

AGENDA ITEM SUMMARY

DATE: 10/15/2009 DEPARTMENT: Hailey Police Dept. DEPT. HEAD SIGNATURE:

SUBJECT:

Equal Employment Opportunity Program (EEOP)
Certification Form as Required by COPS Hiring Recovery Program Grant Agreement

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The COPS Hiring Recovery Program grant agreement requires the attached EEOP certification form to be filed with the Department of Justice. Because the COPS grant was made directly to HPD, HPD can claim an exemption from the EEOP requirement since HPD has fewer than 50 employees (see attached text).

At this time, HPD requests authorization to sign and submit the attached certification form.

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:

Authorize HPD to sign and submit attached EEOP certification form.

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 # _____

CERTIFICATION FORM

Recipient Name and Address: Hailey Police Dept., 115 S Main St., Ste C, Hailey, ID 83333

Grant Title: COPS Hiring Recovery Program Grant Number: 2009RKWX0307 Award Amount: 193,186

Contact Person Name and Title: Jeff Gunter, Chief of Police Phone Number: (208)788-3531

Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP), its component agencies, and the Office of Community Oriented Policing Services (COPS) to prepare, maintain on file, submit to OJP for review, and implement an Equal Employment Opportunity Plan (EEO) in accordance with 28 C.F.R. §§ 42.301-308. The regulations exempt some recipients from all of the EEO requirements. Other recipients, according to the regulations, must prepare, maintain on file and implement an EEO, but they do not need to submit the EEO to OJP for review. Recipients that claim a complete exemption from the EEO requirement must complete **Section A** below. Recipients that claim the limited exemption from the submission requirement, must complete **Section B** below. **A recipient should complete either Section A or Section B, not both.** If a recipient receives multiple OJP or COPS grants, please complete a form for each grant, ensuring that any EEO recipient certifies as completed and on file (if applicable) has been prepared within two years of the latest grant. Please send the completed form(s) to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, N.W., Washington, D.C. 20531. For assistance in completing this form, please call (202)307-0690 or TTY (202) 307-2027.

Section A- Declaration Claiming Complete Exemption from the EEO Requirement. *Please check all the boxes that apply.*

- | | |
|---|---|
| <input checked="" type="checkbox"/> Recipient has less than 50 employees, | <input type="checkbox"/> Recipient is an Indian tribe, |
| <input type="checkbox"/> Recipient is a non-profit organization, | <input type="checkbox"/> Recipient is an educational institution, or |
| <input type="checkbox"/> Recipient is a medical institution, | <input type="checkbox"/> Recipient is receiving an award less than \$25,000 |

I, Jeff Gunter [responsible official], certify that Hailey Police Department [recipient] is not required to prepare an EEO for the reason(s) checked above, pursuant to 28 C.F.R. §42.302. I further certify that Hailey Police Department [recipient] will comply with applicable Federal civil rights laws that prohibit discrimination in employment and in the delivery of services.
Jeff Gunter, Chief of Police _____ 10/27/2009
Print or type Name and Title Signature Date

Section B- Declaration Claiming Exemption from the EEO Submission Requirement and Certifying That an EEO Is on File for Review.

If a recipient agency has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEO to OJP for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official], certify that the _____ [recipient], which has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEO in accordance with 28 CFR §42.301, *et seq.*, subpart E. I further certify that the EEO has been formulated and signed into effect within the past two years by the proper authority and that it is available for review. The EEO is on file in the office of: _____ [organization], at _____ [address], for review by the public and employees or for review or audit by officials of the relevant state planning agency or the Office for Civil Rights, Office of Justice Programs, U. S. Department of Justice, as required by relevant laws and regulations.

Print or type Name and Title Signature Date

For local governments, when should the EEOP include an analysis of the entire local government's workforce and when should the EEOP just include an analysis of the local government's law enforcement agency?

The reporting requirements may be different depending on the funding source. If a local government agency receives an award subject to the Safe Streets Act from the Office on Violence Against Women (OVW) or from the Office of Justice Programs (OJP) and its components (and the agency meets other regulatory thresholds), then the recipient agency must prepare an EEOP Short Form that analyzes the workforce of the agency named as the grantee on the official award document. For example, if the Bureau of Justice Assistance (BJA), an OJP component, makes a formula grant to a county, then the county should include an analysis of the entire county's workforce in its EEOP Short Form.

If a local law enforcement agency receives a direct award from the Office of Community Oriented Policing Services (COPS), the local law enforcement agency would analyze only its own workforce in developing an EEOP Short Form. For example, if a sheriff's department with more than 50 employees receives a COPS award of more than \$25,000, the sheriff's department must prepare an EEOP Short Form that analyzes just the workforce of the sheriff's department (both sworn and civilian employees). However, if either a city or a county receives a COPS award, both the named grantee (i.e., the city or county) and the funded law enforcement agency must satisfy the EEOP requirement. For instance, if a city is the named recipient of a COPS grant award of \$25,000 or more and the police department has at least 50 employees, both the city and the police department must comply with the federal EEOP regulations. Both need to develop an EEOP Short Form. The city and the police department could work together to develop a single EEOP Short Form, but the city and the police department would each still have to complete a separate utilization analysis, including objectives and steps that address any identified underutilization in either workforce. Alternatively, the city and the police department could develop separate EEOP Short Forms, one for the city and one for the police department.

AGENDA ITEM SUMMARY

DATE: 10/15/2009 DEPARTMENT: Hailey Police Dept. DEPT. HEAD SIGNATURE: _____

SUBJECT:

Equal Employment Opportunity Program (EEOP)
Certification Form as Required by ARRA Justice Assistance Grant (JAG) Agreement

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The ARRA JAG grant agreement requires the attached EEOP certification form to be filed with the Department of Justice. Because the JAG grant was for an amount less than \$25,000, the City of Hailey can claim an exemption from the EEOP requirement.

At this time, the Hailey Police Department requests authorization for Mayor Rick Davis to sign the attached certification form.

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:

Authorize Mayor Rick Davis to sign attached EEOP certification form.

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 # _____

CERTIFICATION FORM

Recipient Name and Address: City of Hailey, 115 S Main St., Ste H, Hailey, ID 83333

Grant Title: FY2009 Recovery Act Justice Assistance Grant Program Grant Number: 2009-SB-B9-3156 Award Amount: 15,238

Contact Person Name and Title: Rick Davis, Mayor Phone Number: (208)788-4221

Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP), its component agencies, and the Office of Community Oriented Policing Services (COPS) to prepare, maintain on file, submit to OJP for review, and implement an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R §§ 42.301-308. The regulations exempt some recipients from all of the EEOP requirements. Other recipients, according to the regulations, must prepare, maintain on file and implement an EEOP, but they do not need to submit the EEOP to OJP for review. Recipients that claim a complete exemption from the EEOP requirement must complete Section A below. Recipients that claim the limited exemption from the submission requirement, must complete Section B below. A recipient should complete either Section A or Section B, not both. If a recipient receives multiple OJP or COPS grants, please complete a form for each grant, ensuring that any EEOP recipient certifies as completed and on file (if applicable) has been prepared within two years of the latest grant. Please send the completed form(s) to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, N.W., Washington, D.C. 20531. For assistance in completing this form, please call (202)307-0690 or TTY (202) 307-2027.

Section A- Declaration Claiming Complete Exemption from the EEOP Requirement. Please check all the boxes that apply.

- | | |
|--|--|
| <input type="checkbox"/> Recipient has less than 50 employees, | <input type="checkbox"/> Recipient is an Indian tribe, |
| <input type="checkbox"/> Recipient is a non-profit organization, | <input type="checkbox"/> Recipient is an educational institution, or |
| <input type="checkbox"/> Recipient is a medical institution, | <input checked="" type="checkbox"/> Recipient is receiving an award less than \$25,000 |

I, Rick Davis [responsible official], certify that City of Hailey [recipient] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R §42.302. I further certify that City of Hailey [recipient] will comply with applicable Federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Rick Davis, Mayor _____ 10/27/09
 Print or type Name and Title Signature Date

Section B- Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review.

