

**AGENDA ITEM SUMMARY**

**DATE:** 05/04/2011 **DEPARTMENT:** Library **DEPT. HEAD SIGNATURE:** LeAnn Gelskey

---

**SUBJECT**

Laura Moore Cunningham grant application

---

**AUTHORITY:**  ID Code  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_

---

**BACKGROUND:**

Sandy Fahey attended a grant writing class at CSI. As part of this class, the students were asked to write a grant. Sandy chose a grant that has the potential to be a viable grant for the library and patrons.

---

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:**

Budget Line Item # 1004541549 (Special Projects/Grants) YTD Line Item Balance  
\$ \_\_\_\_\_

The award is \$5,000 and would be used to purchase ten laptop computers, a cart to house the computers in that also recharges the computers, and advertising. The computers would be used in house and off site. As part of the outreach, classes will be offered to senior citizens and the Hispanic community in internet basics and other topics of interest.

---

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:**

\_\_\_ City Attorney      \_\_\_ Clerk / Finance Director      \_\_\_ Engineer      \_\_\_ Mayor  
\_\_\_ P & Z Commission      \_\_\_ Parks & Lands Board      \_\_\_ Public Works      \_\_\_ Other

---

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Propose to approve the grant application which is due by May 18, 2011

---

**FOLLOW UP NOTES:**

---



**AGENDA ITEM SUMMARY**

**DATE:** 05/04/2011 **DEPARTMENT:** Library **DEPT. HEAD SIGNATURE:** LeAnn Gelskey

---

**SUBJECT**

Resume preparation and job seeking skills grant application.

---

**AUTHORITY:**  ID Code  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_

---

**BACKGROUND:**

Lyn Drewien attended a grant writing class at CSI. As part of the class, the students worked on a grant sponsored by CSI.

---

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:**

Budget Line Item # 1004541549 (Special Projects/Grants) YTD Line Item Balance  
\$ \_\_\_\_\_

The award is \$250 and would be used to offer resume preparation and job seeking skills.

---

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:**

\_\_\_ City Attorney      \_\_\_ Clerk / Finance Director      \_\_\_ Engineer      \_\_\_ Mayor  
\_\_\_ P & Z Commission      \_\_\_ Parks & Lands Board      \_\_\_ Public Works      \_\_\_ Other

---

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Propose to approve the grant application which is due by May 18, 2011.

---

**FOLLOW UP NOTES:**

---



AGENDA ITEM SUMMARY

DATE: 5/09/2011 DEPARTMENT: Administration DEPT. HEAD SIGNATURE: HD

---

SUBJECT

Motion to approve selection of Historical Research Professional TAG to conduct research for the Hailey Historic Crossroads Project, a project focused on four National Register Historic Places on the corners of Bullion and First Ave in which the researcher will compile a complete history of the buildings and occupants, with photographs, for the Hailey Historic Preservation Commission for a flat fee of \$1,500.

---

AUTHORITY:  ID Code  IAR \_\_\_\_\_  City Ordinance/Code (P7L Bylaws)

---

BACKGROUND:

The Hailey Historic Preservation Commission, under the terms of a Federal Preservation Grant administered through the State Historic Preservation Office (SHPO), put out a request for proposal to professional historic researchers to bid on the Hailey Historic Crossroads Project. Two proposals were received, both from highly qualified researchers who have completed successful projects with the City of Hailey in the past and have resumes including the same types of projects with other entities. With the primary difference between the two proposals being cost, the selection team (Hailey City Administrator and Hailey Historic Preservation Commission Chair) recommend the approval of TAG's proposal for \$1,500, compared to the \$2,500 proposal from Madeline Bukcendorf.

---

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_

Budgeted through State Historic Preservation Office Grant

---

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:

\_\_\_ City Attorney    \_\_\_ Clerk / Finance Director    \_\_\_ Engineer    \_\_\_ Mayor  
\_\_\_ P & Z Commission    \_\_\_ Parks & Lands Board    \_\_\_ Public Works    \_\_\_ Other

---

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve selection of Historical Research Professional TAG to conduct research for the Hailey Historic Crossroads Project, a project focused on four National Register Historic Places on the corners of Bullion and First Ave in which the researcher will compile a complete history of the buildings and occupants, with photographs, for the Hailey Historic Preservation Commission for a flat fee of \$1,500.

---

FOLLOW UP NOTES:

---



a/b/n of The Arrowrock Group, Inc.

April 26, 2011

Heather Dawson  
City Administrator  
115 Main Street South, Suite H  
Hailey, Idaho 83333  
heather.dawson@haileycityhall.org

Dear Ms. Dawson,

We are pleased to submit a proposal for Historical Research on Four NRHP Properties. Attached are our proposal, selected project list and vitas. We have enjoyed working with the Hailey Historic Preservation Commission in the past and would appreciate the opportunity to work with them again.

We'll look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Perry Bauer".

Barbara Perry Bauer, M.A.  
President

Encs.

P.O. Box 7333  
Boise, Idaho 83707-1333  
208-338-1014  
www.taghistory.com

**Proposal**

**Historical Research on Four NRHP Properties  
Hailey Historic Crossroads Brochure**

**Submitted to  
Hailey Historic Preservation Commission**

**by  
TAG Historical Research & Consulting  
(a/b/n The Arrowrock Group, Inc)**

**April 26, 2011**



The Hailey Historic Preservation Commission (HHP) is seeking a consultant to conduct historical research on the four National Register of Historic Places (NRHP) properties located at the intersection of Bullion and 2<sup>nd</sup> Streets in the City of Hailey. The four properties are the C.B. Fox House, the Eben and Elizabeth Chase House, the Masonic Lodge and the Episcopal Church. Three of the four properties are listed on the National Register of Historic Places. The project tasks will include a complete history of those buildings, their occupants and the evolution of the intersection/neighborhood where they are located, including the historic sidewalks associated with these projects. Representative photographs of the project will also be required. It is our understanding that the historic narrative and photographs will be edited for use in an educational brochure. This proposal does not include services to edit the content for the brochure.

### **Final Products**

Final products will include two (2) hard copies of the historical research report with photographs (one each for the SHPO and Hailey HPC) and one (1) electronic copy of report and photographs for SHPO.

### **Qualifications**

TAG Historical Research and Consulting has been in the business of cultural resources services since 1993. Our firm has the qualifications needed to complete this project. We have extensive experience in documentation of historic properties and writing architectural descriptions. We have completed numerous historic sites surveys and documented thousands of buildings throughout the state. Our work meets the standards of SHPO and the National Park Service. Please see the attached list for a full description of site surveys, HABS/HAER documentation and National Register Nominations.

Our knowledge of Idaho history is considerable and we have experience in providing historical narratives for publication. We provided historical research, content selection, text, graphic design and fabrication for two interpretive exhibits for the Idaho State Historical Society, including an exhibit at the Lorenzo Hatch House/Pioneer Interpretive Center in Franklin, Idaho (installed November 2009) and the Rock Creek Station/Stricker Home near Hansen, Idaho (installed November 2010). In 2010 we provided historical research, content selection and text for an interpretive panel on "The Hat," a stop on the historic interurban railway located at the College of Idaho in Caldwell for the Caldwell Historic Preservation Commission.

