because of a person's actual or perceived sexual orientation or gender identity or because of a person's association with any such person. Discrimination shall not be interpreted to require or to grant or accord any preferential treatment to any person because of that person's sexual orientation or gender identity/expression.

C. "Full Enjoyment" shall mean, but is not be limited to, the right to use, rent or purchase real property, any service, commodity or article of personal property offered or sold by any person or establishment to the public, and the admission of any person to accommodations, advantages, facilities or privileges of any place of public resort, accommodation, assemblage or amusement, without acts directly or indirectly causing persons of any particular sexual orientation and/or gender identity/expression to be treated as not welcome, accepted, desired or solicited.

D. "Gender Identity/Expression" shall mean a gender-related identity, appearance, expression or behavior of an individual regardless of a person's assigned sex at birth.

E. "Housing Accommodation" shall mean a building or portion of a building, whether constructed or to be constructed, that is or will be used as the home, domicile, residence or sleeping quarters of its occupants.

F. "Otherwise Qualified" shall mean a person who possesses the following bona fide job related qualifications required by an employer for any particular job, job classification, or position: education, training, ability, character, integrity, disposition to work,

adherence to reasonable rules and regulations and other bona fide job related qualifications required by an employer.

G. "Person" shall mean any natural person, firm, corporation, partnership or other organization, association or group of persons however arranged.

H. "Place of Public Resort, Accommodation, Assemblage or Amusement" shall mean, but is not limited to any public place, licensed or unlicensed, kept for gain, hire or reward, or where charges are made for admission, service, occupancy or use of any property or facilities, whether conducted for the entertainment, housing or lodging of transient guests, or for the benefit, use or accommodation of those seeking health, recreation or rest, or for the sale of goods and merchandise, or for the rendering of personal services, or for public conveyance or transportation on land, water or in the air, including the stations and terminals thereof and the garaging of vehicles, or where food or beverages of any kind are sold for consumption on the premises, or where public amusement, entertainment, sports or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates, or assembles for amusement, recreation or public purposes, or public halls, public elevators and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants, or any public library or any educational institution wholly or partially supported by public funds, or schools of special instruction, or nursery schools, or day care centers or children's camps; nothing herein contained shall be construed to include, or apply to, any institute, bona fide club, or place of accommodation, which is by its nature distinctly private, provided that where public use is permitted that use shall be covered by this section; nor shall anything herein contained apply to any educational facility operated or maintained by a bona fide religious or sectarian institution.

I. "Sexual Orientation" shall mean actual or perceived homosexuality, heterosexuality and/or bisexuality.

9.16.030 Prohibited Discriminatory Acts. The following acts are prohibited and shall constitute a misdemeanor:

A. To Deny to any other Person Otherwise Qualified because of Sexual Orientation and/or Gender Identity/Expression the right to work: (a) by failing or refusing to hire, (b) by discharging, (c) by barring from employment, (d) by discriminating against such Person in compensation or in other terms or conditions of employment, or (e) otherwise discriminating against an individual with respect to employment.

B. To Deny to or to Discriminate against any Person because of Sexual Orientation and/or Gender Identity/Expression the Full Enjoyment of any of the accommodations, advantages, facilities or privileges of any Place of Public Resort, Accommodation, Assemblage, or Amusement.

C. To Deny to or Discriminate against any other Person because of Sexual Orientation and/or Gender Identity/Expression in the sale, purchase, lease or rental of any

Housing Accommodation, or to otherwise Discriminate in the terms and conditions, maintenance, improvement or repair of any Housing Accommodation.

9.16.040 Exceptions

A. Notwithstanding any other provision herein, nothing in this Chapter is intended to alter or abridge other rights, protections, or privileges secured under state and/or federal law. This ordinance shall be construed and applied in a manner consistent with First Amendment jurisprudence regarding the freedom of speech and exercise of religion.

B. This chapter does not apply to:

1. Religious corporations, associations, educational institutions, or societies;
2. An expressive association whose employment of a Person protected by this chapter would significantly burden the association's rights of expressive association under *Boy Scouts of America v. Dale*, 530 U.S. 640 (2000);
3. The United States government, any of its departments or agencies, or any corporation wholly owned by it; or the state of Idaho or any of its departments, agencies, or political subdivisions, except the City of Hailey;
4. The rental of a residential dwelling unit within a two family dwelling where the owner or a relative of the owner resides within one of the dwelling unit(s); or
5. The rental of a room or rooms in a single family residential dwelling unit by an individual if the individual or a member of the individual's family resides therein.

9.16.050 Penalty. A violation of this Chapter is a misdemeanor, punishable by a fine not exceeding one thousand dollars (\$1000) and imprisonment in the county jail not to exceed six (6) months or both.

9.16.060 Unlawful Intimidation, Retaliation and Interference. It shall be unlawful for any Person to Discriminate against, harass, threaten, harm, damage, or otherwise penalize another Person for opposing an unlawful practice, for filing a complaint, for assisting, or participating in any manner in the investigation, or in mediation concerning this Chapter.

9.16.070 Private Right of Action. There is no private right of action that is created by this Chapter or money damages available to any Person based on this Chapter.

Section 2. 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 3. Repealer Clause. All ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

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 _____, 2015.

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk

Return to Agenda

AGENDA ITEM SUMMARY

DATE: 04/06/2015

DEPARTMENT: Admin

DEPT. HEAD SIGNATURE: HD

SUBJECT:

Public Hearing on water issues related to conjunctive administration, including a recent characterization made by the Idaho Department of Water Resources that municipal water use be defined as fully consumptive.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Mayor Haemmerle set a public hearing pertaining to water issues in Idaho and as they effect the City of Hailey. State legislators and the governor have been invited to participate in this discussion. Attached is one of the letters, and a reply from Representative Donna Pence. Also attached is a letter from the Idaho Department of Water Resources to the City of Twin Falls.

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 type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input type="checkbox"/> Streets |
| <input type="checkbox"/> City Clerk | <input 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:

Discussion and public hearing. No decision will be made during this meeting.

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)

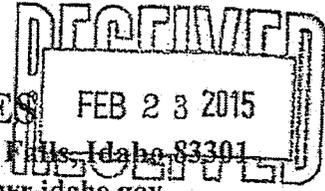


State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave West, Suite 500 • Twin Falls, Idaho 83301

Phone: (208) 736-3033 • FAX: (208) 736-3037 • Website: www.idwr.idaho.gov



C.L. "BUTCH" OTTER

GARY SPACKMAN

February 20, 2015

City of Twin Falls
PO Box 1907
Twin Falls, ID 83303-1907

RE: Application for Permit 36-16592 in the name of the City of Twin Falls

Ladies and Gentlemen:

On February 10, 2015, the Department received a Stipulated Settlement Agreement ("Agreement") between the applicant and all protestants to this application in an effort to resolve all protests. The Agreement sets forth terms and conditions acceptable to the parties for resolution of the protests.