If a recipient agency has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to OJP for review as long as it certifies the following (42 C.F.R. § 42.305):

I, _____ [responsible official], certify that the _____ [recipient], which has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 CFR §42.301, *et seq.*, subpart E. I further certify that the EEOP has been formulated and signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in the office of: _____ [organization], at _____ [address], for review by the public and employees or for review or audit by officials of the relevant state planning agency or the Office for Civil Rights, Office of Justice Programs, U. S. Department of Justice, as required by relevant laws and regulations.

 Print or type Name and Title Signature Date

AGENDA ITEM SUMMARY

DATE: 10/20/2009 **DEPARTMENT:** Public Works / Administration **DEPT. HEAD SIGNATURE:** _____

SUBJECT:

Idaho Office of Energy Resources
Renewable Energy Enterprise Zone Grant Application
Wood River Resource Recovery Center Feasibility Study

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Public Works and Administration have teamed with Whole Energy Solar / Whole Water Systems to prepare the attached Renewable Energy Enterprise Zone grant application. Hailey's proposed project will assess the viability of a Resource Recovery Center which will receive and process sewage treatment plant sludge, septage, restaurant grease and a wide variety of other potential biosolids wastes. The study will investigate the technological and economic potential for capturing the heat generated by the treatment process for the purpose of heating nearby buildings. The study will also examine the potential for the Resource Recovery Center to be the heart of a Community Campus serving the broader purposes of energy education, local food production and a hands-on sustainable technology showcase.

The grant request is \$30,000, with a \$10,000 in-kind match from Whole Energy Solar / Whole Water Systems and a \$20,000 in-kind match from the city (labor only) The grant comes in the form of American Recovery and Reinvestment Act funds.

At this time, Public Works / Administration request approval to submit the grant application electronically.

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:

Approve request to submit grant application.

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 # _____

Wood River Resource Recovery Center Feasibility Study

City of Hailey

Tom Hellen, Public Works Director
115 Main St. S, Suite H
Hailey, ID 83333
Phone: 208-788-4221, ext. 14
FAX: 208-788-2924
tom.hellen@haileycityhall.org

Idaho Renewable Energy Enterprise Zone Grant

Date of Proposal: October 26, 2009

Project Start Date: April 1, 2010

Anticipated Project Completion Date: January 31, 2011

Davis-Bacon Act Statement: The City of Hailey's proposed project is a feasibility study, with no need for contractors or subcontractors to construct, alter, or repair any public buildings or public works. Therefore, the Davis-Bacon Act and Related Acts do not apply.

Compliance with National Environmental Policy Act (NEPA): The City of Hailey's proposed project is a feasibility study only.



Project Summary

The City of Hailey, Idaho is submitting this proposal for a grant of \$30,000 to help fund a \$60,000 Feasibility Study (study) for the creation of a Renewable Energy Enterprise Zone within our city. Our partners, Whole Water Systems (with sister company Whole Energy Solar) of Ketchum, Idaho, have agreed to provide their services for \$30,000 and have offered an additional \$10,000 in matching funds for their services. The City of Hailey will match the grant with \$20,000 of billable city employee time.

The specific proven technologies that we propose to explore for the study are capable of recovering naturally occurring renewable energy – as well as clean water and fertilizer – from proven wastewater treatment processes. The study will assess the viability of a Resource Recovery Center (RRC) which will receive and process sewage treatment plant sludge, septage from onsite septic systems within Blaine County, grease from restaurants and a wide variety of other potential biosolids wastes (e.g. agriculture animal waste, food waste from restaurants, grocery stores and homes). The core of the technology is known as a Vertical-shaft Biological Reactor (VBR) and since 1975 has been proven in over 65 installations throughout Canada, Europe and Asia to be approximately 50% more energy efficient than conventional activated sludge technologies presently used in the U.S. VBR technology also creates higher quality treated water suitable for non-potable reuse and pathogen free, Class A biosolids. The core technologies have been used successfully in the U.S. at municipal scale facilities in King County, Washington, (1998) and Homer, Alaska (1991). The Study will further examine the potential for the RRC to be the heart of a Community Campus serving the broader purposes of education, local food production and a hands-on sustainable technology showcase.

The focus of the study will be to demonstrate the technological and economic potential for capturing the heat generated by the biological processes of the VBR for purposes of heating nearby buildings. One of the potential study sites is adjacent to the Wood River High School, the College of Southern Idaho/Blaine County Campus and the Blaine County Aquatic Center. With the present cost of heating the pool at the Aquatic Center being \$25,000 dollars per year, it is conceivable that 10's of thousands of dollars in energy costs could be realized every year with this application alone. A positive study will show that the RRC could be a major economic benefit to the City of Hailey.

The direct correlation between energy (production and use) and water (treatment and transportation) has become known as the Water/Energy Nexus. Tremendous amounts of energy are consumed treating and transporting water and massive amounts of water are required to generate our nation's energy. The proposed study will assess the viability of technology that addresses both sides of the Water/Energy Nexus by treating wastewater biosolids using 50% less electricity than conventional technology and by producing significant renewable thermal energy in the process.

“\$4 billion is spent annually for energy costs to run drinking water and wastewater utilities. If the sector could reduce energy use by just 10% through cost effective investments in energy efficiency, collectively it would save about \$400 million annually.”

USEPA Energy Star™ Program, 2008



Response to Criteria

“Increasingly, wastewater utilities are realizing that as well as being consumers of energy they can be generators. The EPA is promoting the use of energy efficient products/practices; and evaluating the life cycle energy costs associated with proposed projects so that alternatives can be appropriately considered.”

Ben H. Grumbles, Asst Administrator USEPA,
2/14/08, Washington, D.C.

Potential for Developing a Renewable Energy Resource

Hailey’s Renewable Energy Enterprise Zone Feasibility Study will examine the viability of three major components.

- 1) A Resource Recovery Center (RRC) waste to energy project that uses municipal sludge, septage, and food and agricultural wastes, to produce renewable thermal energy as well as clean water and pathogen-free (EPA Class A biosolids) fertilizer products.
- 2) The connection of the RRC to a Community Campus which would serve the broader purposes of environmental education, green business incubator, local organic food production and a hands-on technological showcase. The RRC would provide heat for the buildings, water and fertilizer for food production.
- 3) The economic potential for the existing and growing market for the services and byproducts of the RRC.

The potential for developing renewable energy from biosolids waste is huge. The value will be realized in both the thermal heat produced and captured during treatment and the energy savings of using a Vertical-shaft Biological Reactor (VBR) to treat wastewater biosolids. It is important to note that the technology to be studied *does not involve the burning of the municipal sludge to generate energy*. The naturally occurring biological processes that take place within the VBR generate significant thermal energy that can be readily captured and put to use. The proposed study will document the VBR’s ability to generate enough renewable energy to heat the nearby buildings, including food production greenhouses.

The subject of Hailey’s feasibility study has a strong potential for developing a renewable energy resource because:

1. The City of Hailey and the surrounding Blaine County’s population will provide a reliable, increasing and ongoing source of process material.
2. The plant would be sited to serve existing large-scale users of heat such as the Wood River High School, the College of Southern Idaho and the Blaine County Recreation District.
3. The study will include an analysis of heating greenhouses which would provide infrastructure for community food production in partnership with an entity such as Idaho’s Bounty, a regional cooperative of local farmers.
4. The use of solar power will be studied for all auxiliary energy needs at the site – with the goal of a net zero energy or carbon neutral facility.



