AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday April 2, 2018 * Hailey City Hall Meeting Room

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

CONSENT AGENDA:
CA 109 Motion to ratify mayor’s signature on Designation of Applicant’s Agent for Idaho Office of Emergency Management’s Emergency Relief Fund, designating Tracy Anderson as the Primary Agent and Point of Contact for Certifying Official Mayor Fritz Haemmerle on applications for reimbursement ........................................ 1
CA 110 Motion to approve Resolution 2018-026, and authorize the Mayor to sign the Adopt A Park agreement with Sun Valley Services for mowing at Jimmy’s Garden during the 2018 park season................................................................. 9
CA 111 Motion to approve Resolution 2018-027, and authorize the Mayor to sign the Adopt A Park agreement with Clearwater Landscaping for maintenance at Keefer Park during the 2018 park season................................................................. 14
CA 112 Motion to approve the Special Event, Hailey’s Main Street Antique Market, to be held June 29th through July 1st, 2018, from 9:00am to 6:00pm .................................................................................................................................... 19
CA 113 Motion to approve a Special Event, Trailing of the Sheep, to be held at Roberta McKercher Park (October 12th from 9:00am until 7:00pm and October 13th, from 10:00 a.m. to 4:00 p.m.) and Lions Park (October 11th through 14th, 2017, from 8:00 a.m. to 4:00 p.m.) .................................................................................................................. 27
CA 114 Motion to approve minutes of March 12, 2018 and to suspend reading of them ................................................................. 42
CA 115 Motion to ratify claims for expenses during the month of March 2018 .................................................................................. 58
CA 116 Motion to approve claims for expenses incurred during the month of March, 2018, and claims for expenses due by contract in April, 2018 ........................................................................................................................................ 64

MAYOR’S REMARKS:
MR 000

PROCLAMATIONS & PRESENTATIONS:

APPOINTMENTS & AWARDS
AA 117 Appointment of Nate Hart as Hailey’s representative to the Blaine County Housing Authority, Resolution 2018-028 ........................................................................................................................................ 82

PUBLIC HEARING:
PH 118 Consideration of an amended Final Plat proposal for Colorado Gulch Preserve Subdivision, located at Lot 1A, Block 1, Stevens Family Ranch, LLC (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho), comprising of 24.46 acres. Previously, thirty-six (36) lots were proposed. The amended plat proposes twenty-seven (27) residential lots, with an additional 5.77 acres of open space to be located at the south end of the development. Zoning of the property is Limited Residential 2 (LR-2) and Recreational Greenbelt (RGB).................................................................................................................. 88
PH 119 Consideration of the first Amendment to the Annexation, Services and Development Agreement and Resolution 2017-085, for Colorado Gulch Preserve and Tax Lots 7731, 7732, 3913 and Resolution 2018-029, implementing said amendment .................................................................................................................. 114
PH 120 Introduction of Capital Improvement Plan Amendment and FY 2018 Budget Amendment ............................................................................. 143

NEW BUSINESS:
NB 121 Introduction of ordinance to limit hours of scooter use within the Hailey Skatepark, and to penalize riders who take scooters into areas designated as off-limits to scooters. ........................................................................................................................................ 156

OLD BUSINESS:
OB 122 3rd Reading of Ordinance No. 1230, amending the Parks Section, Title 12.12 of the Hailey Municipal Code, prohibiting use of city parks for commercial sales unless a recreational or community purpose is served and consideration of Summary ........................................................................................................ 160
2nd Reading of Ordinance No. 1231 Amending Title 17, Section 17.02, Definitions, to clarify and amend the definition of: Dwelling Unit. The amendment would include changes to the minimum gross floor area in that every dwelling unit shall not have less than two hundred (200) square feet of gross floor area, instead of one hundred twenty (120) square feet of gross floor area, and to reconsider changes that ensure the primary residential unit on a lot shall not be smaller than the accessory unit ................................................................. 167

2nd Reading of No. 1233 amending Municipal Code Section § 17.05.010 the City of Hailey Zoning District Map. Proposed changes would rezone Hailey Business Park South Condominiums, Units 1-15 located at 1120 Broadford Road from Technological Industry (TI) to SCI- Sales and Offices (SCI-SO) ............................................. 171

STAFF REPORTS:

<table>
<thead>
<tr>
<th>Staff Reports</th>
<th>Council Reports</th>
<th>Mayor’s Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR 125 Draft agenda for Planning and Zoning Commission</td>
<td>[no text]</td>
<td>[no text]</td>
</tr>
<tr>
<td>SR 126 Draft agenda for City Council</td>
<td>[no text]</td>
<td>[no text]</td>
</tr>
</tbody>
</table>

EXECUTIVE SESSION: Real Property Acquisition under IC 74-206 (1)(c)

Matters & Motions from Executive Session or Workshop

Next Ordinance Number - 1234   Next Resolution Number- 2018-030
AGENDA ITEM SUMMARY

DATE: 04/02/2018   DEPARTMENT: Admin   DEPT. HEAD SIGNATURE: HD

SUBJECT:
Motion to ratify mayor’s signature on Designation of Applicant’s Agent for Idaho Office of Emergency Management’s Emergency Relief Fund, designating Tracy Anderson as the Primary Agent and Point of Contact for Certifying Official Mayor Fritz Haemmerle on applications for reimbursement.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

On July 3, 2017, the City of Hailey received the attached correspondence from Idaho Office of Emergency Management, stating that the flood event of 2017 meets eligibility requirements for Emergency Relief Funding and costs incurred by the City are allowed to be submitted for reimbursement. The first action step designated in the letter is for Hailey to complete a Designation of Applicants Agents Form. That was done and signed on July 5, 2017. It was intended to be submitted to the Hailey City Council on July 10, 2017 for ratification, along with a flood status report and approval of engineering work to design flood mitigation. The engineering was approved by the council, but ratification of the Designation of Applicants Agents Form was omitted.

We are submitting it now for City Council ratification. City staff have been working with FEMA on the reimbursement requests, and our Agent and FEMA’s Agent signed the first reimbursement application for $65,978.60 on March 19, 2018. This reimbursement is for labor, equipment and materials spent on eligible flood relief work during the flood.

A second reimbursement application for $21,993 was signed on March 20, 2018, to acknowledge the value of donated labor and material. This donated time can be used as part of Hailey's match, but will not be eligible for cash reimbursement.

More reimbursement applications are pending to recover costs for road work and park clean-up work that has been or will be done. We expect up to $85,000 of our costs to be considered for eligibility and potential reimbursement.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
Budget Line Item #: ___________________________________________
Estimated Hours Spent to Date: ________________________________
Staff Contact: _______________________________________________
Comments: __________________________________________________
YTD Line Item Balance $ ________________________________
Estimated Completion Date: ________________________________
Phone #: __________________________________________________

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

City Attorney ___________________ Clerk / Finance Director ___________________
Library _________________________ Planning ___________________________
Safety Committee ________________ P & Z Commission ___________________
Streets _________________________ Public Works, Parks ___________________
                      ___________________________________________
                      ___________________________________________
                      ___________________________________________
                      ___________________________________________
                      ___________________________________________
                      ___________________________________________

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion to ratify mayor’s signature on Designation of Applicant’s Agent for Idaho Office of Emergency Management’s Emergency Relief Fund, designating Tracy Anderson as the Primary Agent and Point of Contact for Certifying Official Mayor Fritz Haemmerle on applications for reimbursement.

FOLLOW-UP REMARKS:
Dear Applicant,

The Idaho Office of Emergency Management is pleased to inform you that your application for ERF funding has been tentatively approved by the ERF Panel.

Upon review of your application, our committee has determined that this project meets the eligibility requirements as outlined in the ERF Application Guidance and PAPPG Eligibility Snapshot. As noted, funding will be on a reimbursement basis and a 10% match will be required by either in-kind contribution or cost share.

Next Steps:

1. Fill out the attached Designation of Applicants Agents Form and W9 for each project and return to 2017ERF@imd.idaho.gov.
2. Upon receipt, IOEM will complete a Project Agreement and submit to your certifying official for signature.
3. Applicant to submit all documents, contracts, time cards, payroll register, invoice copies and any other documentation for the project to IOEM.
4. IOEM will review all submitted documentation and then send a Statement of Documentation (SOD) to the certifying official for signature.
5. Reimbursement will be processed once the SOD is received back.
6. Closeout letter initiated by IOEM

Please feel free to contact IOEM at 208-258-6591 or 2017ERF@imd.idaho.gov with any other questions or concerns. We look forward to working with you on this project.