Based on a review of the Agreement, the Department has a number of concerns which preclude the Department from accepting the Agreement.

First, the Department disagrees with the manner in which the parties seek to have the agreement documented. The Agreement represents a private agreement between the applicant and the protestants. While the Department is generally willing to add a condition of approval to an application for permit recognizing that the application is subject to a private agreement entered into between the applicant and the protestants, the Department will not approve the Agreement by issuing a separate final agency order.

Second, the Department is concerned with the characterization of the Cities water use as "non-consumptive."

Municipal use includes the consumptive use of water for irrigation of parks and open spaces, including lawn and garden irrigation for residential use. Municipal use also includes water for other domestic, commercial and industrial uses, which may be partly or fully consumptive. In addition, municipal use allows the re-use of wastewater to its full consumption. For those reasons, the Department normally considers municipal use to be fully consumptive.

There is no exception for municipal use in the Snake River moratorium dated April 30, 1993. The moratorium suspends processing on all applications to appropriate water for consumptive uses from all surface and ground water sources within the Eastern Snake River Plain Area. The moratorium was established to protect existing water rights, including the minimum stream flow water rights at the Murphy Gaging Station on the Snake River near Swan Falls Dam. The moratorium order allows for a case-by-case review for approval by the Director if

- a) protection and furtherance of the public interest as determined by the Director, requires consideration and approval of the application irrespective of the general drought related moratorium; or
b) the Director determines that the development and use of the water pursuant to an application will have no effect on prior surface and ground water rights because of its

location, insignificant consumption of water or mitigation provided by the applicant to offset injury to other rights.

To date, the application has not included information to justify consideration by the Director for a case-by-case approval. Pursuant to the moratorium, the Department cannot continue processing the application without justification for an exception.

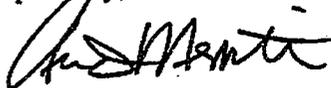
If the application ultimately qualifies for an exception from the moratorium, it would still be subject to the evaluation criteria of Rule 45 of the Department's Water Appropriation Rules (IDAPA 37.03.08). Because the proposed appropriation is for Trust Water (Rule 30), the evaluation would have to determine whether the proposed use will cause a significant reduction (Rule 45.02). Rule 10.08 states that "commercial, municipal, and industrial uses are any such uses which do not deplete the system containing the trust water more than two (2) acre feet per day." The proposed municipal use probably would not qualify for the DCMI (domestic, commercial, municipal, industrial) presumption in Rule 45.02.e because the consumptive use in a large community like Twin Falls would exceed two acre-feet per day. Consequently, the application is also unlikely to pass the individual depletion test described in Rule 45.02.a. Such a finding would trigger the review described in Rule 45.02.c, which could result in a finding that the proposed appropriation causes a significant reduction to the trust water system. If it is determined that a significant reduction would occur, the Department must then conduct the public interest review described in Rule 45.03 to determine whether a permit could be issued.

To put this application in historical perspective the Department has processed a limited number of Municipal permits on the ESPA since the issuance of the moratorium. Initially permits for Municipal use have been approved limiting use to Domestic type uses and not allowing irrigation of large tracts (See City of Paul permit 36-8763 as example). As Groundwater Districts and mitigation efforts evolved on the ESPA Municipal users were required to participate in mitigation plans (See City of Richfield permit 37-22431 as example). More recently Municipal users were required to mitigate up front with complex conditions (See City of Shelley permit 27-12155 with Director's Final Order as example). (Referenced permits available for download from IDWR web site: <http://www.idwr.idaho.gov/>) Additionally in recent years, flow conditions in the Snake River at the Murphy Gage have reached a point where trust water rights were facing curtailment to ensure that the minimum stream flow water rights could be maintained (See attached flow chart for Murphy Gage).

In addition, since the application was submitted, the Department has provided its staff with detailed guidance on reviewing applications for Reasonably Anticipated Future Needs (RAFN). A copy of the guidance document is enclosed. The Department has not yet carefully evaluated the information supporting the City's RAFN request. Consequently, the Department could still have questions about the information provided. The Department recommends that the City review its submittal to be sure it is thorough and up-to-date.

In conclusion, because the terms of the party's Agreement are unacceptable, the protests will not be considered by the Department as withdrawn and the Department will continue to hold the application. Even if the protests are withdrawn in an acceptable manner to the Department the applicant will need to address additional issues as outlined above to the satisfaction of the Director. If the parties wish to schedule the matter for a pre-hearing status conference please contact this office with available dates.

Respectfully,



Allen Merritt, PE
Southern Region Manager

115 MAIN STREET SOUTH, SUITE H
HAILEY, IDAHO 83333

(208) 788-4221
Fax: (208) 788-2924

March 5, 2015

Representative Donna Pence

Idaho State Representative
1960 U.S. Highway 26
Gooding, Idaho 83330

Subject: Hailey City Hearings on State Matters

Dear Representative Pence:

We appreciate your hard work during the 2015 legislative session.

This letter is intended to inform you that we have set three items for public hearing on April 6, 2015, all of which pertain to state matters which give us grave concern at the local level. Please feel welcome to join us if you so choose. We will discuss:

1. A Resolution setting the Hailey City Council's policy on nuclear waste shipments to Idaho and storage within Idaho.
2. A Non-Discrimination Ordinance, which establishes protections against discrimination for gender identity or sexual orientation within the City of Hailey.
3. A discussion of the characterization made recently by the Idaho Department of Water Resource that municipal water use is fully consumptive. It seems preposterous to us that, during a water call, under this interpretation a resident just outside a city will be able to use its domestic well water for any purpose, while those residents within a city will have no availability to water at all, including drinking water.

You are welcome to attend the City of Hailey's City Council meeting on Monday, April 6, 2015 at 5:30 p.m. to participate in these discussions. We feel it imperative that if our state does not take appropriate action in these matters, we must do so at the local level.

Sincerely,



Fritz X. Haemmerle
Mayor, City of Hailey

Heather Dawson

Subject: FW: Letter from Hailey Mayor Fritz Haemmerle

From: Representative Donna Pence [<mailto:dpence@house.idaho.gov>]
Sent: Thursday, March 12, 2015 9:18 PM
To: Heather Dawson
Subject: RE: Letter from Hailey Mayor Fritz Haemmerle

Dear Heather,

Was hurriedly trying to catch up on e-mail and did not read thoroughly. Thanks for calling my attention to the April 6 date. I put it on my calendar and will do my best to be there.

Donna

From: Heather Dawson [<mailto:heather.dawson@haileycityhall.org>]
Sent: Thursday, March 12, 2015 3:15 PM
To: Representative Donna Pence
Subject: RE: Letter from Hailey Mayor Fritz Haemmerle

Donna,

The invitation is for April 6, 2015. We expect you will be done with the session by then, and you are so welcome to come if you are able.