5. The involvement of educational partners assures an ongoing interest, continual research and a sharing of knowledge of renewable energy technologies and ecological principles.
6. The proposed RRC can be realized in a small footprint – an attractive feature in a geographic area with high land costs.
7. The feasibility of supplying heat to nearby homes will be included in the study.
8. Currently, sludge from Hailey’s treatment plant is taken to the landfill. The study will examine the energy savings and economics of diverting municipal sludge (as well as food and agricultural wastes) from the landfill.

Potential That Investment Will be Cost-Competitive

A positive Feasibility Study will show that the RRC concept will not only be cost effective for the City of Hailey but will, in fact, become a revenue producer. Research to date indicates that the VBR technology costs about 50% less to operate than conventional biosolids treatment facilities and, with fewer moving parts, has a much longer service life.

The economics of the RRC will be analyzed from a broad perspective using *True Cost Pricing* and *Triple Bottom Line* benefits that expand upon simple financial return to include community and environmental impacts. *True Cost Pricing* reveals costs that are often neglected for reasons of time or distance. For example, the simple costs of hauling away municipal sludge to a landfill may or may not be included in a typical wastewater treatment plant proposal, but the long term costs of the landfill itself – such as the cost of its eventual restoration or replacement – are generally ignored.

Other areas of study will be:

- Resource Conservation
 - Energy Generation
 - Renewable energy generated at the RRC will be derived from a naturally occurring biological process that is itself performing the valuable service of diverting biosolids from the landfill and instead converting them into valuable energy, clean water and fertilizer.
 - Energy Savings
 - In addition to generating thermal energy, the VBR technology proposed for the study uses 50% less electricity to operate than conventional treatment. Presently, the Sewage Treatment Plant accounts for 80% of the City of Hailey’s electricity usage. In addition to wastewater biosolids, VBR technology is also capable of treating sewage. Included in the study will be an exploration of the energy savings and economics of using the VBR to treat sewage coming from the vicinity of potential project sites.
 - Water Recovery and Reuse
 - Water will be treated to EPA tertiary standards suitable for agricultural reuse or stream discharge.
 - EPA Class A Biosolids.
 - Municipal sludge, which is typically shipped to a landfill, would be transformed into Class A biosolids; suitable as fertilizer and/or soil amelioration for food production, watershed restoration or abandoned mine drainage reclamation projects.



- Job Creation
 - The study will analyze the potential for the number of full and part time job positions that could be created.
 - Potential opportunities could be created with the development of a local sustainable business education and start-up assistance center.
- Financial Growth
 - Leverage county-wide and regional political resources in order to create county-wide and regional financial growth.
- Educational Opportunities
 - Exhibits and public tours could provide public outreach and education.

Potential for Capital Investment

The renewable energy technology proposed for the study is based on utilizing heretofore ignored and untapped byproducts of a proven wastewater technology with broad applicability and potential for replication.

“Here in the United States, investing in water infrastructure offers a very exciting long-term opportunity. *The nation's alarmingly decrepit water infrastructure will require a \$1 trillion overhaul over the next 20 years*, according to the American Society of Civil Engineers (ASCE). This massive infrastructure spending will mean big business for many water infrastructure companies. According to the EPA, the nation's 55,000 community drinking water systems and 16,000 wastewater treatment systems face "staggering public investment needs" over the next 20 years. Repairing the nation's water supply infrastructure will cost hundreds of billions of dollars over the next two decades. That's bad news for the municipalities, taxpayers and rate-payers that will have to foot the bill.”

Blue Gold: Two Blockbuster Water Plays Ready to Burst Wide Open
By Chris Mayer, Editor, *Capital & Crisis* for *Whiskey & Gunpowder*

The technology to be studied for the Wood River RRC generates significant renewable energy and is less expensive to build and operate than conventional treatment technologies that produce no energy. The study will demonstrate the viability of a RRC that will produce renewable energy, recover other valuable resources and will function as the core of a community education, “green” enterprise and local food production center. We expect the study to show that the RRC concept will not only be a wise investment for the City of Hailey, but will also become a model solution replicable to meet the needs of other communities in Idaho.

Solves a Resource-Related Problem

A positive Feasibility Study has the potential to provide solutions for a variety of resource related problems.

1. **Limited local electrical transmission capacity.** There are currently two transmission lines coming into Hailey, but continuing northward to the City of Ketchum there is only



one transmission line. In an emergency situation Ketchum could potentially be left with no power for an extended period, forcing that population to come into our city for shelter. This project, if determined feasible, would lessen electrical power requirements by providing heat that is often generated in the area using electricity. (See note below.)

2. **Limited local natural gas capacity.** Intermountain Gas is the provider of natural gas to our county. The infrastructure to deliver that energy source is nearing its capacity. Since many households and businesses rely on natural gas for heat, and the high likelihood that an extended outage would occur in winter when the average temperatures can be dangerously cold, the need to develop alternative energy systems is of critical importance. (See note below.)
3. **Trucking valuable biosolids and food wastes to the landfill.** The study would determine the levels of CO2 reduction, fuel use reduction, and nutrient recovery that would result if the project were implemented.
4. **Landfill nearing capacity.** Ohio Gulch Transfer Station is anticipated to reach capacity in about two years. The study would determine how much waste the RRC could divert from the landfill.
5. **Land scarcity.** The supply of private land in and around the City of Hailey and Blaine County is severely limited by geography and the surrounding public lands. As scarcity of this land increases, and the population continues to grow, prices will continue to rise. The small footprint of the technology to be studied lends itself well to compact land use.
6. **Oil-based fertilizers.** The pathogen free Class A biosolids byproduct is marketable as a nutrient-rich fertilizer. Not only does this help reduce dependence on foreign oil, it also provides an economic development opportunity by providing jobs at the plant and a revenue source from product sales.
7. **Soil rebuilding and carbon sequestration.** The Class A biosolids are excellent for use in mine site reclamation and agricultural purposes and have also been shown to be useful in powerful new technologies for carbon sequestration.

NOTE: The City of Hailey has a proposal pending with the U.S. Department of Energy to create a Local Energy Assurance Plan which will identify emergency operations centers and shelters. The study will analyze sites that are adjacent to logical sheltering facilities which in an energy emergency could continue to be heated by renewable energy generated at the RRC.

Match

We have arranged for matching funds to equal the \$30,000 from the requested OER grant. The City of Hailey is committing an in-kind match of staff time valued at \$20,000. And our Partners, Whole Water Systems/Whole Energy Solar, have committed to an in-kind match of \$10,000 in services.



Timeline

Task / Subtask	Start Date	Complete Date
1. Site Analysis	4/1/10	4/30/10
1.1 Site Alternatives		
1.2 Solar, Weather		
1.3 Site Planning		
1.4 Transportation		
• Traffic Impacts		
• Ease of Access		
1.5 Potential for Related Products and Services		
2. Regulatory Investigation	5/1/10	7/31/10
2.1 Idaho Department of Environmental Quality		
2.2 Zoning		
2.3 Local Codes		
2.4 Rubbish Franchise Agreement		
3. Economic Analysis	5/1/10	6/30/10
3.1 Cost/Benefit/Value		
• Triple Bottom Line and True Cost Analysis		
• Operational Costs and Potential Profits		
• Local Job Creation and Economic Impacts		
3.2 Facility Size and Requirements		
• Inputs: Sludge, Septage, Food Waste, Agricultural Waste		
3.3 Marketing Study		
• Byproducts, Services and Expansion		
4. Partnership Potential	7/1/10	9/30/10
4.1 Educational Partners		
4.2 User Partners		
4.3 Financial Partners		
5. Public Outreach & Meetings	10/1/10	11/30/10
6. Final Report	12/1/10	1/31/11