Respectfully,

[Signature]

Brad Richy

Idaho Office of Emergency Management - on behalf of the ERF Review Panel

- Commissioner Mark Bair – Idaho Association of Counties
- Kimbol Allen – Idaho Transportation Department
- Laila Kral, PE – Local Highway Technical Advisory Committee
- Mark Warbis – Office of the Governor
- Mayor Diana Thomas (Weiser) – Idaho Association of Cities
- Terry Werner – Association of Highway Districts
DESIGNATION OF APPLICANT'S AGENT

Emergency Relief Fund
State Emergency Management

DIRECTIONS:

Complete the entire form

Organization Name (hereafter named Organization)
City of Hailey

Primary Agent
City of Hailey

Agent's Name
Tracy Anderson

Organization Name (hereafter named Organization)
City of Hailey

Official Position
Public Works Coordinator

Mailing Address
115 South Main St., Ste. H

City, State, Zip
Hailey, ID 83333

Daytime Telephone
208-788-9830 X 20

Facsimile Number
208-788-2924

Pager or Cellular Number
N/A

Secondary Agent
City of Hailey

Agent's Name
Heather Dawson

Organization
City of Hailey

Official Position
City Administrator

Mailing Address
115 South Main St., Ste. H

City, State, Zip
Hailey, ID 83333

Daytime Telephone
208-788-4221 X 18

Facsimile Number
208-788-2924

Pager or Cellular Number
208-861-4959

The above Primary and Secondary Agents are hereby authorized to execute and file Application/Assistance on behalf of the Organization for the purpose of obtaining certain state financial assistance from the Emergency Relief Fund. This agent is authorized to represent and act for the Organization in all dealings with the State of Idaho for all matters pertaining to such disaster assistance.

Point of Contact
Tracy Anderson

Agent's Name
Tracy Anderson

Organization Name (hereafter named Organization)
City of Hailey

Official Position
Public Works Coordinator

Mailing Address
115 South Main St., Ste. H

City, State, Zip
Hailey, ID 83333

Daytime Telephone
208-788-9830 X 20

Facsimile Number
208-788-2924

Pager or Cellular Number
N/A

Certifying Official
Mayor Fritz X. Haemmerle

Agent's Name
Fritz Haemmerle

Organization
City of Hailey

Official Position
Mayor

Mailing Address
115 South Main St., Ste. H

City, State, Zip
Hailey, ID 83333

Daytime Telephone
208-788-4221 X 30

Facsimile Number
208-788-2924

Pager or Cellular Number
208-720-7644

Certifying Official's Signature:

[Signature]
Subgrant Application - Entire Application

Application Title: COH002B - Emergency Protective Measures
Application Number: 
Application Type: Subgrant Application (PW)

Bundle Reference # (Amendment #) | Date Awarded
---|---

Subgrant Application - FEMA Form 90-91

Federal Emergency Management Agency
Project Worksheet

<table>
<thead>
<tr>
<th>DISASTER</th>
<th>PROJECT NO.</th>
<th>PA ID NO.</th>
<th>DATE</th>
<th>CATEGORY</th>
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<td>FEMA</td>
<td>4333</td>
<td>-DR</td>
<td>03-12-2018</td>
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APPLICANT: HAILEY

WORK COMPLETE AS OF:
01-24-2018 : 100 %

Site 1 of 1

DAMAGED FACILITY:
Emergency Protective Measures

COUNTY: Blaine

LOCATION:

Current Version:
City Wide
City Hall GPS 43.51882, -114.31519

DAMAGE DESCRIPTION AND DIMENSIONS:

Current Version:

During incident period May 6 through June 16, 2017, rain and fast melting record snow and ice resulted in extended high river flows which created overand flooding from the Wood River which inundated streets, residential areas and parks in the City of Hailey. This threatened the safety and welfare of the City of Hailey and caused delayed emergency response times and mandatory evacuations.