Heather Dawson
Hailey City Administrator

From: Representative Donna Pence [<mailto:dpence@house.idaho.gov>]
Sent: Tuesday, March 10, 2015 9:01 PM
To: Heather Dawson
Subject: RE: Letter from Hailey Mayor Fritz Haemmerle

Dear Heather and Fritz,

~~I obviously could not meet with you Monday~~, but appreciate being informed about your action items. The first two are dear to my heart and I would be much pleased if they would be positively acted upon by the Council. The water issue is certainly concerning to each of our District 26 Cities. I have been watching closely what is transpiring on this particular water issue. I appreciate being notified of any action you will take and would like to sit in and get more acquainted with the specifics as they effect Hailey and the rest of the Wood River Valley. I will be working to educate myself because this is likely to be the next big water problem we face.

Sincerely,

Donna

Representative Donna Pence
Minority Caucus Chairman
Idaho Legislature

Return to Agenda

AGENDA ITEM SUMMARY

DATE: 04/06/2015

DEPARTMENT: CDD

DEPT. HEAD SIGNATURE:

SUBJECT:

Sunburst Subdivision Final Plat has been noticed for April 20, 2015.

Without a quorum on April 6, 2015, the previous notice for April 6, 2015 is void. The matter will not be heard on April 6, 2015.

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

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| <input type="checkbox"/> City Administrator | <input type="checkbox"/> Library | <input type="checkbox"/> Benefits Committee |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input type="checkbox"/> Streets |
| <input type="checkbox"/> City Clerk | <input 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:

No action. Information only, for any public who may be confused by the notices.

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)

Return to Agenda

AGENDA ITEM SUMMARY

DATE: 04/06/2015

DEPARTMENT: Admin

DEPT. HEAD SIGNATURE: HD

SUBJECT:

Hailey Infrastructure Improvement – Report from Mayor Haemmerle regarding his meeting with Hailey Chamber of Commerce regarding Local Option Tax funding opportunities.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

A local option tax report was submitted to the Hailey City Council on March 2, 2015. Mayor Haemmerle, City Administrator Dawson and Community Development Director Lisa Horowitz met with the Hailey Chamber of Commerce on March 18, 2015 to discuss the report.

An hour-long discussion was held, during which chamber of commerce representatives expressed support and appreciation to Hailey for holding its Essential Infrastructure dialogue with the community.

Most representatives present felt that Hailey will need to eventually ask voters for an increase in both local option tax and in property tax.

Attached is the recent Our Town edition, with the local option tax information distributed to all utility customers of Hailey.

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 type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input type="checkbox"/> Streets |
| <input type="checkbox"/> City Clerk | <input 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:

No action. Information only, for city council discussion with the public.

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)



OUR TOWN

Sustaining Hailey's Community

April 2015
Issue No. 139

Visit us online at
www.haileycityhall.org

Message from the Mayor Essential Hailey - Local Option Tax

Hailey officials are in the process of identifying funding opportunities to meet our community's needs, in an effort increase our investment in essential maintenance and infrastructure that enhances our quality of life. Diverse funding sources will enhance our success. In February we published a report on property taxes. This report focuses on local option taxes as an important funding source for Hailey's underfunded maintenance and services.

Local Option Tax Funding Analyses: Local option taxes are allowed by Idaho statute in resort cities with population under 10,000. It is important to keep in mind that Hailey's population, currently over 8000, will eventually exceed the population limit.

History and Timeline: Hailey began the process of instituting a local option tax over 10 years ago.

2006 A four-year "trial" term was requested of voters when the city brought forth its first LOT ordinance. Voters approved the measure with a 67% margin. The products that could be taxed were limited to:

- 1% tax on restaurant food
- 2% tax on alcohol by-the-drink
- 3% tax on car rentals and lodging

2013 1% on lodging and car rentals added for Air

2009 In late 2009, the City of Hailey brought a 20 year term to voters, who approved it at 84%. The term, through June 30, 2030, was the only element that changed; the same taxable products and uses of the tax remained.

2012 An effort to increase the local option tax by 1% on lodging and car rentals for the purpose of funding the promotion and development of air service failed with 58.7% of Hailey voters in favor. A 60% approval margin was needed.

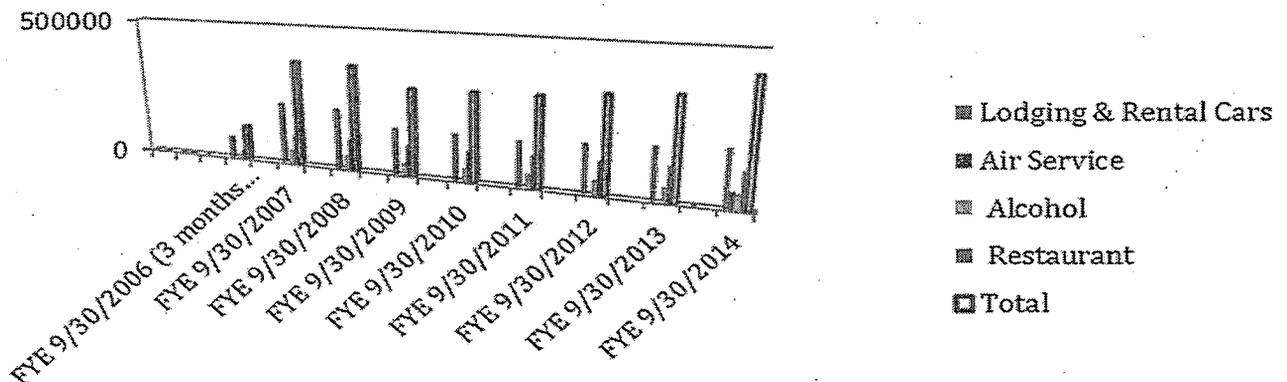
2013 The measure was brought back again in 2013, and was approved at 66%. The additional 1% tax is in place for five years, through December 31, 2018.