Budget

Task / Subtask	Grant	Whole Water In-Kind	City of Hailey In-Kind	Project Total
1. Site Analysis	6,000	2,000	2,500	10,500
2. Regulatory Investigation	4,000	1,500	3,500	9,000
3. Economic Analysis	5,000	2,000	4,000	11,000
4. Partnership Potential	0	2,000	4,000	6,000
5. Public Outreach & Meetings	1,000	0	1,000	2,000
• Travel	0	2,500	0	2,500
6. Final Report	13,800	0	5,000	18,800
• Printing, Binding	200	0	0	200
Total	\$30,000	\$10,000	\$20,000	\$60,000



Partnership Attachment

Whole Water Systems, LLC / Whole Energy Solar
411 N. Leadville Ave #6 PO BOX 7009 Ketchum, ID 83340 208.928.6566

Sister companies Whole Water Systems and Whole Energy Solar are dedicated to sustainable energy and water. We provide municipalities, property owners, architects and developers with efficient onsite energy, water treatment and water reclamation systems. Whole Energy Solar uses the most up to date technologies and systems engineering to provide efficient and effective solar energy solutions. Whole Water Systems designs sustainable water treatment and reuse solutions. Using advanced biology-based and decentralized technologies, Whole Water Systems creates opportunities for multiple bottom line benefits that positively impact clients' economic returns, as well as the returns to society and the environment. Our completed projects go beyond effective water treatment and offer inspiration to others to recognize the power of natural processes and set their own sustainable examples.

As Wood River Valley based businesses, we are extremely excited about the potential to be partners with the City of Hailey in this Feasibility Study. Our passion is to work with clients to create viable, sustainable alternatives for our energy and water needs. The focus of this Feasibility Study represents an opportunity for us to examine city scale solutions that could have profound positive effects on the entire region's ecology and economy. We are also happy to offer \$10,000 worth of our services towards the grant's matching funds.

The primary members of Whole Water / Whole Energy Solar Team that will be working with the City of Hailey are:

Morgan Brown, President and founder of Whole Water Systems, LLC and Whole Energy Solar. Morgan has a B.S. in Electrical Engineering from the University of Washington, is a USGBC LEED Accredited Professional and a NABCEP Certified Solar PV Installer. Morgan has a wide variety of management experience in telecommunications, software and other high tech industries. He was a founder and organizer of the Sun Valley Sustainability Conference and has experience consulting on sustainability issues for developers and local government.

John Grove, Principal Biologist. John is one of the country's foremost experts on natural biological treatment of water using constructed wetlands. He has been designing and installing wastewater and storm water systems using constructed wetlands for over 20 years. John has a bachelor's degree in biology (limnology) from the University of Colorado.

Phil Silberman, Writer and Editor. Phil has a Bachelor's of Architecture degree from the Southern California Institute of Architecture. Bringing his skill of seeing both the big picture and the relationships of details, his critical thinking and his ability to communicate complex ideas in a clear and concise manner, he will be the principal author of the study.

Patrick Fitzgerald, P.E., Principal Engineer. Pat is a former petroleum engineer who went back to school (M.S. Civil Engineering, University of Denver) to pursue his interest in sustainable water treatment. He is a Professional Engineer with thirty years of engineering experience.

AGENDA ITEM SUMMARY

DATE: October 26, 2009

DEPARTMENT: Planning

DEPT. HEAD SIGNATURE: BR

SUBJECT: Findings of Fact – Approval of Final Plat of Lots 9A and 12A, Block 61, Hailey Townsite.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

On October 12, 2009, the Hailey City Council held a public hearing and considered the application by Richard Barker for Final Plat approval of Lots 9A and 12A, Block 61, Hailey Townsite.

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 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:

Review the draft Findings of Fact and approve as drafted or as amended.

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)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On October 12, 2009, the Hailey City Council considered the application by Richard Barker for Final Plat approval of Lots 9A and 12A, Block 61, Hailey Townsite. The Council, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

Notice

Notice for the public hearing was published in the Idaho Mountain Express and mailed to property owners within 300 feet on September 23, 2009.

Application

Richard Barker, represented by Gordon Williams, has submitted an application for Final Plat approval for the subdivision of Lots 9-12 and the south ½ of Lot 8, Block 61, Hailey Townsite into 2 lots, Lots 9A and 12A, 7,000 and 6,482 square feet respectively.

Section 3.4.1 of the Subdivision Ordinance allows for applications platting four or fewer residential building parcels to be reviewed through the short plat procedure. In this procedure, the Hearing Examiner or Commission reviews the preliminary plat only. Upon preliminary plan approval, the applicant may submit a final plat application within one year for a public hearing before the Council.

Procedural History

The application was heard by the Hailey Hearing Examiner on August 24, 2009 and approved with the following conditions:

- a) **All Fire Department and Building Department requirements shall be met.**
This condition has been carried over.

- b) **All City infrastructure requirements shall be met as outlined in Section 5 of the Hailey Subdivision Ordinance. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:**
 1. **In lieu fees or sidewalks are required. If sidewalk improvements are made, it shall be installed along both Spruce Street and 4th Avenue, adjacent to the subject properties and shall be installed in accordance with the City Standards.**

The applicant has submitted an approved estimate for in-lieu sidewalks in the amount of \$4,083.20 (110% of estimate). The Council approves of this option.

2. **Water and sewer service to Lot 9A shall be installed to City Standards and shall include a sewer service tap inspection by the Wastewater Department.**

This condition has been met.

3. If deemed necessary by the Water Department, insulation of the water line may be required

This condition was not deemed necessary by the Water Department.

- c) **Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 2.9 of the Subdivision Ordinance.**

This condition has been carried over.

- d) **All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.**

This condition has been carried over.

- e) **The final plat must be submitted within one (1) calendar year from the date of approval of the preliminary plat, unless otherwise allowed for within a phasing agreement.**

This condition has been carried over.

- f) **Any subdivision inspection fees due shall be paid prior to recording the final plat.**

The amount owed is \$1,000. This condition should be carried over.

- g) **Any application development impact fees shall be paid prior to recording the final plat.**

This condition should be carried over.

Standards of Evaluation

For each of the following pertinent standards of the Subdivision Ordinance (shown in bold print), the Council makes the following Findings of Fact:

SECTION 4 – DEVELOPMENT STANDARDS

Development standards were reviewed in detail during the preliminary plat approval process and compliance is documented in the preliminary plat Findings of Fact, Conclusions of Law and Decision. No changes have been made to the plat since preliminary plat approval.

SECTION 5 - IMPROVEMENTS REQUIRED.

- 5.1 It shall be a requirement of the Developer to construct the minimum improvements set forth herein and any required improvements for the subdivision, all to City Standards.**

- 5.1.1 Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer's written approval thereon. One set of final**

- plans shall be on-site at all times for inspection purposes and to note all field changes upon.
- 5.1.2 Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.
- 5.1.3 The Developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of final acceptance by the City, except that parks shall be guaranteed and maintained by the Developer for a period of two years.
- 5.2 The Developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the City Engineer as shown upon approved plans and profiles. The Developer shall pave all streets and alleys with an asphalt plant-mix, and shall chip-seal streets and alleys within one year of construction.
- 5.2.1 Street cuts made for the installation of services under any existing improved public street shall be repaired in a manner which shall satisfy the Street Superintendent, shall have been approved by the Hailey City Engineer or his authorized representative, and shall meet City Standards. Repair may include patching, skim coats of asphalt or, if the total area of asphalt removed exceeds 25% of the street area, the complete removal and replacement of all paving adjacent to the development. Street cut repairs shall also be guaranteed for no less than one year.
- 5.2.2 Street name signs and traffic control signs shall be erected by the Developer in accordance with City Standards, and the street name signs and traffic control signs shall thereafter be maintained by the City.
- Not applicable.
- 5.2.3 Street lights in the Recreational Green Belt, Limited Residential, General Residential, and Transitional zoning districts are not required improvements. Where proposed, street lighting in all zoning districts shall meet all requirements of Chapter VIII B of the Hailey Zoning Ordinance.
- Not applicable.
- 5.3 The Developer shall construct a municipal sanitary sewer connection for each and every developable lot within the development. The Developer shall provide sewer mains of adequate size and configuration in accordance with City

Standards, and all federal, state, and local regulations. Such mains shall provide wastewater flow throughout the development. All sewer plans shall be submitted to the City Engineer for review and approval. At the City Engineer's discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.

