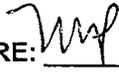


AGENDA ITEM SUMMARY

DATE: June 13, 2011 DEPARTMENT: Sustainability DEPT. HEAD SIGNATURE: 

**SUBJECT:** Wood River High School W.A.T.E.R. Club students' proposed plastic and paper bag resolution.

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

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

On April 11, 2011 students from Wood River High School gave a presentation to the Council on plastic bags and proposed a ban on certain plastic bags and a regulatory fee on certain paper bags to the City Council. On April 25, 2011, the Council heard a follow-up presentation by the students.

At the April 25<sup>th</sup> meeting the Council directed staff to work with the students on 1) a resolution and 2) a refined draft of the proposed ordinance, which included greater input from the business community.

The city attorney and sustainability coordinator have met with High School teacher Erika Greenburg and students to discuss the timeline, process, and legal issues. The students plan to use the summer to meet with the business community to hear their concerns and refine the ordinance accordingly. In August the students will bring the refined ordinance back to the Council for their review. At that time, the Council can either vote on the ordinance or the students can proceed with the initiative ballot process.

The students have invited the business community to meet with them on June 16<sup>th</sup> at 6:30pm at City Hall, to discuss the proposed ordinance in greater detail and receive their feedback to help guide them in their amendments.

**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"/> _____            |
| <input type="checkbox"/> Engineer                      | <input type="checkbox"/> Public Works, Parks | <input type="checkbox"/> _____            |
| <input type="checkbox"/> Fire Dept.                    | <input type="checkbox"/> P & Z Commission    | <input type="checkbox"/> _____            |

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Review and adopt the resolution.

**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) \_\_\_\_\_

RESOLUTION No. 2011 – \_\_\_

**A RESOLUTION OF THE HAILEY CITY COUNCIL ENCOURAGING REUSEABLE BAGS AND DISCOURAGING THE USE OF DISPOSABLE PLASTIC BAGS AND PAPER BAGS FOR CERTAIN USES.**

**WHEREAS**, the Hailey Mayor and City Council have a responsibility to protect the environment, the economy and the health of its citizens and visitors;

**WHEREAS**, the Hailey Mayor and City Council recognize that the use of plastic bags has a significant impact on the local environment of the City of Hailey, by contributing to littered streets, sidewalks and waterways, by clogging drainage systems and by endangering wildlife;

**WHEREAS**, currently, Americans consume 100 billion of the 500 billion-1 trillion bags used per year in which only 1-3% of plastic bags are recycled leaving 97-99% to become litter or end up in a landfill;

**WHEREAS**, it is well documented that disposable paper bags have significant environmental impacts on our local environment, involving the use of wood products and other natural resources to produce and distribute paper bags;

**WHEREAS**, the Hailey Mayor and City Council believe that it is in the best interest of the citizens of Hailey and our surrounding environment to discourage the use of certain plastic and paper bags and that residents and visitors should use reusable bags. Reuseable bags will provide a new sustainable convenience to shoppers and in addition can be used in conjunction with efforts to educate residents, businesses and tourists about the impact of trash on our local and regional environmental health;

**WHEREAS**, the Hailey Mayor and City Council find that it is in the best interest of the citizens and visitors of Hailey to reduce the cost to the city of solid waste disposal and transportation, and to protect our environment and our natural resources by findings was to reduce the use of disposable plastic shopping bags and to require certain standards;

**WHEREAS**, the Hailey Mayor and City Council find that an ordinance addressing plastic and paper bags and encouraging reusable bags should be adopted by the Hailey City Council or by initiative of the citizens of Hailey to further the goal of promoting the health, safety and general welfare of the citizens of Hailey.

**NOW, THEREFORE BE IT RESOLVED** by the Hailey Mayor and City Council members that the Wood River High School's W.A.T.E.R. Club work with the business community and city staff to refine the ordinance which was presented to the Mayor and Council on the 11<sup>th</sup> and 25<sup>th</sup> day of April, 2011. The refined ordinance should reflect this resolution as well as the business community's concerns, and should address the following items for possible inclusion in the ordinance:

1. A ban on certain plastic bags, as well as a way to address certain paper bag usage.

2. Which types of bags will apply and specify exemptions in the ordinance for those that do not.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS \_\_\_\_\_  
DAY OF JUNE, 2011**

---

Richard L. Davis  
Mayor, City of Hailey

ATTEST:

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Mary Cone  
City Clerk



**AGENDA ITEM SUMMARY**

DATE: May 2, 2011

DEPARTMENT: Community Development

DEPT HEAD: 