The amount of tax received by Hailey from each of the taxable categories is shown in the table below for the years 2006-2014. A total of \$2.9 million was received, with the average per year from each category being:

- \$ 111,200 - Restaurant Food taxed at 1%
- \$ 45,800 - Alcohol Drinks taxed at 2%
- \$ 185,500 - Car Rentals & Lodging taxed at 3%
- \$ 55,800 - Car Rentals & Lodging tax for Air at 1%

\$342,500 Average Annual Total without 1% for Air

\$398,300 Average Annual Total with 1% for Air
(2014 only)



City of Hailey LOT Receipts by Category (2006-2014)

(continued from page 1)
Message from the Mayor

Essential Hailey - Local Option Tax

Purpose of the Local Option Tax

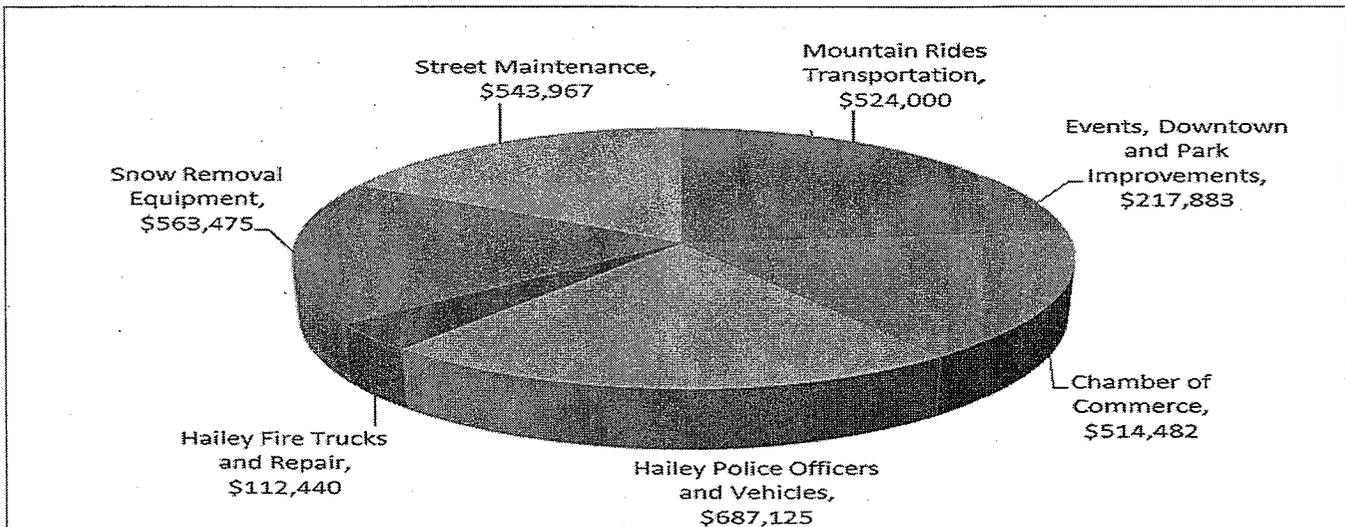
The purpose of the tax is clearly defined. The tax has been used in all of the allowed categories:

- Emergency services (rapid response, life-safety, traffic enforcement, training, staffing, equipment, vehicles, etc.)
- Maintenance, improvement and acquisition of parks;
- Road repair, transportation enhancements, snow removal;
- Public transit and related improvements;
- City promotion, visitor information, special events and economic development;
- Town improvements (library modernization, sidewalks, town square, etc.)
- Direct cost to administer and enforce the tax

Hailey's Use of the LOT:

The City of Hailey and partners such as Mountain Rides and the Hailey Chamber of Commerce have become quite dependent upon local option tax revenue, from which we have budgeted \$3.16 million in expenses over 9 fiscal years. These expenses are shown in the chart below. If the community wants our local option tax to remain a future funding option, Hailey should consider instituting a lengthy term, such as a 50 year term, before Hailey's population exceeds 10,000.

City of Hailey LOT Expenses by Category (2007-2015)



Hailey Public Library
April Events

April showers bring... wait, I already see flowers!
 HaileyPublicLibrary.org

LIBRARY EVENTS

Story Time- Fridays at 10am.
Teen Craft Night- April 2nd and 16th, 5-6pm
TNT Thursdays- Every Thursday 4-5pm
Lego Club- Wednesday, April 15th from 3-4pm. Ages 8-12

All About Mushrooms- Tuesday, April 7th, 6-7:30pm. Amateur Mycologist Kathy Richmond will give you the rundown on these peculiar bits of nature.

Idaho Child Care Reads Workshop- Saturday, April 11th, 9am-12pm. In partner with the Community and Bellevue libraries. Presented by Julie Armstrong of the Idaho Commission for Libraries.

Hailey's Got Talent- Tuesday, April 14th from 5:30-7:30pm. A fun jam session where Hailey's musicians can get together and share their talents. Open to all ages and skill levels.

Passive Board Games-A-Thon, A Stash Your Cash Event- Saturday, April 18th-Saturday, April 25th.

Finances for Children- Tue. April 21st, 3-4pm. Children from 2nd-4th grade are welcome to stop by and learn all about money.

Avoiding Identity Theft- Tuesday, April 21st, 6-7:30pm. Presented by Lee Flinn, AARP.

LIBRARY EVENTS

(continued from page 2)

Message from the Mayor

Essential Hailey - Local Option Tax

2014 Sales from Hailey Area: We have obtained information from the Idaho State Tax Commission about the types of taxable sales generated from the 83333 zip code. These reports should be qualified in that they include sales from areas outside the City but within the zip code, and they do not include corporate stores which pay their tax from another zip code (examples could be businesses such as ColorTyme, Radio Shack, Avis).

The total volume of sales reported in calendar year 2014 from zip code 83333 is more than \$246 million. Of this, \$149 million, or 60%, is subject to state sales tax.

Local option tax is allowed on any item that is subject to state sales tax.

An additional 1% LOT tax on all taxable sales from this area would generate \$1.5 million.

An additional 1% LOT tax on all taxable sales excluding the items already taxed within Hailey would generate \$1.3 million.

Below is a summary of various types of activities, showing the amounts an additional 1% would bring in each category.

Summary: Over the next several months, the city and community will discuss whether adding a local option tax to any of these sales categories would be a viable funding option for Hailey. Some categories, such as State and Local Government, which largely includes schools, may not be deemed appropriate by the community for a local option tax.

Total Sales	Non Taxed Sales	Net Taxable Sales	Amount to be Generated by 1% LOT Tax	Business Type
11,447,064	9,144,292	2,302,772	23,028	Construction/General Contractor
2,951,172	2,354,597	596,575	5,966	Manufacturing
11,904,164	9,324,359	2,579,805	25,798	Warehousing
4,314,398	2,580,104	1,734,294	17,343	Wholesale
35,551,099	28,321,034	7,230,065	72,301	Building Materials, Construction; He
105,615,470	20,223,238	85,392,232	853,922	Retail
2,443,248	1,288,896	1,154,352	11,544	Services
5,307,650	1,580,151	3,727,499	37,275	Automotive, electrical, bike repair
7,468,354	418,654	7,049,699	70,497	Recreational Facilities, Movies, Am
21,465,758	3,664,253	17,801,505	178,015	State and Local Government

Calendar

Important Dates

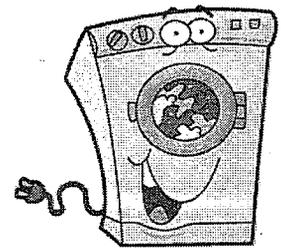


City Council.....	04/06/15, 04/20/15
Art & Historic Preservation Commission.....	04/09/15
Parks & Lands Board	04/08/15
Planning & Zoning Meetings.....	04/13/15
Public Library Board	04/15/15
Tree Committee	04/09/15
Urban Renewal Agency.....	04/08/15

Public Works

Soapy's Makes a Splash with Water Savings

Soapy's Laundromat has reduced its winter water use by approximately 15,000 gallons per month. How did they do it? By replacing old washing machines with energy-efficient models. Nice job, Soapy's!