*Proposal  
Hailey Historic Preservation Commission*

*TAG Historical Research & Consulting  
April 2011*

We provided similar services in 2009-2010 to the Boise Historic Preservation Commission for a publication and walking tour titled "*Shaping Boise: A Selection of Boise's Landmark Buildings.*" An electronic copy can be viewed at the following website:  
[http://www.cityofboise.org/Departments/PDS/PDF/Historic/General/HP\\_Landmark\\_Booklet.pdf](http://www.cityofboise.org/Departments/PDS/PDF/Historic/General/HP_Landmark_Booklet.pdf)

Other similar projects include a tour brochure for the newly remodeled Idaho State Capitol titled *Capitol of Light*, published in 2010 by Idaho Legislative Services and an update of a traveling exhibit on the history of woman suffrage in Idaho for the Idaho State Historical Society...

### **Personnel**

Barbara Perry Bauer (MA, Public History) and Elizabeth Jacox (BA, History), co-owners of TAG Historical Research & Consulting, are historians specializing in community and local history, historic preservation and environmental history. Our knowledge of historical sources in Idaho is comprehensive and our experience includes research conducted at the Public Archives and Research Library, Idaho State Historical Society; local, state and county historical societies; the National Archives; and university, regional, and local libraries and archives. We have completed projects in Hailey and are familiar with the history of the area.

Both consultants qualify as historic preservation professionals under CFR 61, Appendix A of the Code of Federal Regulations. TAG Historical Research & Consulting is a women-owned business and certified in Idaho as a Disadvantaged Business Enterprise (DBE) and listed on the Term Agreement with the Idaho Transportation Department.

### **Budget**

Under this proposal, TAG will provide the requested services by June 30, 2011 for a flat fee of \$1,500.00 (including expenses). It is our understanding that the contract will be awarded by May 11. If the contract award is delayed, the final product delivery date will be negotiated.

*Proposal  
Hailey Historic Preservation Commission*

*TAG Historical Research & Consulting  
April 2011*



a/b/n The Arrowrock Group, Inc.

## SELECTED PROJECT LIST

### *Historic Sites Documentation Site Survey & Assessment*

- |  |  |
|--|--|
| Photographic Documentation, Historic Buildings, Veterans' Administration Medical Center, Boise, Idaho                      | City of Nampa, Old Nampa Neighborhood  |
| Historic Context, Old Mercy Hospital, Nampa, Idaho   | City of Eagle, Selected Agricultural Properties  |
| Reconnaissance Survey Twenty-five Residential Properties and a Church, Caldwell, Idaho                                     | City of Pocatello, Lincoln-Johnson Avenues Area  |
| Reconnaissance Survey, 5 Selected Agricultural Properties and Historic Context for Milner, Idaho, Twin Falls County, Idaho | City of Caldwell, Arlington Addition   |
| Reconnaissance Survey Eastside (Roosevelt) Neighborhood Nampa, Idaho   | Proposed Expanded North End Historic District, Boise, Idaho  |
| Twin Falls County Agricultural Property Survey   | Phase 2 and 3, Ada County Historic Sites   |
| Bayhorse Historic Sites Inventory and Context  | Boise's North End, 4 <sup>th</sup> -6 <sup>th</sup> and 11 <sup>th</sup> -13 <sup>th</sup> Streets |
| Main Street Chestnut to Maple, Hailey, Idaho   | Boise City Schools   |
| City of Weiser, Two Unrelated Historic Neighborhoods   | Washington Heights Neighborhood, Caldwell  |
|  | Idaho National Engineering Laboratory  |
|  | Owyhee County, Historic Buildings, Silver City   |
|  | North Washington Street, Twin Falls, Idaho   |
|  | Boise Barracks, Boise, Idaho   |
|  | Esther Joines House, Montour, Idaho  |
|  | Abandoned Farmstead, Southeast Boise Area  |
|  | Dry Creek Area, Ada County   |

### *National Register of Historic Places Nominations HABS/HAER Documentation*

- |   |  |
|---|--|
| Hailey Masonic Lodge, Hailey, Idaho                             | Joseph Chitwood House, Boise, Idaho                      |
| Old Nampa Neighborhood, Nampa, Idaho                            | Florida Mountain, Owyhee County, HABS/HAER Documentation |
| Near Old Town Historic District, Pocatello, Idaho               | James H. Lane Barn, Richfield, HABS/HAER Documentation   |
| Lincoln-Johnson Avenue Area Historic District, Pocatello, Idaho |  |

### *Interpretive Exhibits, Collections Management, Plans, Presentations*

- |   |  |
|---|--|
| City of Boise, Fire Department Artifact Collection, Follow up Inventory and Accessioning Project                        | Pioneer Interpretive Visitor Center, Franklin, Idaho   |
| Interpretive sign, "The Hat," Interurban Railway Station, College of Idaho, Caldwell, Idaho                             | Inventory of Collections at Ritter Island State Park, Wendell, Idaho                                 |
| City of Boise, Department of Arts & History, Vision Plan  | Exhibit Development, Pioneer Interpretive Center, Franklin, Idaho                                    |
| Boise City Landmarks Project— <i>Shaping Boise: a Selection of Boise's Landmark Buildings</i> , published December 2010 | Inventory of Collections in the Harriman Cottage, Harriman State Park                                |
| Legislative Services— <i>Capitol of Light</i> , published December 2009   | Exhibit Development, Rock Creek Interpretive Center, Kimberly, Idaho                                 |
| Update traveling exhibit, "History of Woman Suffrage in Idaho," Boise, Idaho  | Inventory and Organization of Idaho Department of Lands Records                                      |
| Interpretive Exhibit, Stricker Historic Site/Rock Creek Station, Hansen, Idaho  | Cycles of Change, History of Ada County, Idaho, Multi-media Presentation                             |
| Inventory of Minidoka Historic Site Artifacts, Jerome County Historical Museum, Jerome, Idaho                           | Research, Interpretive Exhibit, Jacobs-Uberuaga House, Basque Museum & Cultural Center, Boise, Idaho |
| Interpretive Plan, JO Ranch Historic Site, BLM Rawlins District, Rawlins, Wyoming                                       | Development of Interpretive Exhibit Text, Idaho Black History Museum, Boise, Idaho                   |
|   | Interpretive Text, Oregon Trail Markers, Boise, Idaho  |
|   | Historic Buildings of Kuna, Idaho, Slide Presentation  |

References available on request



**TAG Historical Research & Consulting** incorporated in 1994 as The Arrowrock Group, Inc., with the goal of providing quality historical research services to clients. In 2005 we adopted a new business name to more clearly define our company. Our services have expanded to include Section 106 documentation, preparation of National Register of Historic Places nominations, litigation support services, creation of narrative text for interpretive exhibits, house histories, and museums collection management consulting. A woman-owned business, TAG is certified as a Disadvantaged Business Enterprise (DBE) by the Idaho Department of Transportation. We support the history community by mentoring high school and university students with an interest in history and historic preservation. TAG is the proud recipient of the 2009-2010 Mayor's Award for Excellence in Art & History/Business Support of History.