- 5.4 The developer shall construct a municipal potable water connection, water meter and water meter vault in accordance with City Standards, or other equipment as may be approved by the City Engineer, for each and every developable lot within the development. The Developer shall provide water mains and services of adequate size and configuration in accordance with City Standards, and all federal, state, and local regulations. Such water connection shall provide all necessary appurtenances for fire protection, including fire hydrants, which shall be located in accordance with the IFC and under the approval of the Hailey Fire Chief. All water plans shall be submitted to the City Engineer for review and approval. At the City Engineer's discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.

This condition has been met.

- 5.4.1 Within the Townsite Overlay District, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.

The City Engineer has deemed this standard not applicable.

- 5.5 The Developer shall provide drainage areas of adequate size and number to meet the approval of the Street Superintendent and the City Engineer or his authorized representative.

- 5.6 The Developer shall construct each and every individual service connection and all necessary trunk lines, and/or conduits for those improvements, for natural gas, electricity, telephone, and cable television to the property line before placing base gravel for the street or alley.

- 5.7 The Developer shall improve all parks and Green Space areas as presented to and approved by the Commission and Council.

Not applicable.

- 5.8 All improvements are to be installed under the specifications and inspection of the City Engineer or his authorized representative. The minimum construction requirements shall meet City Standards or the Department of Environmental Quality (DEQ) standards, whichever is the more stringent.

- 5.9 Installation of all infrastructure improvements must be completed by the Developer, and inspected and accepted by the City prior to signature of the plat by City representatives, or according to a phasing agreement. A post-construction conference shall be requested by the Developer and/or contractor and conducted with the developer and/or contractor, the City Engineer, and appropriate City departments to determine a punch list of items for final acceptance.**
- 5.9.1 The Developer may, in lieu of actual construction, provide to the City security pursuant to Section 3.3.7, for all infrastructure improvements to be completed by Developer after the final plat has been signed by City representatives.**
- 5.10 Prior to the acceptance by the City of any improvements installed by the Developer, three (3) sets of “as-built plans and specifications” certified by the Developer’s engineer shall be filed with the City Engineer.**

CONCLUSIONS OF LAW AND DECISION

Based upon the above Findings of Fact, the Council makes the following Conclusions of Law and Decision:

1. Adequate notice, pursuant to Section 3 of the Hailey Subdivision Ordinance, was given for the public hearing.
2. Upon compliance with the conditions noted below, the application substantially meets the standards of approval set forth in the Hailey Subdivision Ordinance.
3. The application for Final Plat, dated September 8, 2009, is approved by the Hailey City Council, with the following conditions:
 - a) All City infrastructure requirements shall be met as outlined in Section 5 of the Hailey Subdivision Ordinance. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the applicant’s sole expense include, but will not be limited to, the following requirements and improvements:
 1. In lieu fees in the amount of \$4,083.20 (110% of the estimate approved by the City Engineer) is due and shall be paid prior to recording the Final Plat.
 - b) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 2.9 of the Subdivision Ordinance.
 - c) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.
 - d) The final plat shall be recorded within one year of the date of final plat approval. The final plat submitted for signature shall conform to the requirements found in Article 50-

1301 (et. seq.) of the Idaho Code (as amended) and to the requirements set forth by Blaine County for digital plat submittals. The applicant shall provide the City with a letter-size or ledger-size photocopy of the recorded plat showing the instrument number and date of recordation.

- e) A subdivision inspection fee in the amount of \$1,000 is due and shall be paid prior to recording the final plat.
- f) Any applicable development impact fees shall be paid prior to recording the final plat.

Approved this _____ day of _____, 2009.

Richard L. Davis, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk

AGENDA ITEM SUMMARY

DATE: October 26, 2009

DEPARTMENT: Planning

DEPT. HEAD SIGNATURE: 

SUBJECT: Amended Findings of Fact and Conclusions of Law – approval of rezoning Lots 1-3, Block 126, Hailey Townsite (619 Third Avenue South) from General Residential (GR) to Limited Business (LB) eliminating the requirement of a development agreement from the conditions of approval.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

On September 14, 2009, the Hailey City Council considered a city initiated amendment to the Hailey Zoning Map. The proposed amendment would change the zoning for Lots 1-3, Block 126, Hailey Townsite (619 Third Avenue South) from General Residential (GR) to Limited Business (LB). On October 12, 2009, the Hailey City Council amended the Findings of Fact and Conclusions of Law to eliminate the requirement of a development agreement from the conditions of approval.

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 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:

Review the draft Findings of Fact and approve as drafted or as amended.

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)

AMENDED
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On September 14, 2009, the Hailey City Council considered a city initiated amendment to the Hailey Zoning Map. The proposed amendment would change the zoning for Lots 1-3, Block 126, Hailey Townsite from General Residential (GR) to Limited Business (LB). The subject property is located at 619 Third Avenue South. On October 12, 2009, the Hailey City Council amended the Findings of Fact and Conclusions of Law to eliminate the requirement of a development agreement from the conditions of approval. The Council, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision; amendments are shown in strike through and underline format.

FINDINGS OF FACT

Notice

Notice for the public hearing was published in the Idaho Mountain Express on August 26, 2009; the notice was mailed to property owners within 300 feet and to public agencies and area media on August 26, 2009; and notice was posted on all external boundaries of the property on September 4, 2009.

Application

The City is initiating an amendment to the zone district map for the City of Hailey which would change the zoning of Lots 1-3, Block 126, Hailey Townsite, (619 Third Avenue South) from General Residential (GR) to Limited Business (LB). Blaine County School District (BCSD) has applied for a rezone of Lots 4-10, Block 126. In the past year the Blaine County Senior Center located on the southern portion of Block 126 was rezoned to LB. If the BCSD's rezone application is approved, then the rezone of Lots 1-3 would be appropriate to create consistent zoning of Block 126.

The common reason for the rezoning of the Senior Center and School District properties is for compliance with on-site parking requirements. The rezone allows the applicants to apply for credit toward on-site parking requirements for improvements to the City right-of-way.

Historically, all parking had been located in the public right-of-way, adjacent to the front of the properties. The rear of the block has a steep slope that would require retaining walls to provide on-site spaces with the required dimensions. In addition, the steepness of the slope would not accommodate the access requirements for an ADA space at the rear, which is required. The Zoning Code allows credit toward the on-site parking requirements for improvements to be given in LB, but not in the GR district. A rezone to LB, would resolve the limitation to providing on-site parking common to the east side of Block 126.

The Wood River Fire and Rescue currently occupies the property, which is City owned. This is considered a Public Service Facility and requires a conditional use permit in both the LB and the GR districts. It is not anticipated that the current use will change in the near future. However, redevelopment of the property would be subject to the same parking requirements and the credit toward on-site parking requirements in exchange for improvements to the public right-of-way is likely to be pursued should the property be redeveloped. For procedural efficiency, a city initiated rezone of Lots 1-3 is being brought forward at this time to provide the same remedy for the entire east half of Block 126.

Uses adjacent to the subject property include: Hailey Fire Department to the north, Blaine County School District's proposed Technology Department Building to the south, Inn at Ellsworth Estate to the east, and Nelson's Field to the west.