SCOPE OF WORK:

Current Version:

Work Completed: 100% $65,978.60

To reduce the threat of the health and safety hazard created by the flooding, the applicant activated its emergency operations center. A state disaster declaration was issued on May 8, 2017 and the City of Hailey issued a mandatory evacuation order to 41 homes in early May due to floodwater, compromised roads, loss of power and safety hazards. The evacuation order was not lifted until early July. Due to the extended length of the flood, the City of Hailey employed temporary public information and public relations officers at the EOC. The applicant utilized force account and office employees for a total of 2,797.25 hours (2,135.5 regular hours – not eligible, 491.75 temporary hours – eligible and 352 overtime hours – eligible) and equipment (355 hours) to barricade streets, disseminate flood information, oversee and assist with orderly evacuations, fill, load, deliver and place sandbags, man barricades to restrict entry into evacuated residential areas, deliver meals to volunteers (involved with sandbagging), attempt to keep as much water as possible directed away from residential areas, monitor flood conditions for evacuated residential areas, retrieve barricades and reopen streets and residential areas when the flood water receded.
<table>
<thead>
<tr>
<th>Review Name</th>
<th>Condition Type</th>
<th>Condition Name</th>
<th>Description</th>
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<tr>
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<table>
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<tr>
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<tr>
<td>No.</td>
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<tr>
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</table>

https://sso.fema.net/emmie/viewApplication.do?printBtn=Print&thinMenu=true&vo appli... 3/19/2018
Federal Emergency Management Agency E-Grants

---6---

Subgrant Application - Entire Application

Application Title: COH006B - Donated Resources
Application Number:
Application Type: Subgrant Application (PW)

Bundle Reference # (Amendment #) Date Awarded

Subgrant Application - FEMA Form 90-91

FEDERAL EMERGENCY MANAGEMENT AGENCY
PROJECT WORKSHEET

<table>
<thead>
<tr>
<th>DISASTER</th>
<th>PROJECT NO.</th>
<th>PA ID NO.</th>
<th>DATE</th>
<th>CATEGORY</th>
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<td>013-54380-00</td>
<td>03-13-2018</td>
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</table>

APPLICANT: HAILEY

WORK COMPLETE AS OF: 01-24-2018: 100 %

Site 1 of 1

DAMAGED FACILITY: COUNTY: Blaine

Donated Resources

LOCATION:

Current Version: City Wide

DAMAGE DESCRIPTION AND DIMENSIONS:

Current Version: During the incident period May 6 through June 15, 2017, rain and rapidly melting snow resulted in overland flooding from the Wood River which inundated residential districts, city streets and city parks in the City of Hailey located in Blaine County. This created a safety and health hazard for the City of Hailey.

SCOPE OF WORK:

Current Version: The applicant utilized volunteers for a total of 499 hours to load, haul and place sandbags to protect improved property in the affected areas of the city. A volunteer also donated 20 hours with a John Deere 310G loader/backhoe and operator to assist with the sandbagging. Storage parking was donated to store 5 displaced vehicles for 3 months until the residents could access their homes. Minidoka County donated 1,800 filled sandbags (12 pallets at 50 bags/pallet x 3 loads) and delivered them to Hailey. A spreadsheet with the totals is attached with this project.

Project Notes:

RECORD RETENTION: Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of an Applicant or as otherwise described in accordance with 2 CFR 200.333. When local retention requirements exceed those identified in 2 CFR 200.333, the stricter shall be in effect.

https://sso.fema.net/emmie/viewApplication.do?printBtn=Print&thinMenu=true&vo.applic... 3/20/2018

---6---
Hailey

This worksheet is used to calculate Donated Resource Project Worksheets.

**Original PW(s)**

<table>
<thead>
<tr>
<th>65,978.60 Cat A &amp; B total</th>
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</thead>
<tbody>
<tr>
<td>49,463.95 federal share</td>
</tr>
<tr>
<td>16,494.65 non-federal share</td>
</tr>
</tbody>
</table>

75% Federal Share (i.e. 75% or 90%)

Donated Resource Amounts

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<tr>
<th>Below the linebreak</th>
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<tbody>
<tr>
<td>7,034.25 9022 - Volunteer Labor</td>
</tr>
<tr>
<td>740.00    9023 - Donated Equipment</td>
</tr>
<tr>
<td>9,000.00  9024 - Donated Materials</td>
</tr>
<tr>
<td>3,750.00  9025 - Donated Resources</td>
</tr>
<tr>
<td>20,524.25 Subtotal of PW</td>
</tr>
<tr>
<td>1,466.82  9999 - Adjustment to ensure correct obligation</td>
</tr>
<tr>
<td><strong>21,992.87</strong> Total PW Amount</td>
</tr>
</tbody>
</table>

![Highlighted cell]

Only enter information in the pale yellow highlighted areas!