According to energystar.gov, ENERGY STAR certified washers use about 25% less energy and 40% less water than regular washers. For the average American family, that equates to an annual water savings of about 3,000 gallons and a \$40 annual savings on the power bill.

If every clothes washer purchased in the U.S. was ENERGY STAR certified, we could save more than \$4 billion each year and prevent more than 19 billion pounds of annual greenhouse gas emissions, equal to the emissions from 1.8 million vehicles.

Return to Agenda

MEMORANDUM

Date: 4-6-15
TO: City Council
From: Kristine Hilt, Community Development Coordinator
Subject: City of Hailey RESIDENTIAL Energy Code Requirements

The State of Idaho recently adopted a heavily amended version of the 2012 Residential International Energy Conservation Code (IECC). The majority of the amendments fell into the following categories: building thermal envelope (tightness of home), windows, lighting, and insulation. These amended values are still consistent with the 2009 edition of the IECC and is below surrounding jurisdiction requirements and City of Hailey standards. The City of Hailey also adopted that same version although we are still currently enforcing the Build Better Program, an above code program adopted in May of 2013, requiring 10% better than 2009 (or current) IECC. Compliance with the program has been excellent and we have seen great success in energy conservation throughout our City.

Using 2006 as a baseline:

- 2009 is **17% better** than 2006
- 2012 is **28% better** than 2006

After much thought and consideration, it is apparent that we must revisit the energy code requirements as I feel the full printed version of the 2012 IECC is more uniform with our intentions for energy conservation. Please see below for details:

1. Adopt the full 2012 IECC

- a. Amend the requirements for thermal envelope testing. Require a ≤ 4 .
- b. Discontinue the requirement of 10% than code.
- c. Delete the requirement of additional points.

My reasoning for adopting the full version of the 2012 will be consistency. Ketchum recently adopted the full version of the 2012 IECC. I believe that having the State adopted amended version of 2012 IECC will not only be confusing to enforce but confusing to use as a guideline for development. These requirements also do not comply with City Standards and current green building practices. Public comment received supports this option for adoption including comments from Sharon Patterson Grant, a certified sustainable building advisor and healthy homes specialist here in the State of Idaho.



City of Hailey Title 15 Build Better Program Proposed Modifications

Summary of Today's Presentation

- ▶ Major Differences in the Codes.
- ▶ Most important upgrades added to the most recent Code.
- ▶ Idahoan Energy Survey
- ▶ State Amendments
- ▶ Hailey's Build Better Program
- ▶ What's Next?

- ▶ Disclaimer: This presentation is only 8 Slides and will not take more than 7-10 minutes.



International Energy Conservation Code

▶ 2009

- ▶ 15% more stringent than '06
- ▶ Duct & Envelope Testing introduced
- ▶ 50% High Efficacy Lighting

▶ Payback 2009 vs 2006

- ▶ Average Cost: \$872.81
(Per new home)
- ▶ Median Energy Savings: \$235.50
(annually)
- ▶ Simple Payback: 11 months

▶ 2012

- ▶ 30% more stringent than '06
- ▶ Mandatory whole house testing
- ▶ More stringent Duct leakage test
- ▶ 75% High Efficacy Lighting

▶ Payback 2012 vs 2009

- ▶ Average Cost: \$1,875
(Per new home)
- ▶ Median Energy Savings: \$285 (28.8% Savings)
(annually)
- ▶ Simple Payback: 6 Years
- ▶ Life-Cycle Cost Savings: \$4,798

Major Upgrades with the 2012 IECC

- ▶ Higher Insulation Requirements
- ▶ More Efficient Windows
- ▶ Lower Duct Leakage
- ▶ Improved Air Barrier and Air Sealing Requirements
 - ▶ Building Envelope
- ▶ Lighting
- ▶ Improved Homeowner Information
- ▶ Ventilation (Fresh Air)



What do Idahoans Want?

Idaho Homeowner Survey Results*

- ▶ 65% of Idahoans support state energy codes that are consistent with national standards
- ▶ Monthly operating costs are the top driver followed by a belief that energy code standards ensure quality construction
- ▶ 88% strongly or somewhat agree that energy efficiency increases resale value
- ▶ Willing to pay \$10 per month to save \$16
- ▶ 7 years is an acceptable payback period

* This study was conducted at the end of 2013 by Northwest Research Group with support from BSU, OER and Eco Edge. A random sample of 600 Idahoans completed phone surveys. The sample was geographically weighted by actual population. Done to ISO 20252:2012 Market Research Standards.

What did Idaho Adopt?

- ▶ A heavily amended version of
 - ▶ Less Efficient Windows (2009)
 - ▶ Decreased Insulation Requirements (2009)
 - ▶ Building Thermal Envelope modifications
 - ▶ Building Envelope can LEAK MORE
 - ▶ Lighting Requirements Reduced (2009)

the 2012 IECC



Build Better Program



- ▶ Current Program Summary:
 - ▶ http://haileycityhall.org/Forms_Fees/documents/BBPFlowChartSummary_004.pdf

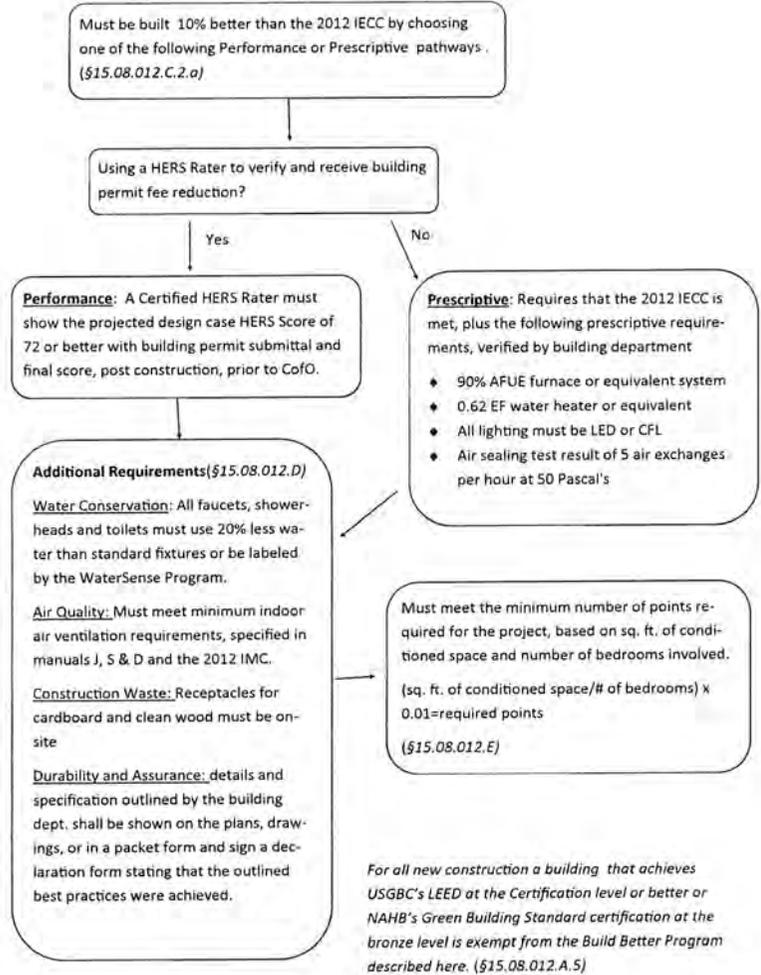
- ▶ Proposed Program Summary
 - ▶ http://haileycityhall.org/Forms_Fees/documents/BBPFlowChartSummary2015.pdf