The purpose of the GR District is to provide areas for a variety of residential uses, and a limited number of other uses compatible with this type of residential development. The intent is to preserve the favorable amenities associated with a residential neighborhood. The purpose of the LB District is to provide areas for a wide range of residential uses, restricted business uses, and medical facilities. The LB District is intended to allow for commercial uses that would not detract from the established downtown retail businesses, hence general retail is not allowed. The substantial difference between the GR and LB districts are listed below in under the Analysis and Discussion section of the staff report.

Currently permitted, conditional and accessory uses and bulk regulations in the LB District are set forth in Section 4.5 of the Hailey Zoning Ordinance.

Procedural History

On August 24, 2009, the Hearing Examiner recommended approval of the rezone subject to a Development Agreement, which specifies the following for Lots 1-3, Block 126, Hailey Townsite: 1) prohibit all conditional uses, excluding public uses and public service facilities, 2) in the event that the Wood River Fire and Rescue ceases to use the property and the City does not redevelop with a public use, the property shall revert back to GR. In addition, the Hearing Examiner recommended approval of the city initiated application conditioned upon approval of the rezone, requested by the Blaine County School District, from GR to LB, of Lots 4-10, Block 126, Hailey Townsite.

On September 14, 2009, the Hailey City Council considered a city initiated amendment to the Hailey Zoning Map.

On October 12, 2009, the Hailey City Council amended the Findings of Fact and Conclusions of Law to eliminate the requirement of a development agreement from the condition of approval. The findings for Standard 4 were amended to be consistent with the elimination of the development agreement requirement.

Analysis and Discussion

The Townsite Overlay District is an overlay district, setting forth bulk regulations and design standards. Where the regulations specified in the Townsite Overlay District differ from corresponding regulations specified for the underlying zoning district, the requirements of the Townsite Overlay District apply and control. The Townsite Overlay requirements do not affect the use regulations of the underlying zoning district.

When considering this rezone the Council evaluated the differences between the two districts; Townsite Overlay bulk regulations with underlying zoning regulations and underlying zoning regulations without the Townsite Overlay District. In the event that the subject property is ever removed from the Townsite Overlay boundary the underlying district regulations would apply.

The substantial differences in use, between GR and LB districts, are listed below.

In addition to the permitted uses allowed in General Residential, Limited Business also allows for the following additional permitted uses:

- lodging establishments
- professional offices, excluding veterinarians
- health care and social assistance
- real estate and property management companies
- catering services
- arts, entertainment and recreation uses (indoor and outdoor)
- Personal services where retail sales are clearly incidental to the principal use and no outside storage yard or facility is required
- semi public uses
- other educational services
- government offices and public administration, except correctional institutions
- PWSFs or WCFs, attached to street poles, upon the issuance of a wireless permit in accordance with the provisions of Article VIIA of the Hailey Zoning Ordinance.

Conditional uses allowed in LB and prohibited in GR district are as follows:

- Gasoline Stations and Automotive Repair and Maintenance
- Restaurants
- Wholesale distributors
- Convenience Stores
- Medical personal care stores
- Finance and insurance firms
- Construction contractors' offices with no exterior storage
- PWSF's and WCF's, mounted on any proposed freestanding tower (in GR it can be attached to street poles or mounted on existing buildings or structures, but not freestanding towers)

Accessory Uses allowed in LB, but prohibited in the GR district are as follows:

- Combustible liquid tanks.
- PWSF's and WCF's, mounted on existing buildings or structures.

The differences in bulk requirements can be evaluated separately, with and without regard to the Townsite Overlay District.

The difference in bulk requirements without consideration of the Townsite Overlay are as follows:

Bulk Regulations	LB	GR
Maximum townhouse sub-lots per acre	20	10
Maximum multi-family residential aggregate density	One (1) dwelling unit per 1/20 of an acre	One (1) dwelling unit per 1/10 of an acre
Maximum aggregate gross floor area for individual retail/wholesale trade or grouped retail/wholesale trade	36,000 square feet	N/A (Not a permitted use)
Riparian setback	N/A (No riparian setback)	Required
Maximum Lot Coverage	N/A (No maximum)	40%
Size of Detached Accessory Dwelling Unit	N/A (No minimum or maximum)	Minimum gross floor area of 300 square feet and a maximum of 950 square feet

The following are the bulk regulation differences between GR and LB, set forth in the Townsite Overlay District, Section 4.13.6 of the Hailey Zoning Ordinance:

Bulk Requirements	LB in Townsite Overlay	GR in Townsite Overlay
Maximum Building Height	35 feet	30 feet
Maximum Lot Coverage	70%	25-40% depending on building height and whether a garage is on-site
Maximum Lot Size	No maximum	18,000 square feet

Section 14.8 of the Hailey Zoning Ordinance allows for the rezone of certain parcels to be made conditional upon the owner or developer of the property making a commitment concerning the use or development of the subject parcel. Development Agreements have become standard with rezone approvals. For this proposed rezone it would be appropriate to have a Development Agreement that would, as an example, rezone the property to LB, but prohibit all conditional uses, excluding public uses and public service facilities. These types of uses are compatible and consistent with the current surrounding area and may be requested as a future use given that the property is owned by the City. In addition, a development agreement may specify that in the event that the Wood River Fire and Rescue ceases to use the property and the City does not redevelop with a public

use, the property would revert back to GR. These conditions may help lessen any impacts felt by neighboring residential areas and may help preserve the residential character, if in the future the property's use were to change.

Standards of Evaluation

Section 14.6 of the Hailey Zoning Ordinance establishes the standards for proposed zoning ordinance map amendments. For each applicable standard (in bold print), the Hearing Examiner makes the following Findings of Fact:

1. The proposed amendment is in accordance with the Comprehensive Plan;

The Council considered how the proposed use relates to the various policies and implementation items of the Comprehensive Plan, particularly the following:

- The Comprehensive Plan Land Use Map reflects suitable projected land uses for the City. It considers existing conditions, trends, and desirable future situations, the objective being a balanced mix of land uses for the community. The Map establishes a basis and direction for the expansion and/or location of business, residential, industrial, institutional and green space areas within and adjacent to the City. The Land Use Map depicts the area of the proposed rezone as “Transitional – Mixed use, including residential, providing a buffer between residential neighborhoods and intense business use.”

	COMP PLAN DESIGNATION (LAND USE MAP)	ZONING DESIGNATION	LAND USE
Existing	Transitional	GR (General Residential)	Public Service Facility
Proposed	No Change	LB (Limited Business)	No change
North of site	Transitional	GR (General Residential)	Public Service Facility
South of site	Transitional	GR (General Residential), proposed to be LB (Limited Business)	Proposed Educational Service (previously a School)
East of site	Residential	GR (General Residential)	Lodging Establishment
West of site	Transitional	LB (Limited Business)	School District's Recreational field

- Land Use Districts, Section 5.4 states, “Encourage integration of compatible land uses in order to retain a compact City comprised of a central downtown, with surrounding diverse neighborhoods, thereby reducing sprawl and traffic, increasing efficiency, and creating neighborhood and community character.”
- Land Use Districts, Section 5.6 states, “Provide adequate areas for institutional and public facilities, such as schools, senior care, medical, judicial and other

community facilities, integrated within the community.”

- Due Process and Public Input, Section 5.8 states, “Proactively amend the Hailey Zone District map to resolve significant conflicts between the Land Use Map and the Zoning Map.” The Council determined that the rezone is compatible with the Land Use Map given that the property is shown as a “Transitional” area on the Land Use Map and the nature of the existing and continued use.

The Council referred to the purpose of the LB District to determine if the rezone is compatible with the Land Use Map given that the property is shown as a “Transitional” area on the Land Use Map and the nature of the proposed use. The Council determined that this service is at an appropriate location and it should be supported.

2. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;

The Wood River Fire and Rescue building exists and all services and utilities are established.

3. The proposed uses are compatible with the surrounding area; and

There is no proposed change in use. The current use is considered a Public Service Facility, which requires a CUP in either the GR or LB districts. The surrounding uses are a mix of residential, commercial, public and semi-public uses. While the properties to the north are zoned GR (General Residential), the subject property is near the southern edge of the GR-zoned properties; with approval of Blaine County School District’s rezone, the property to the south will be zoned LB. The subject property is located within an area that transitions from residential to Main Street properties and uses. Properties located to the west of Lots 1-3 are zoned LB. The Council determined that the rezone is compatible with the surrounding area.

4. The proposed amendment will promote the public health, safety and general welfare.

It is not anticipated that there will be much public affect on the health, safety and general welfare, especially if a development agreement is pursued. The development agreement can help ensure even greater limits on the commercial uses that could occur on the subject property than what is afforded by the LB district. However, it was determined that a Development Agreement would not be enforceable due to the fact that the City owns the property. The rezone will help clean up the LB zoning area and create a more uniform and cohesive section of LB zoning. The Council determined that the public health, safety and welfare of the citizens of Hailey will be promoted by the rezone.

CONCLUSIONS OF LAW AND DECISION

Based upon the above Findings of Fact, the Council makes the following Conclusions of Law and Decision:

1. Adequate notice, pursuant to Section 14.4.1 of the Hailey Zoning Ordinance No. 532 and Idaho Code, Section 67-6511, was provided.
2. The Zoning Map amendment is in accordance with the Hailey Comprehensive Plan.
3. The Zoning Map amendment will promote the public health, safety and general welfare.
4. The proposed uses are compatible with the surrounding area.
5. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services.
- ~~6. The Zoning Map amendment shall be subject to a Development Agreement, which specifies the following for Lots 1-3, Block 126, Hailey Townsite: 1) prohibit all conditional uses in the LB district (Section 4.5), excluding public uses and public service facilities, 2) in the event that the Wood River Fire and Rescue ceases to use the property and the City does not redevelop with a public use, the property shall revert back to GR.~~

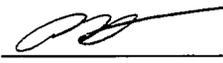
Signed this _____ day of _____, 2009.

Rick Davis, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk

AGENDA ITEM SUMMARY

DATE: 10/26/09 DEPARTMENT: Public Works DEPT. HEAD SIGNATURE: 

SUBJECT:

Request approval for Hailey Fire Dept Halloween Fun Run Special Event on 10/31/09.

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code Chapter 12.14
(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Businesses on this block have been informed of the event and signed off of an acknowledgement form.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

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

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

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

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Special Event Heads approved and submitted recommendations. Recommendations/conditions are listed on the attached Decision document.

FOLLOW-UP REMARKS:

DECISION

Based on the Application for a Special Event Permit for the Hailey Fire Fighter Halloween Fun Run, the City of Hailey, pursuant to Chapter 12.14 of the Hailey Municipal Code, approves the Application and grants the Special Event Permit, subject to the following conditions:

Standard Conditions

- a. The Applicant shall comply with the terms, plans, covenants and provisions of the Application, as approved or as modified by the City of Hailey.
- b. The Applicant shall comply with all applicable local, state and federal laws, regulations and ordinances before, during and after the Special Event(s).
- c. The Applicant shall execute an agreement, relating to the reimbursement of expenses, indemnification and other provisions immediately upon the approval of the application for the Special Events Permit.
- d. In the event the Applicant fails to comply with all the conditions set forth herein, the City may revoke the Special Events Permit, in whole or in part.

Other Condition

- a. Signs and Banners displayed for more than 72 hrs require a permit from the Hailey Planning & Zoning Department.
- b. The run will be passing through Business, General Residential, and Limited Residential 1 & 2. Recreational uses are permitted within the B District. No provisions exist within the zoning code to address special events within the GR and LR zoning districts; however the Special Event standards address and mitigate neighborhood impacts.
- c. List of contact cell phone numbers for that day will need to be provided.

DATED this 26th day of October, 2009.

CITY OF HAILEY

By: _____
Rick Davis, its Mayor

ATTEST:

Mary Cone, its City Clerk

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



SPECIAL EVENT PERMIT APPLICATION

I. EVENT NAME: Hailey Fire Dept Halloween Fun Run

II. LOCATION FOR EVENT (Be specific e.g., Hop Porter Park, all of 1st Avenue between Walnut and Pine, 115 Main St. S.):

Public Property Private Property

Start: Hailey Park to Colorado gulch to Broadhead Rd, North to River St, West down
Croy Cr. Rd., Finish along River Trail Back to Hailey Park.

III. EVENT SCHEDULE

Special Events are limited to four days, including set-up and tear-down days. No more than eight events per calendar year can be conducted by a single party or organization, unless a modification is granted by the City Council. Please submit your modification requests in writing and attach to your application.

Date(s) of Event	Hours	Estimated # of Attendees
<u>5K run</u>	Start Time: <u>9:30</u> End Time: <u>11:30</u>	One Hour Interval: All Day: <u>600</u>
<u>10/31/09</u>	Start Time: End Time:	One Hour Interval: All Day:
Date of Set-Up		
	Start Time: End Time:	
Date of Tear Down		
	Start Time: End Time:	

IV. FEES

Special Event Permit Application Fee	\$125	<input checked="" type="checkbox"/>	<u>\$125.00</u>
Per Day Park Rental Fee	\$200	<input type="checkbox"/>	_____
Security Deposit	\$500	<input type="checkbox"/>	_____
Tax (on park rental fees only)	6%	<input type="checkbox"/>	_____
TOTAL DUE			<u>\$125.00</u>
Additional Deposit Required		<input type="checkbox"/>	_____

V. ORGANIZATION INFORMATION

Applicant's Name: Hailey Volunteer Fire Department Title: _____

Mailing Address: P.O. Box 1192 Hailey Zip Code: 83313

Street Address: 617 S. 3rd City: Hailey State: Id

Day Telephone: 788-3147 Evening Telephone: _____

FAX Number: 788-0279 E-Mail Address: hfd@haileycityhall.org

Applicant Driver's License #: _____
Sponsoring Organization: Hailey Fire Dept
Non-Profit: Yes No Tax Exempt #: _____
Federal Tax #: City of Hailey State Tax #: _____

VI. EVENT INFORMATION

New Event: Yes No _____ Annual Event: Yes _____ No Years Operating _____

Event Category: Commercial Noncommercial

Estimate of Gross Ticket Sales & Revenues (commercial event only): _____

Description of Event:
All ages fun Run events
starting at Heagle Park

Additional Details:
Volunteers for fun Run
at Heagle Park

VII. INSURANCE REQUIREMENTS

It is the responsibility of your Special Event organizers to maintain a COMPREHENSIVE GENERAL LIABILITY insurance policy with coverage of not less than \$1,000,000.00 combined single limit per occurrence. Each policy shall be written as a primary policy, not contributing with or in excess of any coverage which the City may carry. A certificate naming the City of Hailey, Blaine County, Idaho as additional insured shall be delivered to the City of Hailey with this application. The adequacy of all insurance required by these provisions shall be subject to approval by the City Clerk. Failure to maintain any insurance coverage required by this agreement shall be cause for immediate termination of the application.

Insurance Company: ICRMP City of Hailey Agent Name: _____
City Address: _____ Phone: _____

HOLD HARMLESS CLAUSE

Permittee (organization/applicant) shall indemnify and hold harmless the City of Hailey, its agents, its employees and authorized volunteers from and against all claims, damages, losses and expenses, including attorney's fees, arising out of the permitted activity or the conduct of Permittee's operation of the event if such claim (1) is attributable to personal injury, bodily injury, disease or death, or to injury to or destruction of property, including the loss of use there from, and (2) is not caused by any negligent act or omission of willful misconduct of the City of Hailey or its employees acting within the scope of their employment.