**Barbara Perry Bauer** received her B.A. in history from Boise State University in 1985 and her M.A. in Public History from Boise State University in 2000. She has worked for the Buffalo Bill Historical Center, Cody, Wyoming, and served as director of the Basque Museum and Cultural Center in Boise. Her master's thesis was an interpretive narrative and exhibit for the Boise Depot. With a special interest in the history of neighborhoods and urban development, she has been the project manager for historic site surveys in Boise, Caldwell and Ada County and has given public presentations on local and neighborhood history. She is liaison for all transportation and communications-related Section 106 compliance projects. She recently served as project manager for the development of an interpretive plan for a historic ranch located near Rawlins, Wyoming, and was manager for two exhibit projects for the Idaho Historical Society. Barbara is a member of the Boise City Arts and History Commission and is in charge of coordinating the Depot Day Celebration for the Commission. She is currently working on a book about the history of South Boise.

**Elizabeth Jacox** has more than 30 years of experience in the field of historical research. She received her B.A. in history from Idaho State University in 1980. For fourteen years she worked as librarian at the Idaho State Historical Society Library and Archives where she was responsible for managing the historic photograph collection and assisting the public with research in special collections and archives. With TAG she has served as project manager for historic site surveys in Nampa, Pocatello, Weiser and Hailey, and written National Register of Historic Places nominations for neighborhoods in Nampa and Pocatello, as well as the Hailey Masonic Lodge. She coordinated a records management project for the Idaho Department of Lands and managed a project to assist the Jerome County Historical Museum in managing a special collection of artifacts related to the World War II era Japanese relocation center at Hunt, Idaho. Elizabeth recently completed a 3-year elected term as a small business representative on the board of the American Cultural Resources Association and remains an active member of several ACRA committees.

P.O. Box 7333  
Boise, Idaho 83707-1333  
208-338-1014  
[www.taghistory.com](http://www.taghistory.com)

**Heather Dawson**

---

**From:** MADELINE BUCKENDORF [madelineb@cableone.net]  
**Sent:** Wednesday, May 04, 2011 10:02 AM  
**To:** Heather Dawson  
**Cc:** Rob Lonning  
**Subject:** Proposal-Hailey Historic Preservation Comm.  
**Attachments:** MBuckendorf Hailey Historic Crossroads proposal 2011.pdf; MBuckendorf Resume 2011.pdf

Dear Ms. Dawson:

Attached are a proposal for the Hailey Historic Crossroads Project for the Hailey HPC and my resume. I have conducted previous historic preservation projects for the City of Hailey, and nominated two of the properties under consideration to the National Register of Historic Places.

I submitted two different budgets in my proposal. As we discuss over the phone, I was not clear on what type of photographs were needed for this project. I tried to get in touch with Rob Lonning and Ann Swanson of the Idaho SHPO, but both were unavailable to answer my calls. If new photographs need to be taken, or if photographs need to be reproduced from another library's collections, there are costs involved. I explained these costs in my proposal.

If I am chosen to conduct this project, the Hailey Historic Preservation Commission can indicate whether they want Budget A or Budget B.

Thank you and the Hailey HPC for your consideration of my proposal.

NOTE: COULD YOU PLEASE RESPOND TO THIS E-MAIL, SO I KNOW YOU ACTUALLY RECEIVED IT? THANK YOU.

Sincerely,

--

Madeline Buckendorf  
Madeline Buckendorf Consulting, LLC  
208-454-3435

**PROPOSAL, SCOPE OF WORK, AND BUDGET  
FOR  
HAILEY HISTORIC PRESERVATION COMMISSION  
By Madeline Buckendorf Consulting, LLC  
May 4, 2011**

**Introduction**

The following document is a formal proposal by Madeline Buckendorf Consulting, LLC, to conduct the following project:

- Conduct historical research on the four National Register of Historic Places (NRHP) properties located at the intersection of Bullion and 2nd Streets in the City of Hailey. The four properties are the C.B. Fox House, the Eben and Elizabeth Chase House, the Masonic Lodge and the Episcopal Church.
- Compile a complete history of those buildings, their occupants and the evolution of the intersection/neighborhood where they are located, including the historic sidewalks associated with these properties.
- Acquire representative photographs of the properties and area.

This work will be conducted for the Hailey Historic Preservation Commission (HPC).

**Professional Qualifications**

Madeline Buckendorf has worked for 30 years in the fields of historical research and historic preservation. She holds an M.A. in Public History and is certified as a Historic Preservation Specialist under 36 CFR 61, Appendix A, of the Code of Federal Regulations.

Madeline Buckendorf has successfully completed historic research and reports for over 19 Nominations to the National Register of Historic Places (NRHP), and for numerous Section 106 and 110 documents. The nominations included the Eben S. Chase House, The Fox-Worswick house, and the former Rialto [Hailey] Hotel in Hailey, the former Mountain States Telephone and Telegraph Company building in Meridian, Caldwell's Steunenberg Residential Historic District, and the Bushnell-Fisher House in Eagle.

Madeline Buckendorf has written several Historic Context Statements, including one done in 2011 on the development of the Hailey townsite, on mining sites surrounding Baker City for the Oregon BLM, Vale District; The Naval Reactors Facility at the INL near Arco; and for Sun Valley environmental planner Will Miller on the Crystal Creek (formerly Diamond Dragon), Spring Valley, and Democrat Gulch properties in Blaine County.

Her clients include the Army Corps of Engineers, BLM, USDA National Forest, Bureau of Reclamation, Idaho Transportation Department, several city and county historic preservation commissions, engineering firms, and environmental planners in Blaine and Ada counties. Please see the attached resume for more details.

### Scope of Work and Deadlines

Earlier historic site survey records and National Register Nominations of the four buildings will be examined and information extracted from them, as well as from early Sanborn Fire Insurance Maps, newspapers, and other sources of historical information. The information will be compiled into a draft of the brochure text, with the appropriate photographs appended to it. A bibliography of all sources examined will also be attached.

### PROJECT SCHEDULE

Once the award is granted, the following is an estimated timetable for completing the intensive-level survey:

- **June 30, 2011**--Draft of the brochure text and photocopies of pictures will be developed and turned in to the SHPO and Hailey HPC for review;
- **July 15, 2011**--final revisions to the brochure text will be made, and the final photographs will be included to produce the end products delivered to SHPO and Hailey HPC.

### PROJECT END PRODUCTS

The following products will be delivered:

- Two (2) hard copies of the brochure text with photographs (one each for the SHPO and Hailey HPC).
- One (1) electronic copy of same to SHPO.

### BUDGET

Two different budgets are proposed, depending on the type and format of photographs to be copied for the brochure. Both budgets includes costs for the following items: research, writing, mileage, photocopies, maps, discs, and other indirect costs such as liability insurance, telephone, and supplies.

#### **Budget A:**

If the photographs that are already on file with SHPO and HPC can be used, then there should be little in the way of costs except for having copies made.

**The Total Amount for Budget A: \$2,500.00**

#### **Budget B:**

If new photographs need to be taken and developed in a high-quality format; or, if photographs need to be copied from Ketchum Community Library and the Idaho State Archives, more costs are involved. Ketchum Community Library charges anywhere from \$30 to \$50 per photo. The Idaho State Archives charges \$12 to \$50 per photograph, depending on the size of the photograph. The taking and developing of new photographs would require work time, travel, and processing costs.

**The Total Amount for Budget B: \$3,000.00**

**AGENDA ITEM SUMMARY**

**DATE:** 04/27/2011 **DEPARTMENT:** Hailey Arts Commission **DEPT. HEAD SIGNATURE:** \_\_\_\_\_

**SUBJECT:**

Hailey Community Climate Challenge  
*Just Bag It!* Temporary Public Art Project  
Artist Selection / Contract

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code 2.32, 3.08  
(IFAPPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

The Hailey Community Climate Challenge includes the installation of a temporary public art project as part of the *Just Bag It!* project component. A Call to Artists was issued, proposals were received and a selection panel comprised of a Hailey Arts Commissioner, an artist and the Hailey Community Climate Challenge project manager met on April 26 to select an artist.

The artist will receive a cash fee of \$700 and a \$100 gift card from each of the three *Just Bag It!* partners – Atkinsons', Albertsons and King's. The artwork will be displayed for the month of July and the first two weeks of August, for approximately two weeks at each partner store.

The selection panel recommended the award go to artist Sheila Kelley. Sheila was also the artist for last year's project. That recommendation was forwarded to the Arts Commission, which reviewed the matter at its regularly scheduled May 5 meeting. The Arts Commission unanimously approved the recommendation of Sheila Kelley to receive the award for the *Just Bag It!* temporary public art project.

The artist's proposal and a contract letter are attached for reference.

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

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (IFAPPLICABLE)

____ 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:**

Motion to approve artist contract and authorize Mayor Davis to sign.

**ADMINISTRATIVE COMMENTS/APPROVAL:**

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

**ACTION OF THE CITY COUNCIL:**

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

**FOLLOW-UP:**

\*Ord./Res./Agmt./Order Originals: \_\_\_\_\_ \*Additional/Exceptional Originals to: \_\_\_\_\_  
Copies (all info.): \_\_\_\_\_ Copies \_\_\_\_\_  
Instrument # \_\_\_\_\_

# City of Hailey

115 MAIN STREET SOUTH, SUITE H  
HAILEY, IDAHO 83333

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

May 10, 2011

Sheila Kelley  
PO Box 2082  
Hailey, ID 83333

Subject: *Just Bag It!* Temporary Public Art Installation

Dear Sheila:

Congratulations! You have been selected to fabricate and install a temporary public art project as part of the *Just Bag It!* program. Please review the following conditions of the award, sign this letter and return the original to the City of Hailey. I will then send you a complete, signed copy for your records.

1. The project that is fabricated and installed will be as presented in the artist's application, with the modifications documented in this letter. Any additional proposed changes by the artist must be pre-approved by the Hailey Public Art Coordinator.
2. One work will be fabricated under this agreement. The work will be installed at the Hailey Atkinsons' for approximately two weeks, Hailey Albertsons for approximately two weeks and King's for approximately two weeks.
3. The work will be installed by the artist no earlier than June 27 and no later than July 1, 2011. The work will be dismantled/removed by the artist no earlier than August 13 and no later than August 17, 2011.
4. The scale of the proposed project must be appropriate to the specific installation locations. The artist will coordinate with Atkinsons', Albertson's and King's to determine whether the 4' x 4' base can be adequately accommodated in each of the three venues.
5. The artist will design the arm positions of the figure such that they will not be hung upon by children.
6. The reusable bags attached to the figure must accommodate the venue (Albertson's bags when at Albertson's, Atkinsons' bags when at Atkinsons'). The artist will coordinate with King's on the bags to use for that venue.
7. The installation must be fixed in place for security purposes. It is suggested that the wheels proposed by the artist could be on the back of the base rather than the bottom. The piece could then be tipped and rolled.
8. Should the work experience any difficulty, such as vandalism, significant deterioration, unforeseen hazards, etc., the artist may be required to dismantle/remove the work immediately. Determination of early removal of the work by the artist will be at the sole discretion of the City of Hailey, Albertsons, Atkinsons' or King's.

Shelia Kelley  
May 10, 2011  
Page Two

9. The artist will be paid \$700 at the conclusion of project installation. The artist will be given a \$100 gift card from each of the three stores as soon as practical after installation of the artwork. Hailey is not responsible for the payment of the gift cards, but will continue to coordinate with Atkinsons', Albertsons and King's to acquire the gift cards for the artist.
10. The City of Hailey, Atkinsons', Albertsons and King's are not responsible for permanent placement of the artwork.
11. The artist is the sole owner of the artwork. The artist has the right to use the artwork as she sees fit at the conclusion of the temporary installation period defined in this agreement.

Thank you very much for the thought and effort that have gone into your proposed artwork design. The Hailey Arts Commission and the City of Hailey are grateful for your participation in the *Just Bag It!* program, and look forward to seeing your completed work.

Sincerely,



Tracy Anderson  
Public Art Coordinator

\_\_\_\_\_  
Rick Davis, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Shelia Kelley, Artist

\_\_\_\_\_  
Date

To: The Hailey Arts Commission  
c/o Tracy Anderson  
Hailey City Hall  
Re: JUST BAG IT! 2011

Sheila Kelley  
P.O. Box 2082  
Hailey, ID 83333  
208-720-9361

I am excited to submit my proposal for Hailey Arts Commission's 2011 'Just Bag It!' project. Please consider the following:

**Proposed Design:**

**My idea is to create a life-sized figure of a human made of plastic bags.**

Foundation of the three dimensional sculpture will be an aperture of used or discarded wood scraps and/or wire secured on a base of wood at the figure's feet. I intend that the figure have some animation, as if walking out of the store with groceries.

The base will be made from recycling a shipping box about 4' x 4' square and 8" high I have salvaged. I will cover the wood with recycled newspapers. I plan on installing wheels under the base that will assist with moving the sculpture.

The figure will be covered in plastic bags. The bag handles will be threaded or tied to the aperture to create the exterior form. At feet and hands, the bags may be glued to keep perspective.

My plan is to use the average amount of grocery bags used by one person per year.

**The figure would carry 4-6 reusable totes (Atkinson's, Albertson's and others) in its hands.**

**Signage:**

On the upper 4'x4' side of the base (where the figure is secured) would be formatted as a overlarged 'newspaper'. Already covered with recycled newspapers, and using a text box concept, columns and articles would contain information on plastic bags: How many bags one consumer uses per year, Multiplying this by the number of people in the Wood River Valley and onward. Also the options of using cloth bags, how this is handled in other countries, etc. Plus good suggestions.

The articles would be printed then cut and pasted on the plywood and then covered with a clear plastic polymer.

Around the base would be signage "Reuse, Recycle, & Reconsider" "Bring Your Bags?" plus other appropriate sayings in 4-6" high letters.

**Public Display:**

The sculpture will be adaptable to all weather and be convenient for both inside or outdoor display. A 10' chain will be attached to the base with keyed padlock to secure the sculpture at the venues. Two keys will be provided for the padlock- one for the artist and one for the venue.

**Promotion:**

I am willing to assist writing promotional material for newspapers, Face Book, web, etc. with photographic recording of the construction and final placement(s).

**Resume of Contributor:**

Sheila Kelley has been an amateur and professional artist in a variety of arts and crafts during her lifetime. She expresses herself in both two and three dimensions. Art, to Kelley, is in how the commonplace is enhanced to delight or challenge the senses.

College educated in both arts and sciences, Sheila has been apprenticed in leather crafts and mastered saddlery. A third generation nurseryman, Sheila is acknowledged as a capable landscape and garden designer with expertise in perennial, annual and vegetable gardening. She is also an original cook who incorporates growing with menu items that please the pallet. As a writer, Sheila has been published for feature newspaper articles, a Gardening Column for two seasons, plus several short stories.

Although expressing herself mostly through photography and gardening over the past ten years, she finds design, color and form to be the consistent foundation by which she creates many new ideas.

Currently she purchases fabric and items at the local thrift shops and 'upcycles' them into shopping totes, aprons and other useable pieces she sells.

**Submitted Artwork Description:**

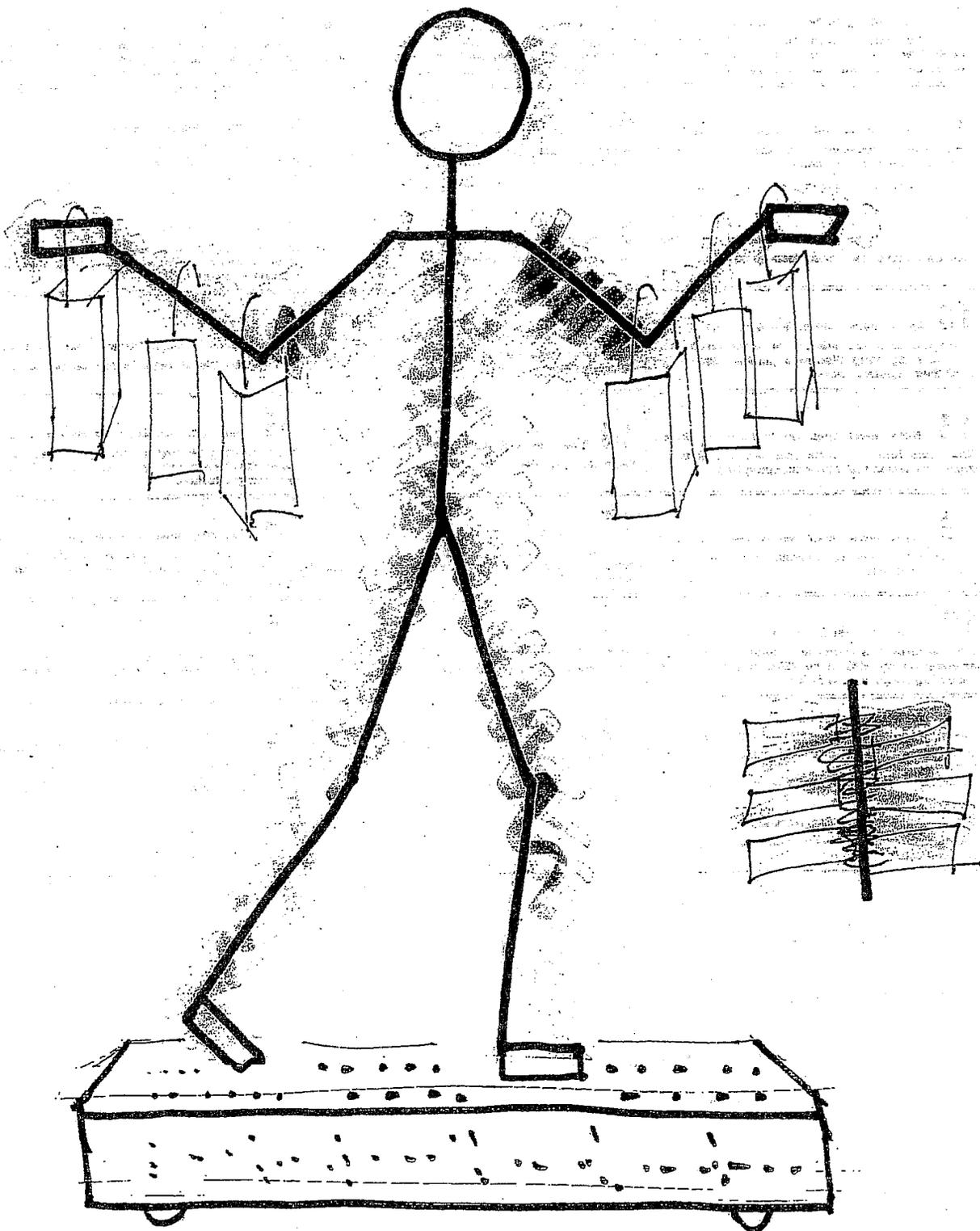
'Anacortes' - Photomosaic- by cutting up photographs she's taken into pieces, Kelley creates new works. Original is 24" x 18"

'Herons' - Photomosaic- this time the pictures are not only cut into pieces, but Kelley weaves some pictures of water for a different approach. Original is 8" x 10"

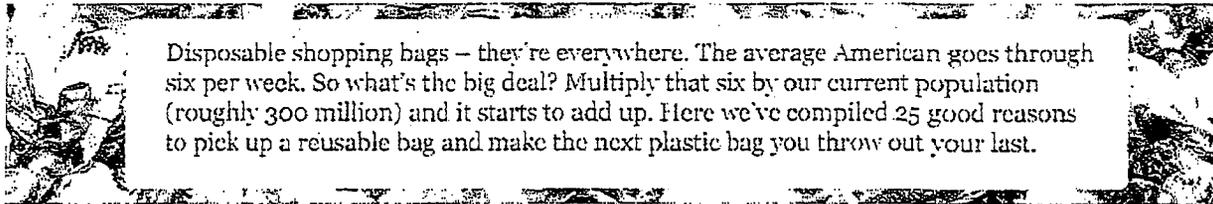
'Bakery 1' - With camera in hand, Kelley looks for the un-posed picture. This was a table of bakery goods at the Hailey Farmer's Market.