- ▶ Simplify, Maintain Excellence, Consistency

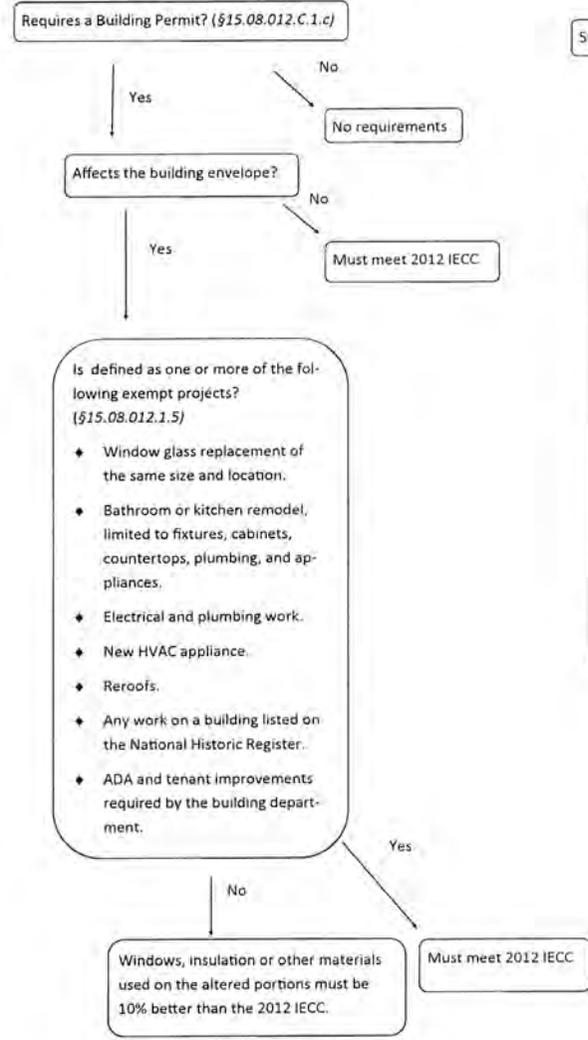


CURRENT BUILD BETTER PROGRAM—RESIDENTIAL PROJECTS

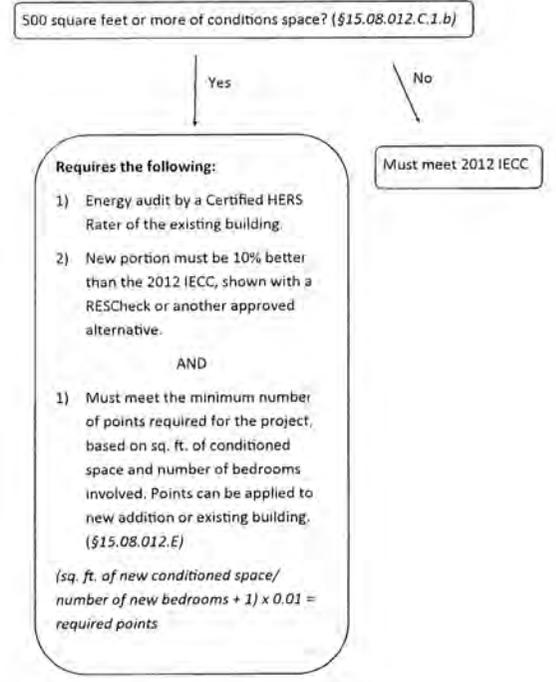
NEW CONSTRUCTION



ALTERATIONS



ADDITIONS





BUILD BETTER PROGRAM—RESIDENTIAL PROJECTS

NEW CONSTRUCTION

Must be **built 10% better than meet** the 2012 IECC by choosing one of the following Performance or Prescriptive pathways. (§15.08.012.C.2.a)

**PROPOSED
REVISED**

Using a HERS Rater to verify and receive building permit fee reduction?

Yes

Performance: A Certified HERS Rater must show the projected design case HERS Score of **72-68** or better with building permit submittal and final score, post construction, prior to CoFO.

No

Prescriptive: Requires that the 2012 IECC is met, plus the following prescriptive requirements, verified by building department **and a RESCheck analysis:**

- ◆ **90% 92%** AFUE furnace or equivalent system
- ◆ 0.62 EF water heater or equivalent
- ◆ All lighting must be LED or CFL
- ◆ Air sealing test result of **5** 4 air exchanges

Additional Requirements (§15.08.012.D)

Water Conservation: All faucets, showerheads and toilets must use 20% less water than standard fixtures or be labeled by the WaterSense Program.

Air Quality: Must meet minimum indoor air ventilation requirements, specified in manuals J, S & D and the 2012 IMC.

Construction Waste: Receptacles for cardboard and clean wood must be on-site

Durability and Assurance: details and specification outlined by the building dept. shall be shown on the plans, drawings, or in a packet form and sign a declaration form stating that the outlined best practices were achieved.

Advanced Framing Techniques:
Raised Heel Trusses

~~Must meet the minimum number of points required for the project, based on sq. ft. of conditioned space and number of bedrooms involved. (sq. ft. of conditioned space / # of bedrooms) x 0.01 = required points (§15.08.012.E)~~

For all new construction a building that achieves USGBC's LEED at the Certification level or better or NAHB's Green Building Standard certification at the bronze level is exempt from the Build Better Program described here. (§15.08.012.A.5)

ALTERATIONS

Requires a Building Permit? (§15.08.012.C.1.c)

Yes

No

No requirements

Affects the building envelope?

No

Must meet 2012 IECC

Yes

Is defined as one or more of the following exempt projects? (§15.08.012.1.5)

- ◆ Window glass replacement of the same size and location.
- ◆ Bathroom or kitchen remodel, limited to fixtures, cabinets, countertops, plumbing, and appliances.
- ◆ Electrical and plumbing work.
- ◆ New HVAC appliance.
- ◆ Reroofs.
- ◆ Any work on a building listed on the National Historic Register.
- ◆ ADA and tenant improvements required by the building department.

Yes

No

Windows, insulation or other materials used on the altered portions must **meet be 10% better than** the 2012 IECC.

Must meet 2012 IECC

ADDITIONS

500 square feet or more of conditioned space? (§15.08.012.C.1.b)

Yes

No

Must meet 2012 IECC

Requires the following:

- 1) Energy audit by a Certified HERS Rater of the existing building.
- 2) New portion must **meet be 10% better than** the 2012 IECC, shown with a RESCheck or another approved alternative.

AND

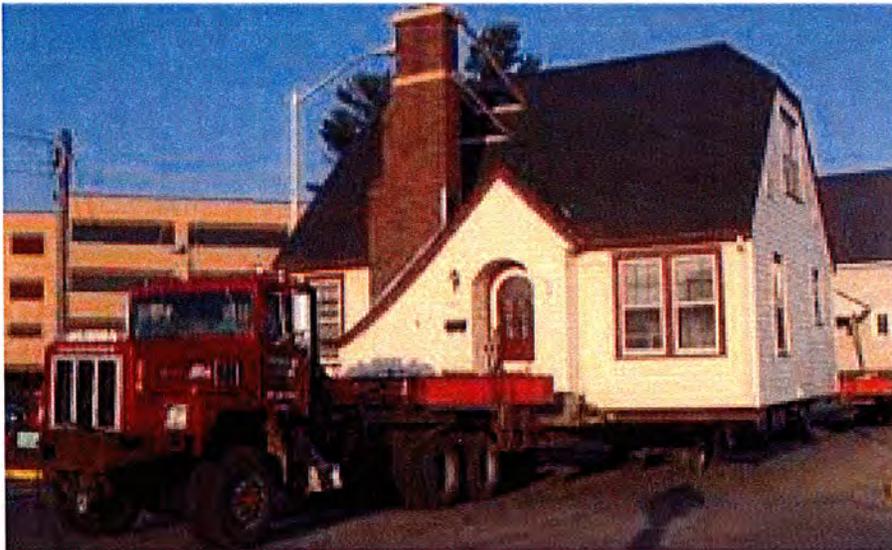
~~1) Must meet the minimum number of points required for the project, based on sq. ft. of conditioned space and number of bedrooms involved. Points can be applied to new addition or existing building. (§15.08.012.E)~~

~~(sq. ft. of new conditioned space / number of new bedrooms + 1) x 0.01 = required points~~

- 1) Existing portion of home must comply by a simulated performance: 30 point HERS Improvement or a score equal to or better than 100.

Existing & Moved Structures

- ▶ Adoption of the IEBC?
 - ▶ International Existing Building Code



Return to Agenda

AGENDA ITEM SUMMARY

DATE: 04/06/2015

DEPARTMENT: Library

DEPT. HEAD SIGNATURE: _____

SUBJECT:

Hailey Public Library Director's Report – Monthly Report for February, 2015

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Each month the Library Director submits an activity report for the Hailey Public Library

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 type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input type="checkbox"/> Streets |
| <input type="checkbox"/> City Clerk | <input 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:

Information only, no council action required.

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)

**DIRECTOR'S REPORT FOR THE HAILEY PUBLIC LIBRARY
FOR THE MONTH OF FEBRUARY 2015**

Statistics Report	Current Month	Last Year 2013	% change	Notes
Patron visits	5823	6083	-4.27	
Circulation checkout	5576	5722	-2.55	
Circulation checkin	5421	5512	-1.65	
Total new patrons	45	59	-23.73	
Computer Users	977	1032	-5.33	
Total Patrons	5024	5054	-0.59	
Items added	362	322	12.42	Materials added for Stash Your Cash
Items deleted	316	85	271.76	Weeding of nonfiction section
Ebook circulation	230	152	51.32	
Email contacts	2760	2418	14.14	
Website hits	1471	948	55.17	
TumbleBooks	2	38	-94.74	
Mallory website hits	3269	7625	-57.13	
Facebook 'Likes'	284	226	25.66	
Money Collected				
Book Fines	\$438.95	\$559.40		
Debt Collections Fees	20.50	80.00		
Lost Books	53.99	113.67		
Paid Memberships	382.08	573.11		
Printing charges	249.42	194.50		
Over/Under	9.95	0.78		
Lost card replacement	6.00	2.00		
Total Income	\$1,160.89	\$1,523.46		

Programs:

- Guitar circle has been changed to "HAILEY'S GOT TALENT" with assistance from James and Heather Dawson as well as back-up leaders, Mitzi Mecham and her 20-yr old daughter, Dakota. The emphasis will be guitar, keyboard and any other stringed instruments attendees want to bring in. (Total: 5)
- Lyle Hansen, U of Id and FINRA, is one of the trainers provided by ICfL for our Financial Literacy/STASH YOUR CASH grant. Lyle has presented at HPL before and this time he spoke to a small group on Identify Theft and protecting one's credit score. (Total: 8)

- Gregory Brusik, District Manager of the Social Security Administration in Twin Falls, is another trainer provided by ICfl for STASH YOUR CASH grant. Gregory was a wealth of information and spent from 9am-noon (an unusual time for HPL's adult programs, however, SSA only allows their employees to work regular office hours). (Total: 28)
- LET'S TALK ABOUT IT-with Idaho Humanities Scholar, Dr. Clark Draney, CSI Literature Professor, discussing THE SECRET LIFE OF BEES. (14 attendees-4 regulars from Fairfield)
- Three TnT programs were offered with 27 in attendance
- Two mixed media craft events were held with 12 in attendance
- Lego Club had a great time with nine participants who challenged each other to see who could create the tallest tower.
- Twelve kids came to create Valentines.
- Four Story Time programs were offered with 91 kids and 60 adults in attendance. Themes included Valentines, Chinese New Year, Dr. Seuss and Caldecott winners.

ICFL:

- As part of the financial literacy campaign, the Commission has offered tax resources to libraries. This has been beneficial because most libraries did not receive all tax forms this year due to federal budget cutbacks to the tax program. We do not anticipate receiving any tax booklets this year. I anticipate that the federal distribution of tax forms will continue to diminish as people are directed to the IRS website. Our library will not distribute forms of any kind next year.

City:

- Fire inspections for city hall and the library are now complete. All extinguishers but one were in need of required maintenance or needed to be replaced.
- Library staff attended a city meeting/training on personnel handbook changes, social media and workplace harassment. Jim McNall from ICRMP was the guest speaker.

Staff/Training:

- Jeanie Johnston participated in an online webinar for tips and ideas pertaining to outreach with young adults.
- Jeanie also took another webinar entitled *Booklist: Fresh Titles for Teens*. This will be beneficial for teen book acquisitions.
- I attended the LiLAC group in Boise for the quarterly meeting. All costs are paid for by the Idaho Commission for Libraries. My term will expire in May. The next two meetings will be online.

Technology:

- One of the printers in the back staff room has quit working properly. I am currently working with the Tech Team to get a replacement. The new printer would be similar to the public printer and also has scanning capabilities.
- Mike Holst has worked tirelessly with the City of Boise's IT Department to work out the kinks that came with the new upgrade. It has been a challenge but it seems as though Mike has most of the issues cleared up.

LYNX:

- Boise Public Library has been working on an RFP for a new integrated library system for the Consortium. Because technology has advanced so rapidly, it has been quite an endeavor to put together a list of all needs. This will be an agenda item for the next Directors meeting in March.
- A teacher in the Meridian area has built numerous Little Free Libraries and is gifting them to libraries within the Consortium. We have ordered two more for the City of Hailey. One will be installed on Woodside Blvd. by Alturas Elementary School and the other somewhere in the north end.

Development:

- Mary Dewalt from the Ada Community Library is researching streaming video options from OverDrive. This company offers over 80 streaming video titles from Disney to public libraries.
- I am also researching OneClickdigital. OneClickdigital brings exclusive Recorded Books eAudio, as well as content from all major publishers, together with an eBook service. Combine eBooks and eAudio in one collection, offering the most comprehensive platform for the library's content.

Building:

- I met with Tracy Anderson and Mariel Platt to revise the maintenance list and project estimated costs associated with maintenance items. Because the library has not always paid for maintenance items out of the budget, there will need to be a significant increase to this line item to offset maintenance costs. This increase will be asked for in the next fiscal year budget cycle and will need to be in addition to our current budget.

LeAnn Gelskey

Director

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**AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Tuesday April 20, 2015 * Hailey City Hall Meeting Room**

5:30 p.m. CALL TO ORDER - Open Session for Public Concerns

CONSENT AGENDA:

- CA 000 Motion to ratify Mayor's signature on Notice to Proceed with Fabrication of Dewatering equipment to Huber Technologies.....
- CA 000 Motion to ratify Mayor's signature and approval of Resolution 2015-___, authorizing Schindler Elevator full-load test.....
- CA 000 Motion to approve Resolution 2015-___, authorizing agreement with Advanced Irrigation Solutions for Smart Irrigation controls installation at city parks.....
- CA 000 Motion to approve Resolution 2015-___, authorizing MOU with Lily & Fern for 2015 park adoption services at Jimmy's Garden (flower and plant care)
- CA 000 Motion to approve Resolution 2015-___, authorizing MOU with Sun Valley Services for 2015 park adoption services at Jimmy's Garden (mowing)
- CA 000 Motion to approve Resolution 2015-___, authorizing MOU with Swenke Landscaping for 2015 park adoption services at Hailey Skatepark.....
- CA 000 Motion to approve Resolution 2015-___, authorizing MOU with Kathy Noble & Associates for 2015 park adoption services at E.W. Fox Demonstration Garden.....
- CA 000 Motion to approve Resolution 2015-___, authorizing agreement with Lantis Fireworks for July 4th Fireworks pyrotechnical display in Hailey.....
- CA 000 Motion to approve Resolution 2015-___, authorizing installation and monitoring agreement with Sentinel Fire & Security, Inc. for Hailey Fire Station.....
- CA 000 Motion to approve receipt of Transmittal of the 2014 Hailey Urban Renewal Agency Annual Report.....
- CA 000 Motion to approve Resolution 2015-___, declaring surplus property and authorizing the removal of it from our inventory.....
- CA 000 Motion to approve Resolution 2015-___, authorizing Arena Use Agreement with 5th District High School Rodeo for event at the arena on May 8 and 9, 2015.
- CA 000 Findings of Fact and Ordinance Summaries
- CA 000 Motion to approve minutes of March 16, 2015 and to suspend reading of them.....
- CA 000 Motion to approve minutes of April 6, 2015 and to suspend reading of them.....
- CA 000 Motion to ratify claims for expenses incurred in March and paid in April 2015.....
- CA 000 Motion to approve claims for expenses incurred during the month of March, 2015, and claims for expenses due by contract in April, 2015.....
- CA 000 Motion to approve Treasurer's report for March 2015.....

MAYOR'S REMARKS:

MR 000

PROCLAMATIONS & PRESENTATIONS:

- PP 000 Town Square Presentation by 7th Grade Leadership Class.....
- PP 000 Mountain Rides on Bike Share and Bike/Ped Improvements.....

APPOINTMENTS & AWARDS

AA 000

PUBLIC HEARING:

- PH 000 Airport Discussion.....
- PH 000 Sunburst Hills Final Plat Approval.....
- PH 000 Consideration of Resolution setting the Hailey City Council's policy on nuclear waste shipments to Idaho and storage within Idaho (continued from April 6, 2015).....

- PH 000 Consideration of Non-Discrimination Ordinance, which establishes protections against discrimination based on gender identity or sexual orientation within the City of Hailey.....
- PH 000 Consideration of Park Reservation Fee, Arena Use Fee, and Water Fill Spout Fee increases (re-noticed from April 6, 2015).....
- PH 000 Consideration of ordinance amendments to Hailey’s building codes and energy codes.....
- PH 000 Consideration of Resolution 2015-_____ adopting Hailey’s Water Master Plan
- PH 000 Hailey Infrastructure Report – Idaho Power Franchise Agreement.....
- PH 000 Consideration of Ordinance to adopt codified municipal code done by Sterling Codifiers.....

NEW BUSINESS:

- NB 000 Discussion of Wastewater Treatment Plant Biosolids project
- Approval of Engineer of Record Agreement (includes CE&I services)
- Other
- NB 000 Mizer easements and proper street vacation

OLD BUSINESS:

- OB 000 2nd Reading of Social Hosting, Runaway and Beyond Control Ordinance No. 1172

STAFF REPORTS: Staff Reports Council Reports Mayor’s Reports

- SR 000 Draft agenda for May 4, 2015 council meeting

EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 67-2345(1)(f))

Matters & Motions from Executive Session

- EX 000 Consideration of Notice to the Idaho Department of Water Resources of the City of Hailey’s Intent to Participate in Water Right Delivery Calls CM-DC-2015-001 and CM-DC-2015-002, filed by Big Wood and Little Wood Water Users Association.
- EX 000 Consideration of Resolution 2015-_____, authorizing engagement with Mike Creamer of Givens Pursey Law Office to represent the City of Hailey in matters of law pertaining to water rights and water use issues.

Next Ordinance Number - _____ Next Resolution Number- 2015-01

Return to Agenda