**SUBJECT:** Amendments to Municipal Code Chapter 9.04 to establish an outdoor amplified sound permit

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

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

In the process of drafting the recent amendments to Chapter 12.14 and 12.12, amplified sound associated with gatherings that do not fall under a special event or a park reservation, such as bands playing outside of businesses but contained on private property on-compliance would not be in compliance with the existing established regulations and exceptions of Chapter 9.04. The addition of an outdoor amplified sound permit to Chapter 9.04 was conceived to address these situations. The Council discussed this amendment on May 2 and asked for two changes; 1) delete the language in A.1. that prohibited outdoor amplified sound in residential zoning districts and 2) add language exempting lawn/yard maintenance equipment and move to section B.2.

The existing language in section B.1, "as to be plainly audible at a distance of fifty feet from the property line" was changed to "exceed seventy-five (75) dB measured at the property line". This change provides a means of measuring the sound which will allow for consistent enforcement of the code when complaints are received by the Police Department. The thresholds are based on the attached tables and other research of other city codes, including the City of Austin (home of the renowned South-by-Southwest music festival) which has a maximum of 85 decibels for outdoor music venues and allows up to 75 dB in residential areas without a permit.

**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:

Decibel meter costing approximately \$200.00 and staff time to administrator. The suggested permit fee is \$25.00.

**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 checked="" 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:**

Review and discuss amendments; direct changes to the proposed ordinance or approve if acceptable and authorize the Mayor to conduct the first reading by title only.

**ADMINISTRATIVE COMMENTS/APPROVAL:**

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

**ACTION OF THE CITY COUNCIL:**

Date \_\_\_\_\_

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

**FOLLOW-UP:**

\*Ord./Res./Agmt./Order Originals: Record \*Additional/Exceptional Originals to: \_\_\_\_\_

Copies (all info.): \_\_\_\_\_ Copies (AIS only)

Instrument # \_\_\_\_\_

## Noise Sources and Their Effects

Noise Source	Decibel Level	comment
Jet take-off (at 25 meters)	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121 dB).	120	Painful. 32 times as loud as 70 dB.
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage 8 hr exp
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 h exposure.
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 ft	60	Half as loud as 70 dB. Fairly quiet
Quiet suburb, conversation at home. Large electrical transformers at 100 ft	50	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area	30	One-sixteenth as loud as 70 dB. Very Quiet
Whisper, rustling leaves	20	
Breathing	10	Barely audible

[modified from <http://www.wenet.net/~hpb/dblevels.html>] on 2/2000. SOURCES: Temple University Department of Civil/Environmental Engineering ([www.temple.edu/departments/CETP/environ10.html](http://www.temple.edu/departments/CETP/environ10.html)), and *Federal Agency Review of Selected Airport Noise Analysis Issues*, Federal Interagency Committee on Noise (August 1992). Source of the information is attributed to *Outdoor Noise and the Metropolitan Environment*, M.C. Branch et al., Department of City Planning, City of Los Angeles, 1970.

Commercial	Industrial	Residential	dB Level
Threshold For Hearing			0
Good Recording Studio		Breathing	10
		Rustling Leaves	15
		Whisper, Mosquito	20
Library		Living / Dining Room	30
Refrigerator Hum		Kitchen / Bathroom	40
Quiet Office	Power Lawn Mower	Home Office	50
		Birds at 10'	55
Conversational Speech			60
Piano Practice		Electric Shaver	60
Business Office		Piano Practice	65
Noisy Restaurant	Implant Office	Street Traffic	70
Chamber Music		Barking Dog	75
Classroom		Alarm Clock	75
		Television / Dishwasher	75
Airplane at 1 mile	Manual Machines	Vacuum Cleaner	80
Reception / Lobby Area	Handsaw	Garbage Disposal	85
Motor Bus		Telephone Dial Tone	85
Applause in Auditorium		Lawn Mower	85
OSHA Required Hearing Protection in Factory			85
Teleconference Room		Train at 100'	90
Subway	Farm Tractor	Teenage Stereo	90
Sustained Exposure May Cause Hearing Loss			90
Music Practice Room	Electric Drill	Walkman at 5/10	94
French Horn	Average Factory Noise	Blender	100
Orchestra	Diesel Truck	Motoreycle	105
Computer Room	Printing Press	Train	105
Bass Drum	Heavy Truck	Power Saw	110
Dog Kennel	Power Mower	Baby Crying	110
Symphony Orchestra	Punch Press	Squeaky Toy to Ear	110
Pain Begins			120
Disco	Sandblasting	Shot Gun	120
Cymbal Crash	Pneumatic Clipper	Air Raid Siren	130
Dragcar Racing	Military Jet	Shotgun	140
Rock Concert	Aircraft Carrier Deck	Jet Takeoff	140
Chest Wall Begins to Vibrate			150
Ear Drum Breaks Instantly			160
Death of Hearing Tissue			180
Loudest Possible Sound			194

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

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING CHAPTER 9.04, OFFENSES AGAINST PUBLIC PEACE OF THE HAILEY MUNICIPAL CODE BY ESTABLISHING AN OUTDOOR AMPLIFIED SOUND PERMIT AND EXEMPTING APPROVED SPECIAL EVENT PERMITS, PARK RESERVATION AND OUTDOOR AMPLIFIED SOUND PERMITS FROM THE RESTRICTIONS OF SECTION 9.04.030; 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, the Mayor and the City Council of the City of Hailey wish to make the City of Hailey an event friendly place while maintaining public safety and reducing costs and time associated with permitting incurred by the city and the applicant;

WHEREAS, the City Council has considered amendments to the Special Event and Park Use Chapters of the Municipal Code;

WHEREAS, the Special Event Chapter of the Municipal Code exempts events fully contained on private property within the business zoning district, a school or recreational district sporting event held on a school or recreational district property and government events, however the amplification of sound is an activity that effects the general public and the city wishes to have a mechanism to monitor such activity; and

WHEREAS, the Mayor and City Council find that such an amendment will further the public health, safety and general welfare.

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

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

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

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

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

1. Radios, Phonographs, Loudspeakers and Sound Amplifiers. The using, playing or operating, or permitting the playing, using or operating, of any radio, television, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet and comfort of neighboring residents or inhabitants, including the projection of volume or sound louder than is necessary for the hearing of the person or persons in a building or vehicle in which such machine or device is operated. The operation of any such radio, television, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device in such a manner as to be plainly audible at a distance of fifty feet to exceed seventy-five (75) dB measured at from the property line of any property where the same is located, or at a distance of fifty feet from any vehicle in which the same is located, shall be prima facie evidence of violation of this section, except for special events approved by the city administrator, i.e., Northern Rockies Folk Festival with an approved special event permit, an approved park reservation permit or an approved amplified sound permit;

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

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

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

C. An outdoor amplified sound permit is required for those events exempted by Section 12.14.030 of the Hailey Municipal Code.

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

- a. the name, address, and telephone number of the applicant;
- b. the address of the location of the property where the amplified sound will be generated;
- c. the maximum decibel level expected to be generated;
- d. the time during which the sound equipment will be used;
- e. an application fee, if established by separate resolution; and

f. a statement that the applicant has obtained a copy of the applicable requirements of this chapter and agrees to comply with all applicable requirements.

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

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

a. Use of the equipment would constitute a detriment to traffic safety;

b. The issuance of the permit would be otherwise detrimental to the public health, safety or welfare;

c. The issuance of the permit will substantially interfere with the peace and quiet of the neighborhood or the community;

d. The applicant would violate the provisions of this Code or any other law.

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

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

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

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

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

Section 2. 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 \_\_\_\_\_, 2011.

\_\_\_\_\_  
Richard Davis, Mayor  
City of Hailey

ATTEST:

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

Publish: Idaho Mountain Express \_\_\_\_\_, 2011



**AGENDA ITEM SUMMARY**

**DATE:** June 13, 2011    **DEPARTMENT:** Community Development

**DEPT HEAD:** BR

**SUBJECT:** Consideration of Jeff Pfaeffle's proposal regarding Colorado Gulch open space.

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

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

Jeff Pfaeffle has requested a meeting with the mayor and council to discuss a proposal which ultimately may lead to an annexation of a part of the Colorado Gulch property. The proposal is described in the attached letter and email from Jim Laski. The City previously denied an request for annexation of this property. No new application has been submitted.

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:**

Casele # \_\_\_\_\_  
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:**

Discuss the proposal and decide what steps to take in the future, if any.

**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)

## Beth Robrahn

---

**From:** Jim Laski [jrl@lawsonlaski.com]  
**Sent:** Thursday, June 02, 2011 8:05 AM  
**To:** Ned Williamson  
**Cc:** Rick Davis; Beth Robrahn  
**Subject:** RE: Colorado Gulch

Ned –

Per our discussion of yesterday, and in response to your email of last Friday, I would like to clarify and reiterate what we are trying to do to create an immediate, large public open space along the river at Colorado Gulch in a financially sound manner.

The Stevens Family Ranch (SFR) will work with the Blaine County Open Space Levy Board and the Wood River Land Trust with the goal of reaching a deal where they, in some combination, acquire the 153 parcel referenced in my letter (which is currently listed for \$4,950,000) for consideration (ie money), as soon as possible, to be used and preserved as public open space. SFR is willing to pursue this plan only on the condition that it can work out an arrangement with the city of Hailey that ensures that the balance of their property (21.28 acres) can ultimately be annexed into the city to allow for future development. If it is not possible to come up with an agreement for future annexation of the 21 acre parcel, then any arrangement for sale of the 153 acre parcel to Land Trust/Open Space committee will not be financially viable as that property would be necessary to be part of any future subdivision given density and water/sewer limitations associated with developing in the county. As such, we have not proposed, nor can we commit to, a dedication of 153 acres of open space without payment as you have requested. With respect to the water rights, those rights presently utilized on the property that are will not be needed to fulfill irrigation requirements when the property is developed will certainly open for discussion and may be incorporated as part of the *quid pro quo* associated with any annexation proposal. Finally, with respect to the open space dedication, we would expect that it would be open to the public and be non-motorized unless there is a reason that motorized access makes sense (ie a park road or river access point). Our proposal assumes there would be discussion and agreement among the interested parties (including the city of Hailey) as to the use of the open space, and that development, if any, would be limited to recreational amenities.

To clarify, my letter of May 10 was not exactly an annexation proposal, but rather a request for an expression of interest on behalf of the City and perhaps to appoint a council person to work with the group to see if we can bring this multiparty effort to fruition and get the land dedicated to open space and public use in the near term. Given that we do not desire to annex or develop the 21 acre parcel in the foreseeable future, we are trying to open a dialogue with the city to see how this might work and benefit everyone.

Finally, I am not sure whether or not entering into an Annexation Review Agreement at this point would be premature, although I feel like it would be at least until we have an indication that the City is interested in pursuing this opportunity under the framework presented. We certainly are open to working within any reasonable framework the City might propose to accommodate this transaction. I hope this information is a sufficient response to the Mayor's questions and that he will place this matter on the Council agenda for the 13<sup>th</sup> as we have previously discussed.

If you have any additional questions, please do not hesitate to contact me.

Jim

**James R. Laski**  
**Lawson Laski Clark & Pogue, PLLC**  
**675 Sun Valley Road, Suite A**  
**PO Box 3310**

**Ketchum, ID 83340**

**208-725-0055**

**208-725-0076 fax**

IRS Circular 230 Notice: To ensure compliance with requirements imposed by the U.S. Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding tax-related penalties under the U.S. Internal Revenue Code, or (2) promoting, marketing or recommending to another party any tax-related matters addressed herein.

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---

**From:** Ned Williamson [mailto:wlo@cox-internet.com]

**Sent:** Friday, May 27, 2011 3:50 PM

**To:** Jim Laski

**Cc:** Davis Rick; Robrahn Beth

**Subject:** Colorado Gulch

Jim,

I just called and learned that you will be back on Tuesday. The mayor, Beth and I met today and discussed Colorado Gulch's proposal. I have been instructed to ask you whether Jeff's proposal a) would include the appurtenant water rights and b) could include dedication of the 153 acre open space without payment. The mayor indicated that he would like to see whether your client is willing to commit to these two points before proceeding with the June 13 meeting. I also would like to clarify that any dedication of the 153 acre parcel would allow for unrestricted public non-motorized access and would prohibit any development.

I would think that we should execute an Annexation Review Agreement and that some money be deposited with Hailey to pay for my time and staff's time. In effort to limit the impact on staff time, I would ask that contact with the staff be limited to just me. Please let me know your thoughts.

Ned

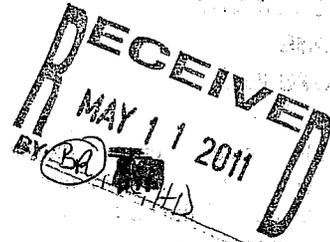
Ned C. Williamson, Esq.  
Williamson Law Office, PLLC  
115 Second Avenue South  
Hailey, Idaho 83333  
Ph. (208) 788-6688  
Fax (208) 788-7901

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**LAWSON LASKI CLARK & POGUE, PLLC**  
ATTORNEYS AT LAW

James R. Laski  
jrl@lawsonlaski.com



675 SUN VALLEY ROAD, SUITE A  
POST OFFICE BOX 3310  
KETCHUM, IDAHO 83340  
TELEPHONE: 208-725-0055  
FACSIMILE: 208-725-0076  
WWW.LAWSONLASKI.COM

May 10, 2011

VIA EMAIL

Email: beth.robrahn@haileycityhall.org  
wlo@cox-internet.com

Beth Robrahn  
Ned C. Williamson, Esq.  
City of Hailey  
115 Main Street South  
Suite H  
Hailey, ID 83333

Re: Colorado Gulch

Dear Beth & Ned:

On behalf of the Stevens Family Ranch, Jeff Pfaeffle and I have been working on a multi-party venture with the intent to facilitate the creation of a 153 acre public open space along the Big Wood River at the southern boundary of the City of Hailey (the "Project"). Participants in the proposed Project would include the Stevens family, the Wood River Land Trust ("WRLT"), the Open Space Levy Board, Blaine County and the City of Hailey. To date, we have received preliminary positive feedback from all parties and hope to receive the same from the City.

The concept to facilitate the Project is as follows:

1. Stevens to offer the 153 acre open space property to the WRLT (or other entity) for price (amount TBD) reflecting current market conditions based on appraisal;
2. WRLT to raise funds (amount TBD) in conjunction with County Open Space Levy Board;
3. Open Space Levy Board to provide portion of funds (amount TBD) along with WRLT to acquire the 153 acre parcel to be dedicated to Public Open Space.

Beth Robrahn  
Ned C. Williamson, Esq.  
May 10, 2011  
Page 2

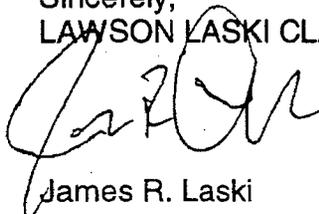
4. County to proceed with grant for improvements to Broadford Road and utilize funds to make required improvements to the northern end of Broadford Road; and
5. City agrees to annex Stevens' bench property along Broadford Road, approximately 21.28 acres, plus as much other property as it deems appropriate, at a future date with annexation fee to be determined now; (*i.e.* if Stevens doesn't pay the fee, then no annexation, but land dedicated to the public stays public). Zoning on the 21.28 acre parcel would reflect current City density of 2.57 RU/RA maximum. The design and layout of future development would be deferred until time of development, however annexation agreement would include that no community housing is required and that any park/open space requirement has been met. Annexation obligations to be agreed to in advance.

Given the largely positive feedback we have received with respect to the proposed Project to date, we request that this matter be placed on an agenda of the City Council for general discussion as to whether the City is interested in pursuing such a multi-party transaction, and, if so, what the appropriate procedure would be. While we understand that the timing may be awkward for consideration of annexation, this opportunity is unique. I have attached maps and photographs of the Project to help with perspective. Time is of the essence in determining the City's level of interest as the deadline for submittals to the County's Open Space Levy Board is in June.

We look forward to discussing this exciting cooperative venture to hopefully create unprecedented open space along the Big Wood River adjacent to Hailey.

Thank you for your consideration.

Sincerely,  
LAWSON LASKI CLARK & POGUE, PLLC



James R. Laski

JRL/dle  
Enclosures

cc: Client

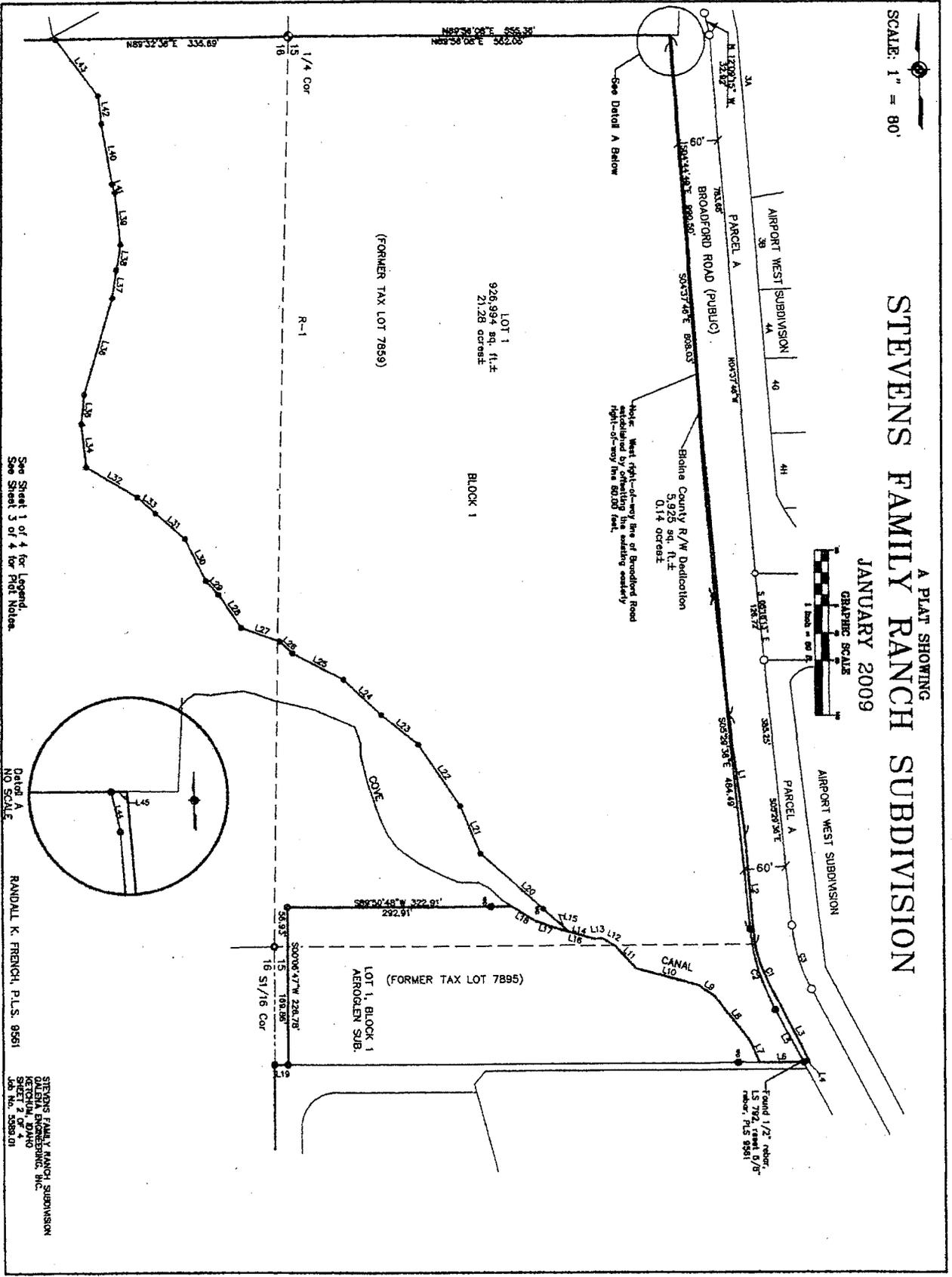
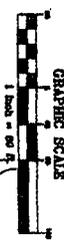
70272-005



SCALE: 1" = 80'

# STEVENS FAMILY RANCH SUBDIVISION

A PLAT SHOWING  
JANUARY 2009

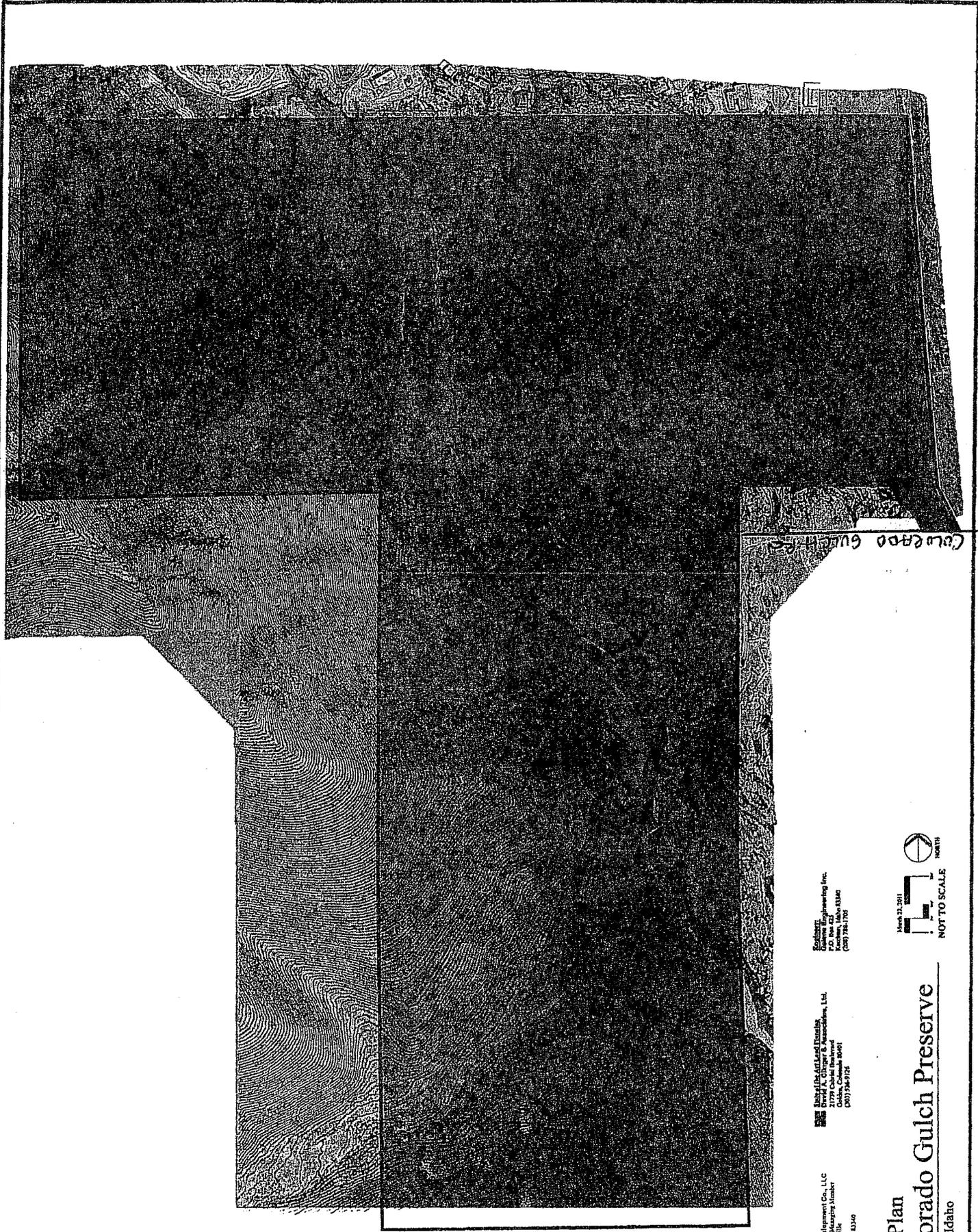


See Sheet 1 of 4 for Legend,  
See Sheet 3 of 4 for Plat Notes.

Detail A  
NO SCALE

RANDALL K. FRENCH, P.L.S. 9561

STEVENS FAMILY RANCH SUBDIVISION  
OALENA ENGINEERING, INC.  
REGISTERED PROFESSIONAL ENGINEER  
Job No. 5589.01

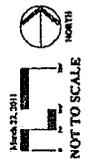


Colorado Gulch Preserve

Prepared by:  
 i2i Engineering Inc.  
 P.O. Box 423  
 21798 Colorado Boulevard  
 Golden, Colorado 80601  
 (303) 754-1700

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 Golden, Colorado 80601  
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March 22, 2011

NOT TO SCALE

**Site Plan**  
**Colorado Gulch Preserve**

Hailey, Idaho

**AGENDA ITEM SUMMARY**

DATE: June 13, 2011

DEPARTMENT: Community Development

DEPT HEAD: 

**SUBJECT:** Consideration of a resolution to amend Resolution 2010-02 by adopting a map identifying deteriorated or deteriorating areas along Main Street, River Street, Airport Way and the airport site.

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

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

On May 9, 2011 the Council was given an update on the work of the URA Board. The URA Board recommended a map identifying the deteriorated or deteriorating areas along River Street, Main Street, Airport Way and within the Friedman Memorial Airport Site to amend Resolution 2010-02. Resolution 2010-02 adopted by Council last year generally identified the existence of deteriorated or deteriorating areas within the city. The Council was informed at that time that the map will be on the Council's agenda in the form of a resolution on June 13, 2011.

Moving forward, the URA will use this map as the starting point for identifying a Revenue Allocation Area in the URA Plan which will be recommended by the URA to the Council in early fall for a public hearing. The map the URA Board recommended at its May 9 meeting had already taken into consideration assessed value. Staff recommends the Council adopt a map that generally identifies the majority of Main Street, River Street, Airport Way and the airport site.

**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 checked="" 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:**

Consideration of a motion to approve the resolution to amend Resolution 2010-02 by adopting a map identifying deteriorated or deteriorating areas along Main Street, River Street, Airport Way and the airport site.

**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): \_\_\_\_\_

## RESOLUTION NO. 2011-\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF HAILEY, IDAHO AMENDING RESOLUTION 2010-02 TO INCLUDE A MAP OF THE DETERIORATED OR DETERIORATING AREAS IDENTIFIED AS EXISTING WITHIN THE CITY OF HAILEY BY RESOLUTION 2010-02, AND DESIGNATING SUCH AREA(S) AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT.

WHEREAS, the Legislature of the State of Idaho enacted a law known as the Idaho Urban Renewal Law (Idaho Code Title 50, Chapter 20) and among other things, the Idaho Urban Renewal Law Act created in each municipality of the State of Idaho an independent public body, corporate and politic, to be known as the Urban Renewal Agency, and the Idaho Urban Renewal Law provides that such agency shall not transact any business or exercise its powers, and no municipality shall exercise the authority conferred by the Idaho Urban Renewal Law, until or unless the City Council has adopted a resolution wherein certain findings are made;

WHEREAS, Hailey Resolution No. 2010-02 found that one or more deteriorated or deteriorating areas as defined in the Idaho Urban Renewal Law exist in the City of Hailey, Idaho; that the rehabilitation, conservation, redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City of Hailey, Idaho; and that there is a need for an urban renewal agency to function in the City of Hailey, Idaho;

WHEREAS, Hailey Resolution No. 2010-02 authorized the Mayor, with the advice and consent of the City Council, to appoint a Board of Commissioners of the Hailey Urban Renewal Agency, in the method and manner as provided in the Idaho Urban Renewal Law;

WHEREAS, Hailey Ordinance No. 1081, adopted April 11, 2011, amends Hailey Municipal Code by adding a new Chapter 2.40, entitled Hailey Urban Renewal Agency, and, among other things, established a three to nine member board of commissioners for the Hailey Urban Renewal Agency;

WHEREAS, areas within the city boundaries of the City of Hailey contain a number of deteriorated or deteriorating elements as defined in Idaho Code § 50-2018, which include, without limitation, a predominance of defective or inadequate street layout within some commercial or light industrial use districts, unsafe traffic impact on many streets, deterioration of site or other improvements including historic area alleys and sidewalks, a lack of sidewalks and safe pedestrian infrastructure which impede safe way-finding, the existence of conditions which endanger property by fire or natural causes such as avalanche and flooding, the presence of deteriorating structures which include public or recreational facilities; a lack of affordable commercial space, stalled population growth at approximately 8,000 people, and substantial economic underdevelopment within the city, all substantially impairing or arresting the sound growth of the city and constituting an economic and social liability and a menace to the public health, safety, morals and welfare in its present condition; and

WHEREAS, areas along River Street, Main Street, Airport Way and within the Friedman Memorial Airport site, generally depicted on attached Exhibit "A," have been specifically identified as areas with the characteristics described in Idaho Code § 50-2018 and stated above.

NOW, THEREFORE, BE IT RESOLVED BY THE HAILEY CITY COUNCIL AS FOLLOWS:  
Hailey Resolution No. 2010-02 is hereby amended by the addition of the underlined language as follows:

1. The Hailey City Council does hereby find that:
  - a) One or more deteriorated or deteriorating areas, generally depicted on attached Exhibit "A," and as defined in the Idaho Urban Renewal Law exist in the City of Hailey, Idaho;
  - b) The rehabilitation, conservation, redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City of Hailey, Idaho; and
  - c) There is a need for an urban renewal agency to function in the City of Hailey, Idaho.
2. The Mayor, with the advice and consent of the City Council, shall appoint a Board of Commissioners of the urban renewal agency for this municipality which such agency shall hereafter be known as Urban Renewal Agency of Hailey, Idaho, in the method and manner as provided in said Idaho Urban Renewal Law.

ADOPTED BY THE CITY COUNCIL this 13th day of June, 2011.

SIGNED BY THE MAYOR this 13th day of June, 2011.

\_\_\_\_\_  
Richard L. Davis, Mayor

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

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved. The document outlines the various methods and procedures that should be followed to ensure the accuracy and reliability of the records.

The second part of the document provides a detailed description of the accounting system that has been implemented. It explains the various components of the system, including the books of account, the journals, and the ledgers. It also describes the methods used to record and classify the transactions, and the procedures for reconciling the accounts and preparing the financial statements.

The third part of the document discusses the various methods and procedures that should be followed to ensure the accuracy and reliability of the records. It outlines the various methods and procedures that should be followed to ensure the accuracy and reliability of the records.

Very truly yours,  
[Signature]

1911