(Attach any additional pages as needed)

Call Misty 721-7381

SPECIAL EVENT ACTIVITIES & CITY SERVICES REQUESTED

Your Event Organizer is responsible for providing a complete list of event activities including a list of suppliers providing services. An event logistics map is required, detailing the location for all road closures, event set up, canopies, stages, vendors, booths, and any other major services or activities planned.

Yes	No	Check all Planned Activities	Yes	No	Check all Planned Activities
	X	Street Closures & Access / Parade Detailed map listing areas of closure, parade route is required. An ITD permit is required for Main Street.	X	X	Alcohol Served (Free of Charge) (name of provider)
					Alcohol Sold Requires Alcohol Beverage Catering Permit (Hailey Code 5.13)
	X	Street Closures & Access /Parade require your Event Coordinator to notify all affected businesses, churches schools and neighborhoods	X	X	Food/Beverages will be served (List Caterers):
#	X	Canopies/Tents/Membranes/Temporary Structures (Number & Size(s)) City of Hailey Fire Department, Fire Code Enforcement	#		Vendors items sold/ solicitation
	X	Medical Services (Circle) First Aid and/or EMS Services Who is providing services? _____		X	
#	X	Security (detail who, number of officers, times. Attach plan)	#	X	Booths: Profit Non-Profit FD info
	X	Traffic Control / Shuttle Buses (Number of buses / locations / hours of operation, attach plan.)		X	Lighting plan: attach plan
#	X	Electricity / Generators (Size _____) Attach detailed electrical plan.	X	X	Activities / Entertainment (Agenda) Other equipment or entertainment
			X		Signs or Banners: sign permit may be required by the City Planning and Zoning Department
X		Water Drinking / Washing (circle) <i>on site</i>		X	Stages (Number and Size(s) _____)
	X	Gray Water Barrel / Grease Barrel (circle /detail # and locations)	#	X	Barricades. How many identify locations and attach logistics map
X		Sanitation -Trash bins, Dumpsters, Recycle (circle /detail # and locations)	#	600	EVENT estimated attendance
#	X	Porta Toilets / Wash Stations (Quantity <u>ADA</u> <u>Regular</u>)	#		Number of staff working event
			#	20	Number of volunteers working 20

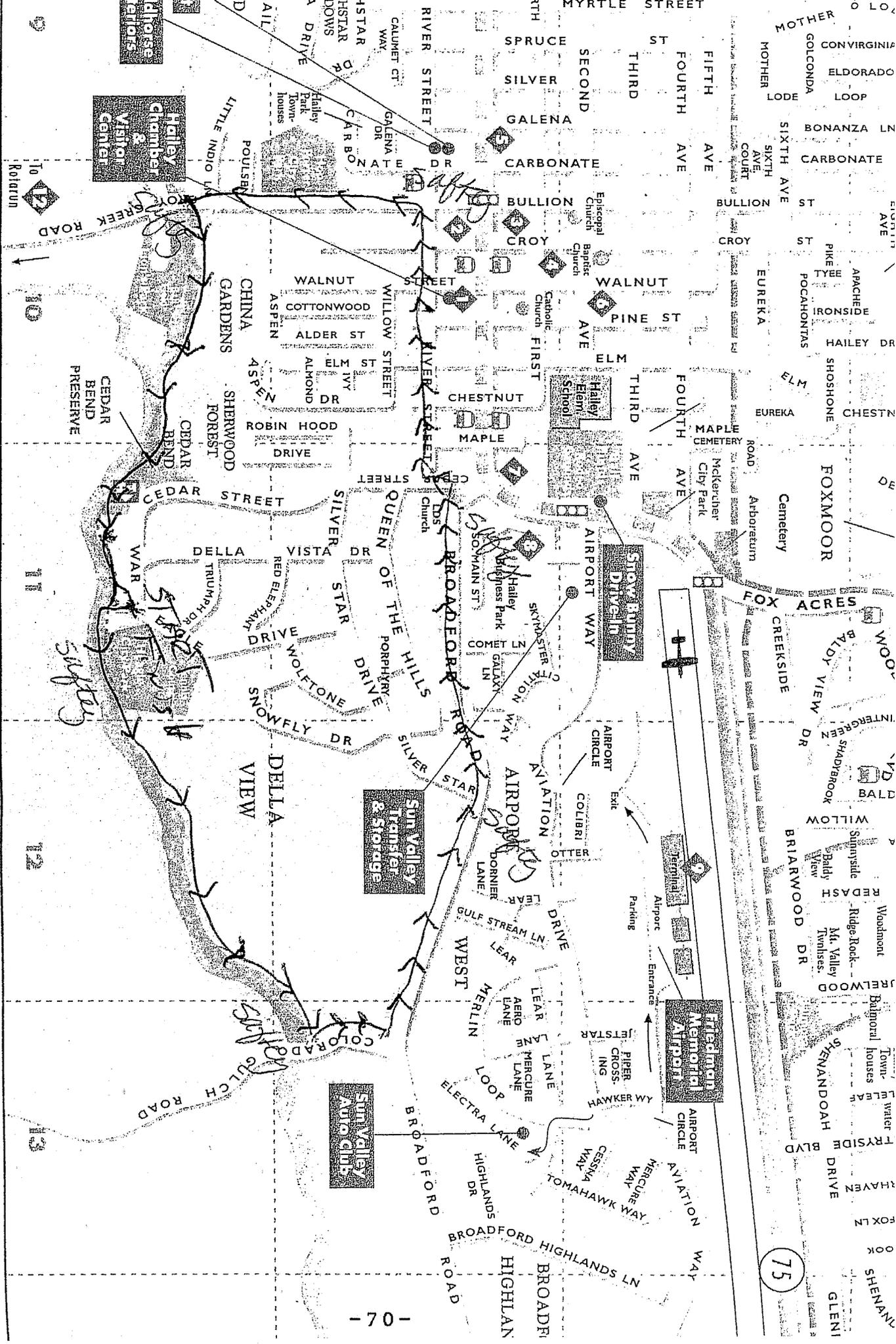
I hereby certify that I have read and will abide by the laws, rules and regulations set forth by the City of Hailey, Blaine County, and the State of Idaho, and in signing this application, I hereby agree that I and the organization I represent, shall hold the City of Hailey and all of its agents or employees free and blameless from any claim, liability or damage which may arise from use of City facilities or equipment, whether or not the City of Hailey, its agents or employees are jointly negligent. I further agree to promptly reimburse the City of Hailey and all of its agents for any clean up loss or damage to City property resulting from this use, as well as permitting, staffing, equipment use/rental, property use/rental, clean up, inspections involving the use of public property, public employees or public equipment for the Special Event. In the event the deposit exceeds the actual charges, the City Clerk shall refund the balance to the applicant.

Event Organizer's Signature: Misty McCoull Date: 9/30/09



"IT'S A GREAT DAY
IN HAILEY, IDAHO."

SUN VALLEY



AGENDA ITEM SUMMARY

DATE: 10/21/09

DEPARTMENT: Library

DEPT. HEAD SIGNATURE: NG

SUBJECT

Motion to approve donating miscellaneous shelving in the basement to the Jerome Public Library.

AUTHORITY: ID Code IAR _____ City Ordinance/Code _____

BACKGROUND:

This is shelving that has been in the basement for 15 years from the time the library relocated to this building. Much of the shelving was donated to us or came from the old library. Jerome Library will come and pick the shelving up.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

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

none

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:

The Director of the Hailey Public Library recommends removing this shelving from the basement, which will allow staff to clean up that area.

FOLLOW UP NOTES:
