

AGENDA ITEM SUMMARY

DATE: 10-20-2014 **DEPARTMENT:** CDD **DEPT. HEAD SIGNATURE:** MA

SUBJECT: Consideration of an amendment to Title 15 of the Hailey Municipal Code, the Building Ordinance, by adopting the 2012 IRC and IECC by reference with the accompanying exceptions.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The Idaho Department of Building Safety adopted the 2012 IBC in early 2014, however it was not ready to adopt the 2012 IRC or the 2012 IECC. After nearly a year of review and deliberation, the State is now ready to adopt the latest IRC and IECC codes.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

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

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Consider the proposed amendments to Title 15, hold a public hearing, and consider adoption of the proposed ordinance as Ordinance No. _____

ACTION OF THE CITY COUNCIL:

Date : _____

City Clerk _____

FOLLOW-UP:

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

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

HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTION 15.08.010 OF THE HAILEY MUNICIPAL CODE TO ADOPT THE 2012 INTERNATIONAL RESIDENTIAL CODE AND 2012 INTERNATIONAL ENERGY CONSERVATION CODE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Idaho Code §§ 39-4109 and 39-4116 require the City of Hailey to adopt the 2012 International Residential Code ("IRC") the 2012 International Energy Conservation Code ("IECC") excluding certain provisions and appendices;

WHEREAS, Hailey has previously adopted the 2012 International Building Code in Hailey Ordinance No. 1141 but was not able to adopt the IRC or IECC because the Idaho Building Code Board had not completed the negotiated rulemaking process outlined in Idaho Code § 39-4101 *et seq.* until recently; and

WHEREAS, the City Council finds that enactment of this ordinance is required immediately to ensure the enforcement of the IRC and IECC.

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

Section 1. Section 15.08.010 of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and by the addition of the underlined language, as follows:

15.08.010 Adoption of Codes. Pursuant to Idaho Code Section 39-4116(1), the following codes published by the International Code Council are adopted by reference:

- A. 2012 International Building Code ("IBC");
- B. ~~2009~~ 2012 International Residential Code ("IRC"), parts I-IV and IX including Appendix F: Radon Control Methods;
- C. ~~2009~~ 2012 International Energy Conservation Code ("IECC");
- D. 1997 Uniform Code for the Abatement of Dangerous Buildings; and
- E. 1997 Uniform Building Code, Volume 1, Table 1-A, Building Permit Fees.

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 on January 1, 2014 and after its passage, approval and publication according to law

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this ____ day of _____, 2014.

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk

Publish: Idaho Mountain Express _____, 2014

AGENDA ITEM SUMMARY

DATE: 10/20/14 **DEPARTMENT:** PW **DEPT. HEAD SIGNATURE:** MP

SUBJECT: Request for an extension to the requirement to connect to city water by Jesse and Taryn German at 415 W. Bullion St.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

In 2004 the Council approved the Eichstaedt annexation, which required a city initiated annexation of the property between the Eichstaedts and what were the city limits at that time. 415 W. Bullion was one of the properties included in the forced annexation – Lot 38. Per the annexation agreement, all properties part of the Eichstaedt and forced annexation were required to connect to city water and sewer services by November 2014. All properties involved in the annexation are currently connected to city sewer and all, excluding 415 W. Bullion, are connected to city water services.

Section 13.04.030 of the Municipal Code states that properties annexed into the city shall connect to city services if they are within 300 feet of a main line. The annexation agreement required Eichstaedt pay for the extension of city sewer and water mains to service his property. This extension of the main lines provided 415 W. Bullion the ability to connect within 300 feet. The Code states that properties annexed in a city initiated annexation may request a delay in complying with the connection by means of application to the City Council. The Council may grant a delay only if the applicant establishes to the Council's satisfaction that the applicant's existing water system functions property and meets current health and safety requirements. The Council is not obligated to grant the delay, but at their discretion may do so if they find that delay would be fair and equitable and will not jeopardize the health and welfare of the residents of the City. In no event shall a delay be granted which exceeds a period of five (5) years.

The Germans purchased the property at 415 W. Bullion in 2010. The annexation agreement was recorded in 2004 (see attachment). Therefore, the Germans should have had knowledge of this requirement when they purchased the property.

Please reference the attached letter from the Germans as well as a water quality analysis report, dated June 16, 2014. They are requesting an extension to the requirement to connect by November 2014. The fees owed to the city to connect to water are \$4899. All other costs, including excavation and plumbing, would also be the paid by the property owner.

The Germans are currently being charged the minimum sewer rate due to no municipal water usage present, which is what informs an accurate sewer charge (sewer rates are based off of the average monthly water usage during the winter months). Currently, our ordinance requires new residents without water usage history to be charged a rate equivalent to 6000 gallons of water usage/month. This would be a \$43/month increase (approx.) in the Germans monthly utility bill. Staff recommends the Germans be charged this greater sewer amount, pursuant to the current ordinance.

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

<input checked="" type="checkbox"/> City Attorney	<input type="checkbox"/> Clerk / Finance Director	<input type="checkbox"/> Engineer	<input type="checkbox"/> Building
<input type="checkbox"/> Library	<input type="checkbox"/> Planning	<input type="checkbox"/> Fire Dept.	_____
<input type="checkbox"/> Safety Committee	<input type="checkbox"/> P & Z Commission	<input type="checkbox"/> Police	_____
<input type="checkbox"/> Streets	<input checked="" type="checkbox"/> Public Works	<input type="checkbox"/> Mayor	_____

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Review the request and determine if a delay in compliance, up to but not exceeding 5 years, shall be granted and proceed with billing the monthly sewer charge at the default rate of \$6000/month, until the Germans are connected to city water services.

ACTION OF THE CITY COUNCIL:

Date _____

City Clerk _____

FOLLOW-UP:

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

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

Mariel Platt
Public Works Director
City of Hailey

Ms. Platt,

We are writing to formally request the opportunity to meet with the Hailey City Council for their consideration of our interest in an extension to connect to the city water service.

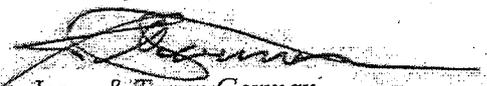
We purchased the property at 415 W. Bullion St. in December of 2010. One week later, we received a letter from Thomas Hellen (Hailey Public Works Director at that time) notifying us of the requirement to connect to the city water service following the 2004 annexation. I met with Mr. Hellen shortly thereafter to find out the history of the annexation, costs and any options we had for alternatives. Mr. Hellen had no record of the original annexation agreement and advised that I go through the title search records from the sale of the house for more detail. I did so and was not able to find any record of the annexation. We were reluctant to proceed at that time without any record of the annexation agreement.

In the summer of 2014, I met Mariel Platt at a Planning and Zoning meeting discussion of the Little Indio neighborhood (Poulsen Rd.) connection to city services. Mariel and I had two separate conversations over the phone later this summer which she followed up with a letter in September. We met with her on the 29th of September to discuss our situation, including the history of the annexation along with copies of the applicable city ordinances. We appreciate her research as this allowed the opportunity for a much more informed discussion. At the conclusion of our meeting, we decided that it would be appropriate to present our request for an extension to the requirement to connect to the city services for the following reasons;

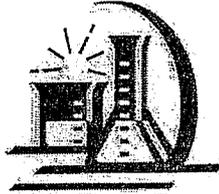
- The septic system has been retired and the property is now on city sewer.
- The property has an adequate, clean and safe well currently in service (see attached June, 2014 water quality test results).

Thank you in advance for your time and consideration.

Sincerely,



Jesse & Taryn German



MAGIC VALLEY LABS

210 ADDISON AVE
TWIN FALLS, ID 83301
208-733-4250

Laboratory Supervisor: Brenda Ellis

PWS #: 5550001
PRIVATE
JESSE GERMAN
120 LITTLE INDIO LN
HAILEY ID 83333

LAB ID # ID00911

COLIFORM BACTERIA ANALYSIS REPORT

Date Collected 6/16/2014
Time Collected 7:30:00 PM

Date Received 6/16/2014
Time Received 1:10:00 PM

Sample # 3011249941
Type S - ROUTINE SAMPLE
Location 415 WEST BULLION ST HAILEY
Collector JESSE GERMAN

Chlorine Residual: ppm

Date of Original Positive:

Copy:

Test Performed	Method	Result
Total Coliform	SM9223BCT18	ABSENT
Escherichia Coli	SM9223BCT18	ABSENT

Completed Date: 6/17/2014

Analyzed: Date 6/16/2014

Analyst: JD

Time 4:00:00 PM

Reviewed by:

SM9223B CT Standard Method 9223B Colilert Reagent
SM9223B CT18 Standard Method 9223B Colilert-18 Reagent
SM9223B CS Standard Method 9223B Colisure Reagent

CITY OF HAILEY ORDINANCE NO. 877

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, ANNEXING CERTAIN ADJACENT AND CONTIGUOUS REAL PROPERTY TO THE CITY OF HAILEY; PROVIDING FOR THE ZONING OF SAID ANNEXED REAL PROPERTY; PROVIDING THAT SUCH REAL PROPERTY AND ALL PERSONS WITHIN THE LIMITS OF SUCH ANNEXED REAL PROPERTY SHALL BE SUBJECT TO ALL PROVISIONS OF ALL BY-LAWS AND ORDINANCES OF THE CITY OF HAILEY; PROVIDING FOR THE FILING OF THE COPIES OF THE ORDINANCE; PROVIDING FOR COMPLIANCE WITH IDAHO CODE SECTION 63-215; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council has heard an application by Kurt Eichstadt for the annexation of certain real property near the City of Hailey, known as Lots 1 and 2, Little Indio Subdivision; and

WHEREAS, Lot 38, Little Indio Subdivision is located between Lots 1 and 2, Little Indio Subdivision and the City of Hailey boundary; and

WHEREAS, the City Council of the City of Hailey has determined that the annexation of Lots 1, 2, and 38, Little Indio Subdivision, will further the City's interest and protect the health, safety and welfare of the citizens of Hailey; and

WHEREAS, the City Council of the City of Hailey has determined that the proposed annexation represents an orderly extension of City boundaries; and

WHEREAS, the City Council of the City of Hailey has determined that the proposed annexation lies within the City of Hailey/Blaine County Area of City Impact and represents a Category A annexation pursuant to Idaho Code Section 50-222; and

WHEREAS, the City Council of the City of Hailey has determined that the proposed annexation relates favorably to the goals and objectives of the Comprehensive Plan; and

WHEREAS, the City of Hailey has determined that City services can be extended to accommodate the proposal; and

WHEREAS, the City of Hailey has determined that the fiscal impact of the development on the necessary public services will be adequately addressed by annexation fees paid by the applicant.

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

Instrument # 514662
HAILEY, BLAINE, IDAHO
2004-12-30 03:40:00 No. of Pages: 4
Recorded for CITY OF HAILEY
MARSHA RIEMANN Fee: 12.00
Ex-Officio Recorder Deputy *msd*
Index to: ORDINANCES

SECTION 1. The real property depicted in Exhibit A attached hereto, which includes Lots 1, 2 and 38, Little Indio Subdivision, and all real property within the exterior boundaries denoted as "New City Limit Lines" are hereby declared to be a part of the City of Hailey and annexed thereto.

SECTION 2. The real property shall be, and is hereby, classified and zoned as part of the General Residential (GR) Zoning District. The Flood Hazard (FH) Overlay Zoning District shall also apply as delineated on the "FEMA Map" as referenced in Hailey Zoning Ordinance, Section 4.10.

SECTION 3. From and after the effective date of this Ordinance all property and persons within the above-described parcels of land shall be subject to the provisions of all by-laws and ordinances of the City of Hailey.

SECTION 4. Pursuant to Idaho Code Section 50-223, the Clerk of the City of Hailey shall, within ten (10) days following the effective date of this Ordinance, file a certified copy of this Ordinance with the Blaine County Auditor, the Blaine County Treasurer, the Blaine County Assessor and the Idaho State Tax Commission.

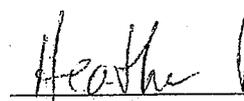
SECTION 5. The Clerk of the City of Hailey shall, within ten (10) days following the effective date of this Ordinance, cause one copy of a legal description and map prepared in a draftsman like manner which shall plainly and clearly designate the boundaries of the altered portion of the City of Hailey to be filed with the Blaine County Recorder, the Blaine County Assessor and the Idaho State Tax Commission.

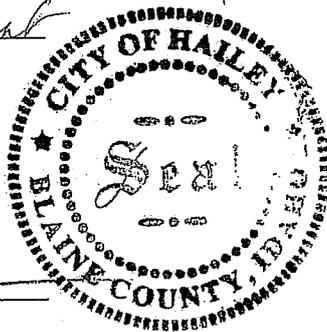
SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND
APPROVED BY THE MAYOR THIS 25th DAY OF October, 2004.


Susan McBryant, Mayor
City of Hailey

ATTEST:


Heather Dawson
Hailey City Clerk



Legal Description

Lots 1, 2 and 38, Little Indio Subdivision, A Forced Plat, Located within the SW ¼, Section 9, T.2N., R.18E., BM., Hailey, Blaine Co., Idaho, Instrument Number 336047 in the Records of Blaine County, Idaho.

ANNEXATION, SERVICES AND DEVELOPMENT AGREEMENT

RECEIVED

OCT 22 2004

LOTS 1 AND 2, LITTLE INDIO SUBDIVISION

~~October~~ THIS ANNEXATION AGREEMENT ("Agreement") is entered into this 1st day of ~~October~~, 2004, by and between the CITY OF HAILEY, IDAHO, a municipal corporation ("Hailey" or "City"), KURT EICHSTAEDT, an individual ("Eichstaedt" or "Owner") (Eichstaedt together with the City, the "Parties") in contemplation of the following:

1. RECITALS

1.1 The Subject Property is legally described in Exhibit "A" which is attached hereto and incorporated herein by this reference. Eichstaedt owns Lots 1 and 2, Little Indio Subdivision ("Eichstaedt Property").

1.2 The City has the power to annex the Subject Property which is contiguous to its existing city limits pursuant to Idaho Code § 50-222.

1.3 Pursuant to Idaho Code § 50-222, Eichstaedt specifically applied for annexation of Lots 1 and 2, Little Indio, by the City. Said annexation application is dated April 1, 2004, and is on file with the City of Hailey Planning and Zoning Department. The application sought a General Residential (GR) zone for the Subject Property.

1.4 Lot 38, Little Indio Subdivision is located between Lots 1 and 2, Little Indio Subdivision and the City of Hailey boundary. Lot 38 is presently connected to the Hailey municipal sewer system but not the Hailey water system.

1.5 The City of Hailey Planning and Zoning Commission and City Council have held the required public hearings, accompanied with proper notice regarding the annexation application.

1.6 The City of Hailey Planning and Zoning Commission, on May 27, 2004, recommended that the annexation application relates favorably to the goals and objectives of the Hailey Comprehensive Plan and that the Subject Property be zoned General Residential (GR).

1.7 On July 19, 2004, at a duly noticed public meeting the Hailey City Council voted to annex the subject property subject to execution of an annexation agreement setting forth certain conditions and uses regarding the Subject Property.

1.8 By adopting Ordinance No. 877 for annexation of the Property, the Hailey City Council has determined that the proposed annexation results in a consistent extension of City boundaries and does not conflict with Hailey's Comprehensive Plan.

NOW, THEREFORE, based upon the foregoing recitals which are incorporated in the Agreement below as though set forth in full, the parties agree as follows:

Instrument # 514663
HAILEY, BLAINE, IDAHO
2004-12-30 03:48:00 No. of Pages: 6
Recorded for : CITY OF HAILEY
WARSHA RIEMANN Fee: 18.00
Ex-Officio Recorder Deputy
index to: AGREEMENT/CORRECTION

2. AGREEMENT

2.1 Annexation and Zoning. Subject to this Agreement, the Subject Property has been annexed into the city limits of the City of Hailey and zoned General Residential District ("GR") as set forth in Section 4.3 of the Hailey Zoning Ordinance. A GR zone is consistent and compatible with the portion of Little Indio Subdivision which currently lies within City Limits. Portions of the Subject Property shall also be zoned Flood Hazard Overlay District (FH) as set forth in Section 4.10 of the Hailey Zoning Ordinance.

2.2 Improvements. Eichstaedt shall construct, at his sole expense, all improvements to include grading and drainage, water, sewer, gas, cable television, telephone and electric facilities, all in accordance with applicable Hailey regulations and ordinances. Eichstaedt shall construct and complete all water and sewer improvements and connections and shall abandon any existing private wells and/or septic systems on the Eichstaedt Property, on or before the issuance of a building permit for any building or structure on the Eichstaedt Property or within 10 years from the effective date of the annexation, whichever is sooner.

2.3 Connection Fees. Eichstaedt, prior to issuance of any building permit allowing construction on the Subject Property, shall pay to Hailey all required water and sewer connection fees in accordance with the applicable sections of the Hailey Municipal Code in effect at the time of the issuance of a building permit, or at the time of connection of water and sewer services, whichever is applicable.

2.4 Consolidation of Lots. Eichstadt shall, prior to the issuance of a building permit for a structure or building on Lots 1 and 2, submit to the City a Lot Line Adjustment application to combine Lots 1 and 2 into a single lot. The plat of the amended lot shall note that no further subdivision of the lot will be allowed.

2.5 Easement. As part of the consolidation of lots, Eichstadt shall grant to Hailey a 10-foot wide snow storage and utility easement along the eastern boundary of the Eichstadt Property, adjacent to Little Indio Lane for use when Hailey improves and widens Little Indio Lane

2.6 Fire Hydrant. Eichstadt shall install a fire hydrant in accordance with Hailey's standards on Bullion Street at his sole expense if found necessary by the Hailey Fire Chief in order to meet maximum spacing requirements. At the time of the application for any building permit on Lots 1 and 2, the Hailey Fire Chief shall make a determination whether a fire hydrant is necessary. If a fire hydrant is necessary, the hydrant will be installed at the time required by the Hailey Fire Chief.

2.7 Non-Conforming Buildings. The existing buildings on Lot 1 that are located within the 100 foot riparian setback, pursuant to Section 4.10.6(2)(d)(6) of the Hailey Zoning Ordinance, may not be expanded, pursuant to Section 13.7 of the Hailey Zoning Ordinance.

2.8 Annexation Fee. An annexation fee in the amount of \$3,125.03 has been paid by Eichstadt to City, receipt of which is hereby acknowledged.

2.9 Covenant Running with the Land. This Agreement shall inure to the benefit of and be binding upon Owners and the City of Hailey, and their successors and assigns. This Agreement shall be a covenant running with the Subject Property and with any portion thereof.

3. GENERAL

3.1 Police Powers. Except as otherwise provided, nothing contained herein is intended to limit the police powers of City or its discretion in review of subsequent applications regarding development of the Subject Property. Except as provided herein, this Agreement shall not be construed to modify or waive any law, ordinance, rule, or regulations, including, without limitation, applicable building codes, fire codes, City's Zoning Ordinance, City's Subdivision Ordinance, and Planned Unit Development requirements for the Subject Property.

3.2 Amendment. This Agreement may be revised, amended, or canceled in whole or in part, only by means of a written instrument executed by both parties hereto and as evidenced by appropriate application.

3.3 Specific Performance. In addition to all other remedies at law or in equity, this Agreement shall be enforceable by specific performance by either party hereto. All remedies shall be cumulative.

3.4 Attorney's Fees. In the event either party hereto is required to retain counsel to enforce a provision of this Agreement, or to recover damages resulting from a breach hereof, the prevailing party shall be entitled to recover from the other party all reasonable attorney's fees incurred.

3.5 No Waiver. In the event that City or Owner, or its successors or assigns, do not strictly comply with any of the obligations and duties set forth herein, thereby causing a default under this Agreement, any forbearance of any kind that may be granted or allowed by Owner, or its successors in interest, or City, to the other party under this Agreement shall not in any manner be deemed or construed as waiving or surrendering any of the conditions or covenants of this Agreement with regard to any subsequent default or breach.

3.6 Partial Invalidity. In the event any portion of this Agreement shall be determined by any court of competent jurisdiction to be invalid, void, or otherwise unenforceable, the remaining provisions of this Agreement, or parts hereof, shall remain in full force and effect and shall in no way be affected, impaired or invalidated, it being understood that such remaining provisions shall be construed in a manner most closely approximating the intention of the parties with respect to the invalid, void, or unenforceable provision or part hereof.

3.7 Entire Agreement. This Agreement constitutes the full and complete agreement and understanding between the parties hereto. No representations or covenants made by either party shall be binding unless contained in this Agreement or subsequent written amendments hereto.

3.8 Default. In the event either City or Owner, its successors and assigns, fail to faithfully comply with all the terms and conditions included in this Agreement it shall be in breach of this Agreement.

3.9 Notices. Any and all notices, demands, requests, and other communications required to be given hereunder by either of the parties hereto shall be in writing and be deemed properly served or delivered, if delivered by hand to the party to whose attention it is directed, or when sent, two (2) days after deposit in the U.S. mail, postage prepaid, or upon the sending of a facsimile, followed by a copy sent by U.S. mail as provided herein, addressed as follows:

To City:

The City of Hailey
c/o Director, Planning Department
115 Main Street South, Suite H
Hailey, Idaho 83333
208/788-4221 (telephone)
208/788-2924 (facsimile)

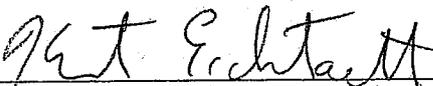
To Owner:

Kurt Eichstaedt
PO Box 1421
Sebastopol, CA 95473
707/235-8472 (telephone)
707/829-1010

or at such other address, or facsimile number, or to such other party which any party entitled to receive notice hereunder designates to the other in writing as provided above.

IN WITNESS WHEREOF, the parties, having been duly authorized, have hereunto caused this Agreement to be executed, on the day and year first above written, the same being done after public hearing, notice and statutory requirements having been fulfilled.

Dated this 13 day of ~~October~~, 2004.
November



Kurt Eichstaedt



CITY OF HAILEY, an Idaho municipal corporation

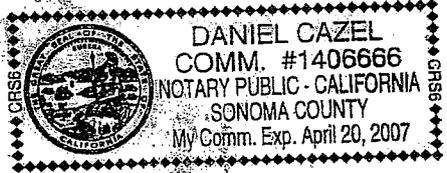
ATTEST:

By: Heather Dawson Heather Dawson, City Clerk
Susan McBryant Susan McBryant, Mayor

STATE OF ~~IDAHO~~ ^{CALIFORNIA})
County of ~~Blaine~~ ^{Sonoma}) ss.

Subscribed and sworn before me on this 13th day of ~~October~~ ^{Nov.}, 2004, before me a Notary Public in and for said State, personally appeared Kurt Eichstaedt known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

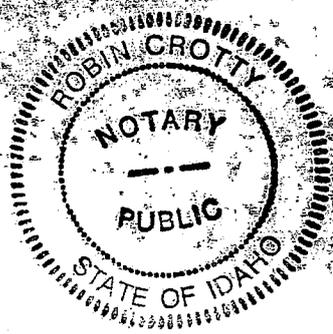


[Signature]
Notary Public for ~~Idaho~~ ^{CA.}
Residing at SEBASTOPOL, CALIFORNIA
My commission expires APR. 20, 2007

STATE OF IDAHO)
County of Blaine) ss.

On this 1st day of ~~October~~ ^{December}, 2004, before me, a Notary Public in and for said state, personally appeared Susan McBryant, the Mayor of the City of Hailey, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she 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.



[Signature]
Notary Public for Idaho.
Residing at Hailey, City of Hailey
My commission expires 7/29/08

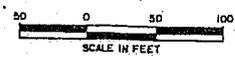
Exhibit A

Legal Description

Lots 1, 2 and 38, Little Indio Subdivision, A Forced Plat, Located within the SW 1/4, Section 9, T.2N., R.18E., BM., Hailey, Blaine Co., Idaho, Instrument Number 336047 in the Records of Blaine County, Idaho.



A FORCED PLAT OF
LITTLE INDIO
 LOCATED WITHIN THE SW 1/4, SECTION 9, T.2N., R.18E., B.M., HAILEY, BLAINE CO., IDAHO
 DECEMBER, 1991

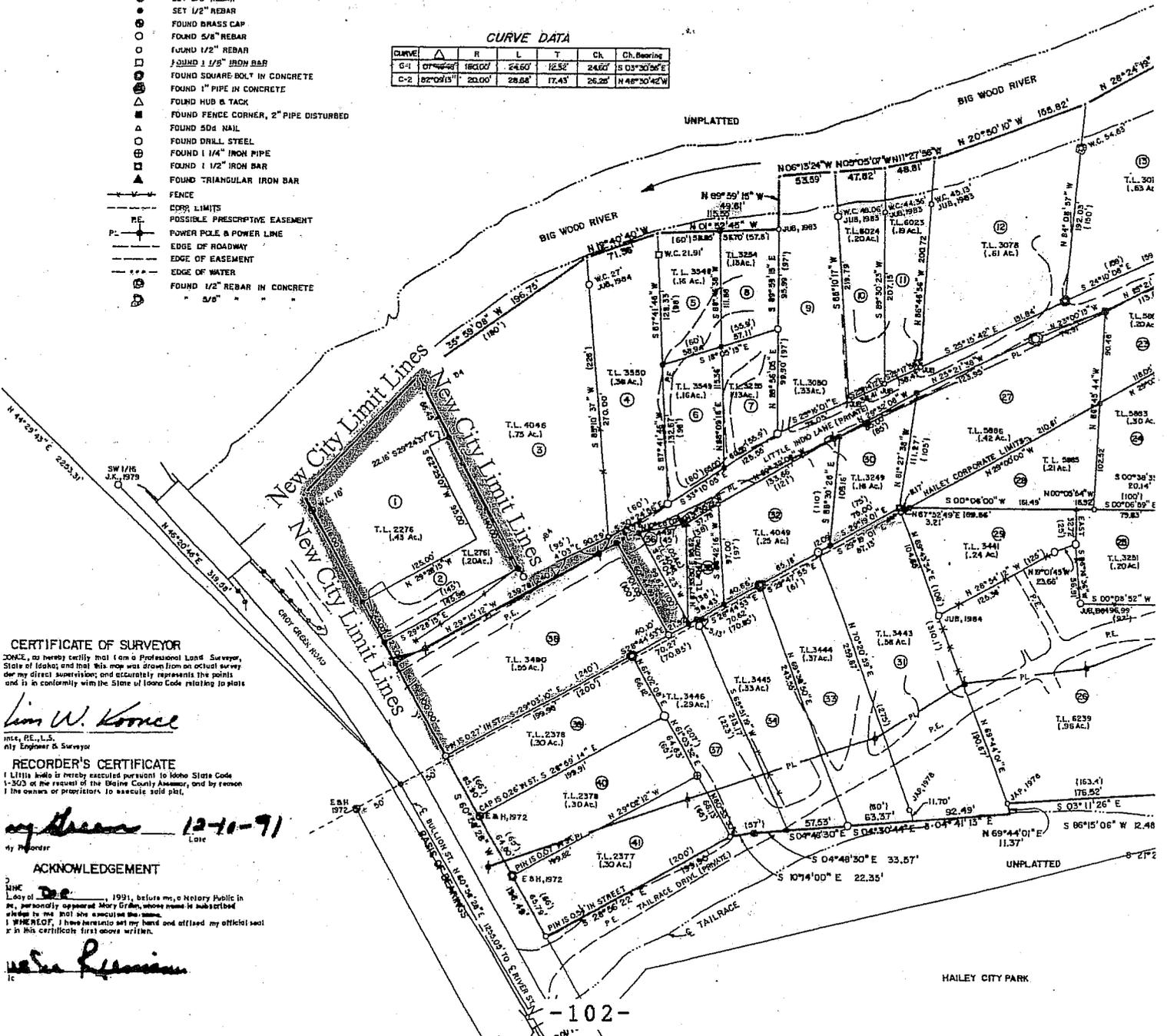


LEGEND

- SET 5/8" REBAR
- SET 1/2" REBAR
- FOUND BRASS CAP
- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- FOUND 1 1/8" IRON BAR
- FOUND SQUARE BOLT IN CONCRETE
- FOUND 1" PIPE IN CONCRETE
- △ FOUND HUB & TACK
- FOUND FENCE CORNER, 2" PIPE DISTURBED
- △ FOUND 504 NAIL
- FOUND DRILL STEEL
- FOUND 1/4" IRON PIPE
- FOUND 1/2" IRON BAR
- △ FOUND TRIANGULAR IRON BAR
- FENCE
- CORR. LIMITS
- POSSIBLE PRESCRIPTIVE EASEMENT
- POWER POLE & POWER LINE
- EDGE OF ROADWAY
- EDGE OF EASEMENT
- EDGE OF WATER
- FOUND 1/2" REBAR IN CONCRETE 5/8"

CURVE DATA

CURVE	Δ	R	L	T	Ch.	Ch. Bearing
G-1	07°44'44"	183.00'	24.60'	12.32'	24.60'	S 03°30'56"E
C-2	82°09'15"	23.00'	28.68'	17.43'	26.28'	N 48°30'42"W



CERTIFICATE OF SURVEYOR
 I, LIM W. KORNEE, do hereby certify that I am a Professional Land Surveyor, State of Idaho, and that this map was drawn from an actual survey of my direct supervision, and accurately represents the points and is in conformity with the State of Idaho Code relating to plats.

Lim W. Kornee
 Insp. RE., L.S.
 City Engineer & Surveyor

RECORDER'S CERTIFICATE
 I, LILLIE HULL, in hereby executed pursuant to Idaho State Code 1-302 at the request of the Blaine County Assessor, and by reason I the owner or proprietor, to execute said plat.

Lillie Hull 12-10-91
 City Recorder

ACKNOWLEDGEMENT
 I, LILLIE HULL, do hereby acknowledge that I am a Notary Public in and for the State of Idaho, and that I have read the contents of the foregoing instrument and the same is correct and true to the best of my knowledge and belief.

Lillie Hull
 Notary Public

AGENDA ITEM SUMMARY

DATE: 10/20/2014

DEPARTMENT: Public Works

DEPT. HEAD SIGNATURE: MP

SUBJECT: U.S. EPA – Hailey Community Climate Challenge – Energy-Wise Action Plan

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Preparing an Energy-Wise Action Plan is one of the final deliverables of the Hailey Community Climate Challenge grant project. The plan gives background information on prior energy reduction efforts; gives results of those efforts from 2005 – 2011; recommends an energy consumption reduction goal; and outlines prioritized actions that may be taken to reach the recommended goal, given availability of resources.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

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

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve Energy-Wise Action Plan submission to the U.S. EPA.

ACTION OF THE CITY COUNCIL:

Date : _____

City Clerk _____

FOLLOW-UP:

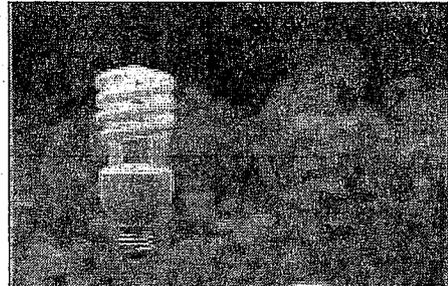
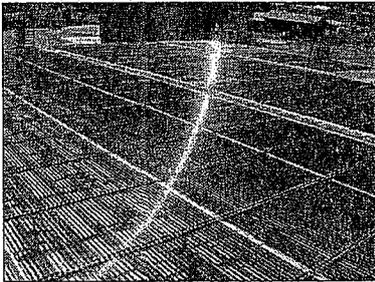
*Ord./Res./Agrmt./Order Originals: Record
Copies (all info.): _____
Instrument # _____

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



Energy-Wise Action Plan

September 2014



For more information contact:

- Mariel Platt
Public Works Director
(208) 788-9830, ext. 24
mariel.platt@haileycityhall.org

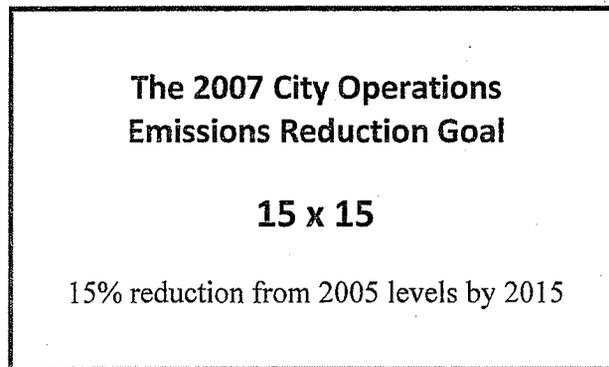
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I. INTRODUCTION

In 2007, the City of Hailey took three key steps to reduce municipal energy consumption, reduce energy costs, and reduce greenhouse gas emissions. Those key steps were:

1. Founded the Hailey Environmental Leadership Program (HELP)
2. Signed the U.S. Mayors Climate Protection Agreement
3. Joined ICLEI Local Governments for Sustainability, and established a carbon baseline and reduction target, or goal



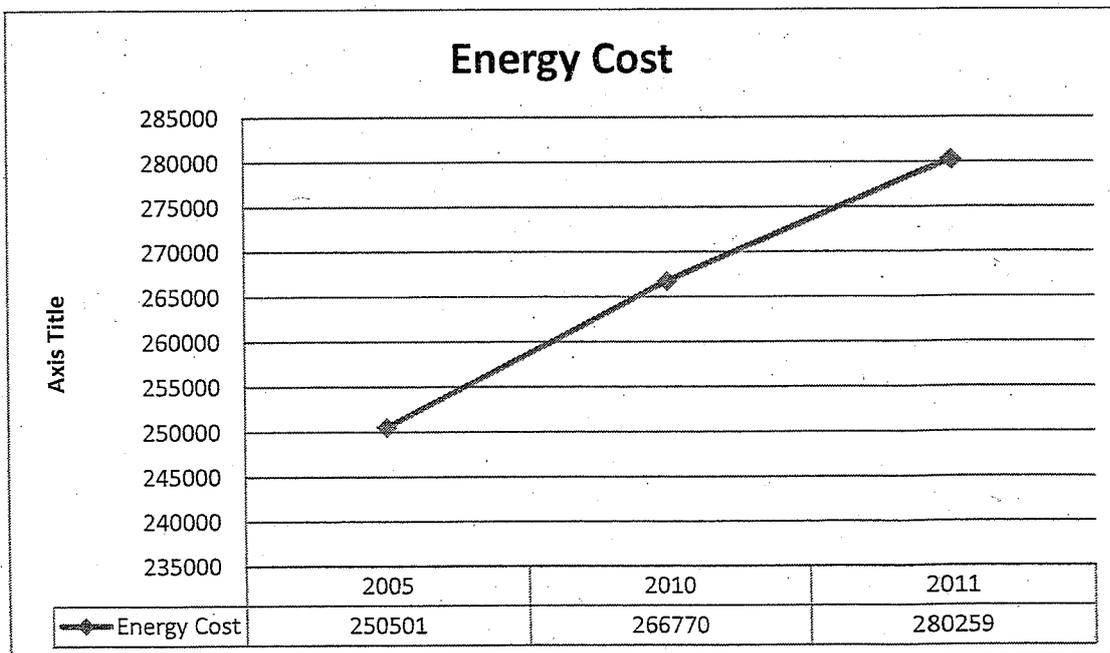
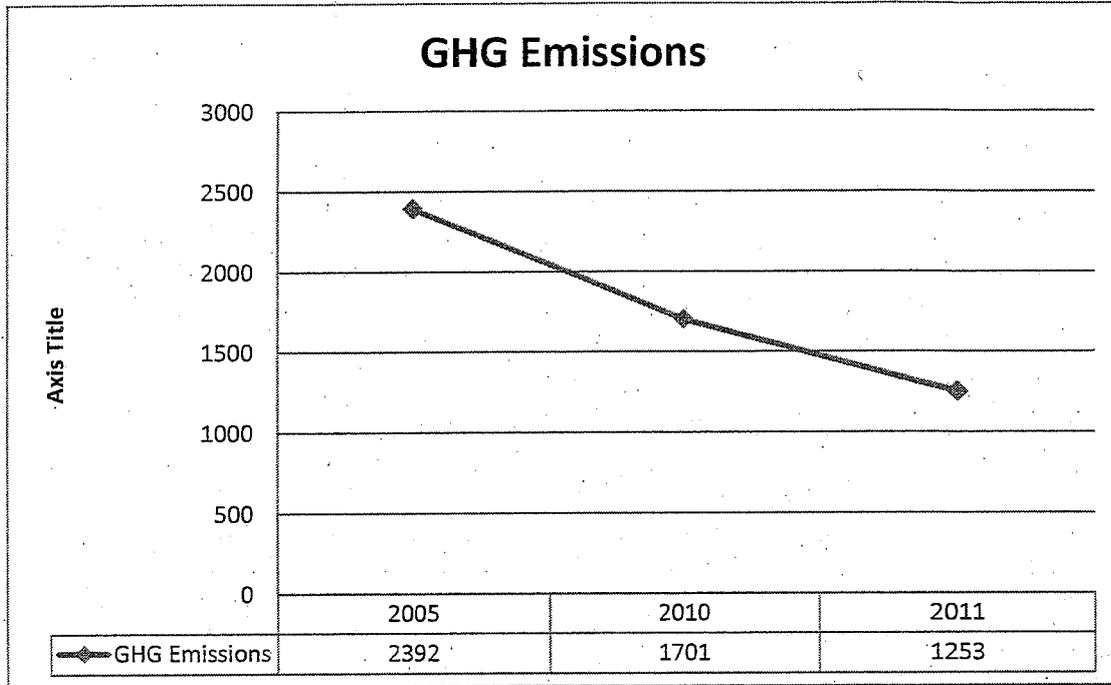
Since 2007, the City has undertaken many initiatives to reduce municipal energy use and costs, and greenhouse gas emissions, including but not limited to, the following:

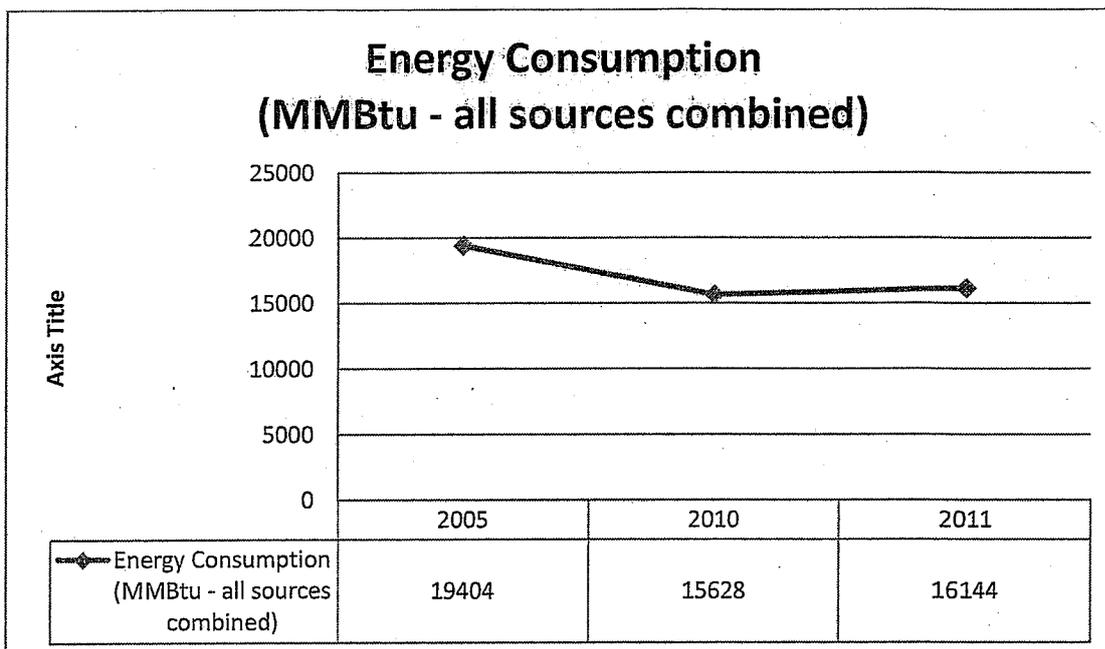
- Energy-efficient lighting retrofit in city buildings
- Programmable thermostats in city buildings

Building audits and retrofits of:

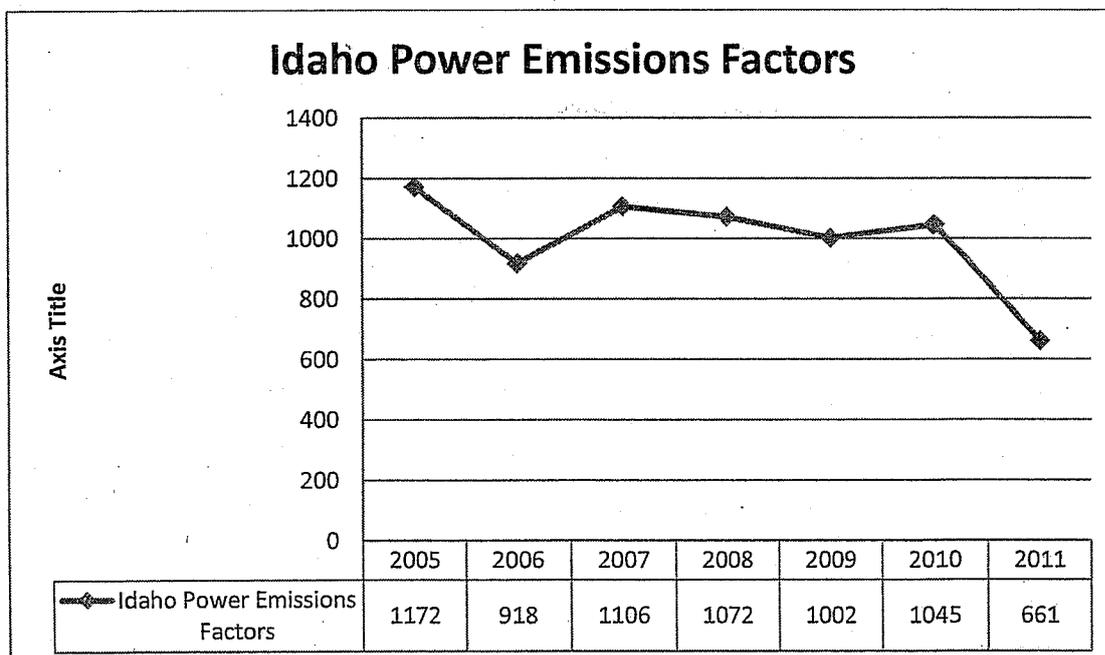
- City Hall and Police Department
 - Energy efficient electric heat pumps
 - Window framing insulation retrofit
- City Library
 - DCV and economizers fixed/installed
 - HVAC retro-commissioning
 - HVAC rezone
- Wastewater Treatment Plant Administration Building and Process Buildings
- Street Department
- Wastewater treatment plant 24 kW PV solar system installation and HVAC improvements
- Energy-efficient streetlight retrofit with a total of 52 LEDs along Main Street and off Main Street (north end of town)
- Converted traffic signal bulbs to LEDs at all intersections with signals

The graph below shows greenhouse gas emission trends using data from 2005, 2010 and 2011. As a percentage, the reduction from 2005 to 2011 is 48%, far surpassing the 15 x 15 goal. Costs continue to trend strongly upward. Consumption fell from 2005 to 2010, but has begun to gradually trend upward.





Idaho Power emissions factors play a large part in causing the discrepancy between the greenhouse gas emissions reductions trend and the energy consumption trend. New emissions factors are set each year, based on the make-up of emitting sources in any given year. The emissions factor significantly influences greenhouse gas emissions figures. Setting new goals to reduce energy consumption, rather than greenhouse gas emissions, would simplify tracking and provide clear and consistent report data.

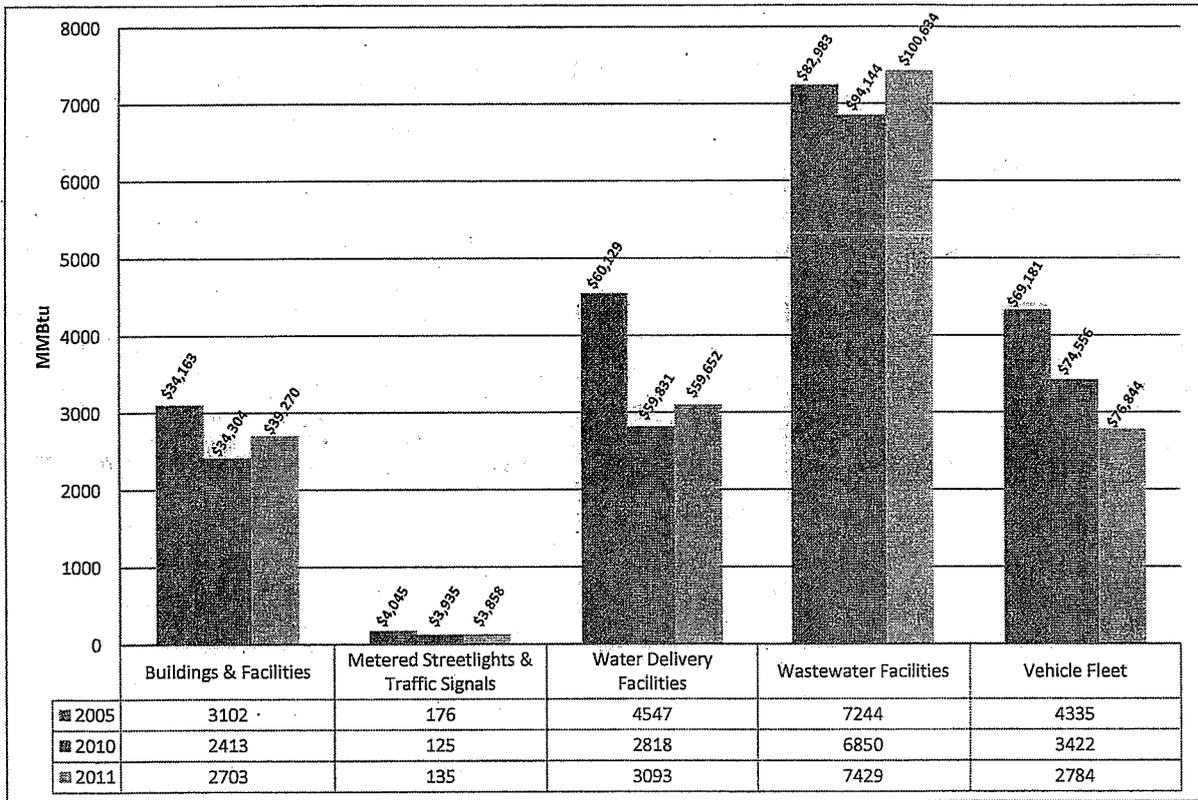


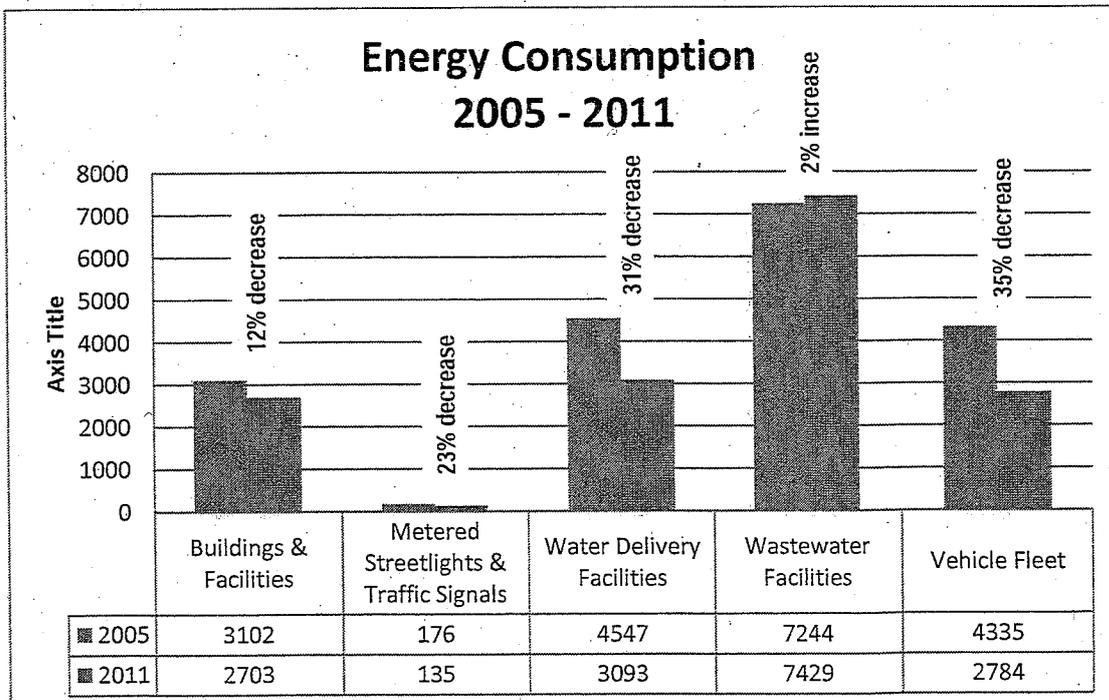
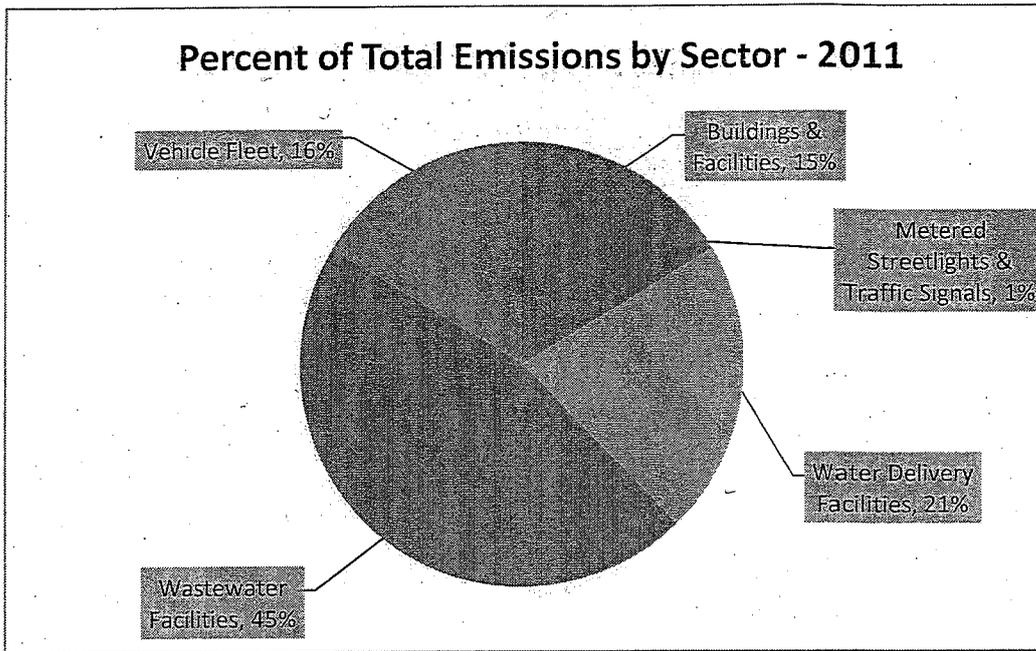
II. 2005 – 2011 RESULTS

Sector Summary 2005, 2010, 2011

Sector	MTCO ₂ E			% of Total Emissions			Energy Consumed (MMBtu)			Cost		
	2005	2010	2011	2005	2010	2011	2005	2010	2011	2005	2010	2011
Buildings & Facilities	314	234	197	13%	13%	15%	3,102	2,413	2,703	34,163	34,304	39,270
Metered Streetlights & Traffic Signals	28	17	12	1%	1%	1%	176	125	135	4,045	3,935	3,858
Water Delivery Facilities	711	393	274	29%	23%	21%	4,547	2,818	3,093	60,129	59,831	59,652
Wastewater Facilities	1,023	807	568	42%	47%	45%	7,244	6,850	7,429	82,983	94,144	100,634
Vehicle Fleet	316	249	202	13%	14%	16%	4,335	3,422	2,784	69,181	74,556	76,844
Total	2,392	1,700	1,253				19,404	15,628	16,144	250,501	266,770	280,259

Energy Consumed (in MMBtu)
2005, 2010, 2011





From 2005 to 2011, all sectors combined achieved a 16% decrease in energy consumption.

III. GOAL RECOMMENDATIONS AND ACTION PLAN

Goal Recommendations

All sectors combined: 5% reduction in energy consumption by 2020

The recommended goal may seem low upon first glance, especially given the 16% reduction achieved from 2005 to 2011. However, in 2005 the city had many areas with strong potential for reductions, and a strong, unified effort to reduce energy use. The “low hanging fruit” has, for the most part, been picked. Some higher-level effort reductions were also included in the 16% reduction figure. Going forward, large reductions may be more challenging to achieve.

Action Plan / 2015-2016 Priorities

The table on the following pages lists ideas to reduce energy use by category, along with a general assessment of cost, energy savings, and the effort involved to implement the ideas. The list is intended to be modified via routine review. The priorities for 2015-2016 are shown in italics, and are summarized below:

Operations/Procedures

All items listed in this category are prioritized for 2015-2016. These items will require little effort to implement, at low cost. Most simply require setting up a maintenance schedule or a dated checklist with reminders, and then following the schedule/checklist.

Data Collection and Management

Both items under this category are prioritized for 2015-2016, based on a recognition of the power of good data. This is a mid-level effort at low cost.

Special Programs / Awareness / Behavior / Incentives

The most complex and the most difficult item from this category is prioritized for 2015-2016, as follows:

- Reduce water usage throughout the city with education, rebate programs, and other means to reduce energy spent on water delivery and wastewater treatment at city facilities

Energy Use Reduction List

Item	Effort	Cost	Energy Savings
Operations/Procedures			
<i>Close off areas of buildings not in use and set thermostat accordingly</i>	Low	Low	Low
<i>Regular tire pressure inspection and air filter replacement on city fleet</i>	Low	Low	Low
<i>Put street shop vehicles engine heating blocks on timers</i>	Low	Low	Low
<i>Regular HVAC tune up and filter replacement schedule</i>	Low	Low	Low
<i>Quarterly thermostat review and setting changes at all facilities</i>	Low	Low	Low
Policy Development/Purchases			
Energy-efficient refrigerator	Low	Low	Low
Fuel-efficient vehicle fleet purchases to extent possible	High	High	High
Review vehicle and electronic equipment purchase policy (for example, purchase preference for laptops over desktop computers)	High	Low	Med
Retrofits			
Light sensors in city buildings	Low	Low	Low
Water-conserving fixtures in city buildings	Low	Med	Low
More streetlight retrofits	Med	High	Med
On-demand hot water in city buildings	Med	High	Med
Thermal window coverings/awnings	Med	High	Low
Better windows/better insulation	Med	Med	Med
Address energy efficiency at street shop in the engine bay areas	High	High	High
Data Collection and Management			
<i>Collect and enter data from 2012-2014</i>	Med	Low	Low
<i>Monthly data collection and entry going forward</i>	Med	Low	Low

Special Programs / Awareness / Behavior / Incentives			
Minimize phantom loads	Med	Low	Low
Encourage walking, biking, trip consolidation and carpooling to conduct city business to extent possible	Med	Low	Low
Share monthly data and institute energy challenges, similar to 2013's energy challenge, where facilities energy was measured against previous year's usage and the facility with the greatest reduction was awarded	Med	Med	Med
<i>Reduce water usage throughout the city with education, rebate programs, and other means to reduce energy spent on water delivery and wastewater treatment at city facilities</i>	High	High	High