'In the Beginning There was No Plastic' - Photograph of the "Just-Bag-It" 2010-awarded sculpture of a globe of the earth using plastic bags in place at Atkinson's. Sculpture was formed on a metal base wrapped in chicken wire and stuffed with 1,157 plastic bags.

'Bags' - Collection of Totes and a Garden Apron made from purchasing place mats from Hailey thrift shops and rebuilding them into useable items.



## 25 Reasons to use Reusable Bags



<b>1</b> A plastic shopping bag can take anywhere from 15 to 1000 years to decompose. In a compressed landfill, deprived of atmosphere to help them biodegrade, paper bags don't fare much better.	<b>2</b> Plastic bags don't biodegrade, but are at risk for photo degradation, light exposure dissolving them into toxic polymer particles. Most often, when this happens, it happens in the ocean.	<b>3</b> The cost to recycle plastic bags so outweighs their value that most recycling facilities will not take them, leading more and more to just be thrown out with the rest of the trash.
<b>4</b> According to the Wall Street Journal, only 1% of plastic bags are recycled world-wide; the rest are left to live on indefinitely in landfills.	<b>5</b> The United States alone uses approximately 100 billion new plastic bags per year - the average person goes through between 350 and 500.	<b>6</b> Thanks to their light weight, plastic bags are the debris most likely to fly away from landfills, settling instead in trees, storm drains, beaches, and the ocean.
<b>7</b> Public agencies in California alone spend over \$300 million on coastal litter clean-up per year.	<b>8</b> Plastic bags make up over 10% of washed-up debris polluting the US coastline.	<b>9</b> According to the British Antarctic Survey, discarded plastic bags have been found as far north as the Arctic Circle and as far south as The Falkland Islands.
<b>10</b> An estimated one million birds and 100,000 turtles and other sea animals die of starvation each year after ingesting discarded plastic bags which block their digestive tracks.	<b>11</b> Made from petroleum products and natural gas, plastic bags utilize nonrenewable resources, ultimately helping to drive up fuel prices.	<b>12</b> It takes 12 million barrels of oil to produce the amount of plastic bags the US uses per year.
<b>13</b> Think paper bags are better? The United States cuts down 14 million trees per year simply to supply the demand for paper shopping bags.	<b>14</b> It requires 13% more energy to produce one single paper bag than to produce two plastic bags.	<b>15</b> Made with chemicals processed at high temperatures, paper bag production releases many toxins into the atmosphere at much the same rate as plastic production.
<b>16</b> Paper bags weigh nearly ten times their counterparts in plastic, requiring more fuel to ship them out to stores.	<b>17</b> Despite their high recyclability factor, research shows that only 20% of paper bags end up recycled while the rest share a fate with their plastic brethren.	<b>18</b> In landfills, paper bags produce over twice as much atmospheric waste as plastic, making them questionable at best as the superior choice for the environment.
<b>19</b> Ireland, the first European country to impose a tax on them, has decreased plastic shopping bag consumption by 90% since 2002, reducing overall plastic bag usage by 1.08 billion.	<b>20</b> In the past five years, over a dozen countries have banned or put a tax on disposable bags.	<b>21</b> Reusable bags come in all sorts of smart and stylish shapes and prints, making your shopping trips a little less routine and a little more fun.
<b>22</b> Some grocery stores even offer discounts for customers who bring their own bags - now that's incentive!	<b>23</b> In New York City, one less grocery bag per person would reduce waste by 5 million pounds and save \$250,000 in disposal costs.	<b>24</b> The average reusable bag has the lifespan of over seven hundred disposable plastic bags.
<b>25</b> Over a lifetime, use of reusable bags by just one person would save over 22,000 plastic bags. Isn't that even better incentive?		

COPY OF INFORMATIONAL ITEMS TYPICAL  
 USED ON BASE  
 (REFERENCES WILL BE INCLUDED)  
 (MORE TO BE INCLUDED)







# Wheeler Electric, Inc.

Job No.

FO No. WE. No. 09 Other: Provide & Install Assisted Listening System

1) Material Cost & Labor Breakdown:

Material Description	Unit Of Measure	Quantity	Unit Cost	Material Cost	Manhour Unit	Man hours
See Attached Material Breakdown	Lot	1	\$1793.30	\$1793	22.74	22.74
<b>Subtotal Material Cost =</b>				\$1793		
<b>Material Tax @ 6 % =</b>				\$108		
<b>Total Material Cost =</b>				\$1901		
<b>Total Labor Manhours =</b>						22.74

2) Equipment Breakdown:

Equipment Description	Usage	Rate	Eqpt Cost
Truck	2	\$75	\$150
<b>Total Equipment Cost =</b>			\$150

3) Labor Cost Breakdown:

Craft	Manhours	Rate	Labor Cost
Electrician	23	\$50.00	\$1150
Foreman	3	\$55.00	\$165
<b>Total Mhrs =</b>		26	
			<b>Total Labor Cost \$1315</b>

4) Total Material Cost:	\$1901
5) Total Equipment Cost:	\$150
6) Total Labor Cost :	\$1315
7) Consumables, Small Tools @ 3 % of Labor:	\$39
8) Misc Costs	
9) Direct Cost:	\$3405
10) Overhead @ 7 %	\$238
11) Subtotal:	\$3644
12) Profit @ 6 %	\$219
13) Sub Subtotal:	\$3862
14) Lower-Tier Subcontractor(s):	
15) Subtotal Subcontractors	
16) Commission on Subcontractor(s) @ %	
17) C.O. Subtotal:	\$3862
18) Bond @ %	\$0
19) Total Proposed Amount:	<b>\$3862</b>

20) Time Extension Proposed: \_\_\_\_\_ Calendar Days

<u>Quantity</u>	<u>Item Name</u>	<u>Price</u>	<u>Ext Price</u>	<u>Labor</u>	<u>Ext Labor</u>
1	ASSISTED LISTENING (LISTEN TECH)	\$1,260.00	\$1,260.00	0.000	0.00
2	PLUG IN FS BOX W/ WP COVER	\$12.00	\$24.00	1.200	2.40
1	MOUNTING HARDWARE, ANTENNA	\$30.00	\$30.00	3.000	3.00
1	PROVIDE MOUNTING SHELF, TRANSMITTER	\$30.00	\$30.00	2.000	2.00
180	COAX	\$0.80	\$144.00	0.024	4.32
710	2C18 SHIELDED	\$0.43	\$305.30	0.012	8.52
1	TESTING	\$0.00	\$0.00	2.500	2.60
<u>TOTALS</u>			<u>\$1,793.30</u>		<u>22.74</u>

**AGENDA ITEM SUMMARY**

**DATE:** 5/3/11 **DEPARTMENT:** Finance & Records **DEPT. HEAD SIGNATURE:**

---

**SUBJECT:**

New Alcohol Beverage License for Freshies. They are leasing the Alcohol license from The Mint.

---

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code 5.04, 5.08, 5.12  
(IF APPLICABLE)

---

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

Alcohol Beverage License will expire on July 31, 2011 at which time they will need to reapply to the State, County and City.

---

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

---

**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:**

Approve the following alcohol beverage licenses, which has been approved by HPD, pending their State and County License to follow.

---

**ADMINISTRATIVE COMMENTS/APPROVAL:**

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

---

**ACTION OF THE CITY COUNCIL:**

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

---

**FOLLOW-UP:**

\*Ord./Res./Agmt./Order Originals: \_\_\_\_\_ \*Additional/Exceptional Originals to: \_\_\_\_\_  
Copies (all info.): \_\_\_\_\_ Copies  
Instrument # \_\_\_\_\_

---



# ALCOHOL BEVERAGE LICENSE APPLICATION

### APPLICATION FOR:

Liquor	\$562.50	<input checked="" type="checkbox"/>	<u>281.25</u>
Wine by the Drink	\$200.00	<input checked="" type="checkbox"/>	<u>(inc. w BD)</u>
Beer by the Drink	\$200.00	<input checked="" type="checkbox"/>	<u>15.00</u>
Grocery Sale of Wine	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Beer	\$50.00	<input type="checkbox"/>	_____

### APPLICATION IS:

New License	<input type="checkbox"/>
Renewal	<input type="checkbox"/>
Transfer	<input checked="" type="checkbox"/>

TOTAL DUE: 296.25

Applicant Name: Adam Kraft

Business Name: Fresshies

Business Physical Address: 122 S. main unit A Hailey ID 83333

Business Mailing Address: - Same -

Business Phone Number: 208-788-3621

Property Owner (if different from applicant): Robert & Rebecca Mitchell

*(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises.)*

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached).

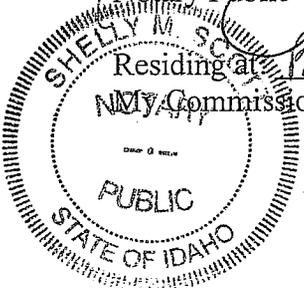
Adam Kraft  
Applicant Signature

4-19-11  
Date

Subscribed and sworn to before me this 19<sup>th</sup> day of April, 20 11

Shelly M. Scott  
Notary Public OR City Clerk

Residing at Blaine County, Id  
My Commission Expires 11/16/2011



<b>Official Use Only</b>	
State License No.	_____
County License No.	_____
City License No.	_____
Date Approved by Council	_____
Chief of Police	_____

CITY OF HAILEY ■ 115 MAIN ST. S., SUITE H ■ HAILEY, IDAHO 83333 ■ 788-4221



# PERSONAL AFFIDAVIT IN SUPPORT OF ALCOHOL BUSINESS LICENSE

Full Name: Adam K. Kraft

SSN: 517-92-9436 DOB: 6-12-71

Business Address: 122 S. Main Unit A Business Phone: 208-788-3621  
Hailey

Home Address: 520 Ivy St. Home Phone: \_\_\_\_\_  
Hailey ID. 83333

I am or will be: Sole Owner \_\_\_\_\_ Partner \_\_\_\_\_ Officer X  
Director \_\_\_\_\_ Stock Holder \_\_\_\_\_ Manager \_\_\_\_\_

Do you have any direct or indirect interest in any other business for the sale of alcoholic beverages?  
Yes \_\_\_\_\_ No X  
If yes, please explain: \_\_\_\_\_

Have you ever had an alcohol license denied, suspended or revoked?  
Yes \_\_\_\_\_ No X  
If yes, please explain: \_\_\_\_\_

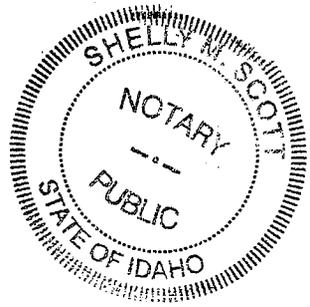
Have you within the last three (3) years been convicted of any violation in any of these United States relating to the importation, transportation, manufacture or sale of alcoholic liquor or beer?  
Yes \_\_\_\_\_ No X

Have you within the last five (5) years been convicted of, paid a fine, been placed on probation, received a deferred sentence or withheld judgment, or completed any sentence of confinement for any felony?  
Yes \_\_\_\_\_ No X  
If yes, please explain: \_\_\_\_\_

I have read all of the above, and declare under penalty of perjury that each and every statement made is true, correct and complete.

Adam Kraft  
Applicant Signature

Subscribed and sworn to before me this 19th day of April, 2011.  
Shelly M. Scott Blaine County, ID 11/16/11  
Notary Public Residing at My Commission Expires



CITY OF HAILEY ■ 115 MAIN ST. S., SUITE H ■ HAILEY, IDAHO 83333 ■ 788-4221



# CORPORATION QUESTIONNAIRE

Corporation Name: Freshshies LLC  
 Business Name: Freshshies  
 Physical Address: 122 S. main st. unit A

### Officers and/or Directors:

Title: OFFICER Name: Adam Knafz  
 Address: 520 IVY ST. Hailey ID. 83333

Title: \_\_\_\_\_ Name: \_\_\_\_\_  
 Address: \_\_\_\_\_

Title: \_\_\_\_\_ Name: \_\_\_\_\_  
 Address: \_\_\_\_\_

### Stockholders

Name: \_\_\_\_\_ Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Address: \_\_\_\_\_

I hereby certify that each officer, director and stockholder is the real party in interest with respect to his portion and is not acting directly or indirectly as an agent, employee or representative to any other person not reported to the board.

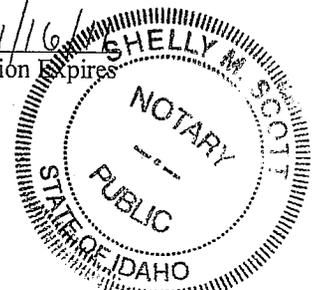
Adam Knafz  
 Signature

OFFICER  
 Title

Subscribed and sworn to before me this 19th day of April, 2011

Shelly M. Scott  
 Notary Public

Blaine County, Id Residing at 11/16/11 My Commission Expires



CITY OF HAILEY ■ 115 MAIN ST. S., SUITE H ■ HAILEY, IDAHO 83333 ■ 788-4221

AGENDA ITEM SUMMARY

DATE: May 9, 2011

DEPARTMENT: Community Development

DEPT HEAD: DR

SUBJECT: Amendment to Big Wood 6 Cinemas phasing agreement

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The current phasing agreement between the city and Big Wood 6 Cinemas states the design review approval of Phase II will expire May 1, 2011 and construction of Phase II start no later than May 1, 2011. On April 25, 2011 the Council held a public hearing regarding the developer's request the start date be extended to May 1, 2016. The Council agreed to extend the start date by two years, to May 1, 2013. The Council stipulated the applicant could request another extension if necessary.

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

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> City Administrator | <input type="checkbox"/> Library             | <input type="checkbox"/> Safety Committee |
| <input checked="" 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:

Motion to approve the amendment to the phasing agreement for Big Wood 6 Cinemas extending the design review approval of Phase II and the start of the construction of Phase II to May 1, 2013.

ADMINISTRATIVE COMMENTS/APPROVAL:

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

ACTION OF THE CITY COUNCIL:

Date \_\_\_\_\_

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

FOLLOW-UP:

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

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

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:

---

(SPACE ABOVE LINE FOR RECORDER'S USE)

**FIRST AMENDMENT TO  
PHASING AGREEMENT  
FOR BIG WOOD 6 CINEMAS**

This First Amendment to Phasing Agreement for Big Wood 6 Cinemas ("**Amendment**") is entered into this \_\_\_\_ day of May, 2011 by and between the City of Hailey ("**City**"); Metropolitan/Rocky Mountain Cinemas, LLC, a Delaware limited liability company ("**MetroRMC**"); and The Williams Family Trust, Latham Williams, Trustee ("**Williams**").

RECITALS

A. The City, MetroRMC and Williams entered into a Phasing Agreement for Big Wood Cinemas, recorded as Instrument No. 510418, records of the county recorder, Blaine County Idaho ("**Phasing Agreement**")

B. Williams requested an amendment to the Phasing Agreement so the start of Phase II be extended from May 1, 2011 to May 1, 2016;

C. The City has agreed to extend the start date of Phase II to May 1, 2013; and

D. In order to ensure that the proposed Project is constructed consistent with City's applicable ordinances and regulations, the City, MetroRMC and Williams deem it in their interests to enter into this Amendment with regard to the timing of construction of Phase II.

AGREEMENT

NOW, THEREFORE, IN CONSIDERATION of the above recitals which are incorporated below, and of the mutual covenants and agreements herein contained and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Paragraph 2 of the Phasing Agreement shall be amended by the deletion of the stricken language and by the addition of the underlined language as follows:

2. **Provided Amenities of Project.** MetroRMC agrees to construct the Project in accordance with this Agreement, City's approval of the Application and the drawings and site plans submitted with the Application. The Project shall include construction of the improvements depicted in the Application, including the following:

(a) Phase I construction of (i) a theatre complex consisting of four (4) auditoriums seating 77 persons, 145 persons, 172 persons and 106 persons, for a total seating capacity of 500 persons; (ii) a theatre lobby adequate to support 688 seats including restrooms, concessions, café and ticket counter; (iii) landscaping as shown on T.W. Beck Architects drawing L-2 dated February 10, 2004 which is attached hereto as Exhibit "B-1"; (iv) 79 parking spaces located on Lot 1, Block 1 and Lot 1, Block 2, Saddle River Subdivision; (v) a six foot (6') high solid wood fence along the southern and western boundaries of Lot 1, Block 1, Saddle River Subdivision; (vi) bicycle racks that meet City standards to accommodate at least ten bicycles.; and (vii) all other improvements required in the Design Review Decision.

(b) Phase II to be developed at the option of MetroRMC shall consist of construction of (i) two additional auditoriums seating a total 188 persons; (ii) additional landscaping as shown on T.W. Beck Architects drawing L-1 dated January 23, 2004 attached hereto as Exhibit "B-2"; (iii) removal of existing premises currently occupied by Chi Chi's Restaurant; (iv) abandonment or relocation of an existing easement in favor of Idaho Power Company by Williams as owner of the Property; and (v) a cooperative parking agreement with Marketron, Inc. for an additional forty (40) parking spaces between the hours of 5:00 p.m. and 1:00 a.m., Monday through Sunday together with four (4) additional spaces in compliance with City parking ordinances and standards or, in the alternative, provision of not less than forty-four (44) additional parking spaces or improvements for such parking spaces, or a combination thereof, all in accordance with the currently existing requirements of Article IX of the Hailey Zoning Ordinance.

Phase II shall commence (and evidence adequate to the City shall be provided that all conditions required for Phase II have or will be satisfied by conclusion of construction) not later than May 1, 2014~~3~~. If construction is not commenced prior to that date this Phasing Agreement will automatically terminate and Phase I will continue to operate as constructed.

2. Paragraph 3 of the Phasing Agreement shall be amended by the deletion of the stricken language and by the addition of the underlined language as follows:

3. **Design Review Approval.** In addition to the conditions set forth in the Design Review Decision, the Design Review approval is recommended by the City subject to the following conditions:

(a) All parking, including dimension of stalls, on paved areas shall be provided as shown in the Application in Phases as set forth in Sections 2(a) and (b), above

(b) MetroRMC shall improve the Property with landscaping as described and depicted in the Landscape Plan included in the Application as follows: See attached Exhibits "B-1" and "B-2", the T.W. Beck drawings L-2 dated February 10, 2004 (Phase I) and L-1 dated January 23, 2004 (Phase II).

(c) MetroRMC shall develop the Project in two (2) phases in accordance with the following schedule:

<u>Phase</u>	<u>Start Date</u>	<u>Duration</u>	<u>Construction</u>
I.	June 15, 2004 (approximate)	7 Months	as outlined in Section 3(a) above.
II.	To commence not later than 05/01/2014 <del>3</del>	6 Months	as outlined in Section 3(b) above.

(d) Engineering plans for the following infrastructure improvements shall be submitted by MetroRMC to the City for approval and the approved infrastructure improvements shall be installed in accordance with the applicable City standards and in accordance with the schedule set forth in Paragraph 3(c) of this Agreement, as follows:

Phase I: a) All the of the improvements described in paragraph 4 of the Development Agreement and b) all of the improvements described in paragraph 2(a) of this Agreement. In the event MetroRMC fails to construct the above described infrastructure improvements for Phase I, the City shall be entitled to withhold the issuance of a certificate of occupancy for any structure within Phase I and a building permit for any structure within Phase II.

Phase II: All of the improvements described in paragraph 2(b) of this Agreement. . In the event MetroRMC fails to construct the above described infrastructure improvements for Phase II, the City shall be entitled to withhold the issuance of a certificate of occupancy for any structure within Phase II

Design review approval for the improvements in Phase II shall be valid until May 1, 2014~~3~~, unless substantial alterations are proposed in the plans for the Phase II improvements, in which case the applicant will be required to obtain design review approval for the proposed altered improvements.

3. All other terms and conditions of the Phasing Agreement shall remain unchanged and in full force and effect.



STATE OF IDAHO )  
 ) ss.  
County of Blaine )

On this \_\_\_\_\_ day of May, 2011, before me, a Notary Public in and for said State, personally appeared Marshall C. Smith, known or identified to me to be the managing member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

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

\_\_\_\_\_  
Notary Public for Idaho  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

STATE OF IDAHO )  
 ) ss.  
County of Blaine )

On this \_\_\_\_\_ day of May, 2011, before me, a Notary Public in and for said State, personally appeared Latham Williams, Trustee of the Williams Family Trust known or identified to me to be the Trustee of said Williams Family Trust that executed the instrument or the person who executed the instrument on behalf of said Trust and acknowledged to me that Trustee executed the same.

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

\_\_\_\_\_  
Notary Public for Idaho  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_