16,494.65 Federal Share Obligated

All other information will calculate accordingly.

An adjustment was added so that EMMIE will obligate the correct Donated Resource Amount.

The computer system used by FEMA to process Project Worksheets for the Public Assistance program is Emergency Management Mission Integrated Environment (EMMIE).
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 4/2/2018    DEPARTMENT: PW    DEPT. HEAD SIGNATURE: SC

SUBJECT: Motion to approve Resolution 2018-6244 authorizing the Mayor to sign the Adopt A Park agreement with Sun Valley Services for mowing at Jimmy's Garden during the 2018 park season.

AUTHORITY: □ ID Code _______   □ IAR _________   □ City Ordinance/Code HMC 12
(If Applicable)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
Sun Valley Services has adopted Jimmy’s Garden since 2015, and wish to mow the garden during the 2018 park season.

These landscape companies who adopt parks provide a valuable and generous service to the community through the Adopt a Park program. Their contribution is greatly appreciated.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (If Applicable)

<table>
<thead>
<tr>
<th>City Attorney</th>
<th>Finance</th>
<th>Licensing</th>
<th>Administrator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library</td>
<td>Community Development</td>
<td>P&amp;Z Commission</td>
<td>Building</td>
</tr>
<tr>
<td>Police</td>
<td>Fire Department</td>
<td>Engineer</td>
<td>WWWW</td>
</tr>
<tr>
<td>Streets</td>
<td>Parks</td>
<td>Public Works</td>
<td>Mayor</td>
</tr>
</tbody>
</table>

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion to approve Resolution 2018-6244 authorizing the Mayor to sign the Adopt A Park agreement with Sun Valley Services for mowing at Jimmy’s Garden during the 2018 park season.

ACTION OF THE CITY COUNCIL:
Date ____________________________

City Clerk ____________________________

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: Record
Copies (all info.):

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

--9--
CITY OF HAILEY
RESOLUTION NO. 2018-026

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY
AUTHORIZING THE MEMORANDUM OF UNDERSTANDING WITH SUN VALLEY
SERVICES, REGARDING THE ADOPT A PARK PROGRAM FOR JIMMY’S
GARDEN.

WHEREAS, the City of Hailey desires to enter into a Memorandum of Understanding
with SUN VALLEY SERVICES, under which SUN VALLEY SERVICES will provide
landscaping maintenance of the grounds at Jimmy’s Garden.

WHEREAS, the City of Hailey and SUN VALLEY SERVICES have agreed to the terms
and conditions of the Memorandum of Understanding, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF HAILEY, IDAHO, that the City of Hailey approves the Memorandum of
Understanding between the City of Hailey and SUN VALLEY SERVICES and that the Mayor is
authorized to execute the attached Agreement,

Passed this 2nd day of April, 2018.

City of Hailey

______________________________
Fritz X. Haemmerle, Mayor

ATTEST:

______________________________
Mary Cone, City Clerk
MEMORANDUM OF UNDERSTANDING

Sun Valley Services and the CITY OF HALEY

Adopt a Park Program for Jimmy’s Garden

This Memorandum of Understanding (MOU) is entered into by Sun Valley Services (SVS) and the City of Hailey (City) this ___ day of __________, 2018.

RECITALS

A. The City is the owner of several city parks, including Jimmy’s Garden, and has established a maintenance program for various city parks (Adopt a Park Program).

B. SVS is a local landscaping company interested in making a civic contribution to the community and participating in the Adopt a Park Program, and is willing to maintain Jimmy’s Garden.

C. Subject to the terms and conditions of this MOU, the City and SVS wish to coordinate their activities in the Adopt a Park Program to better provide service to the citizens of Hailey, to avoid duplication of effort by agencies, to implement activities consistent with purposes and policies of the City of Hailey and to promote the civic good will of SVS.

DUTIES AND RESPONSIBILITIES

SVS shall:

1. Mow and trim once a week on Mondays.
2. Perform spring and fall clean-up maintenance as needed, including turf maintenance.
3. Oversee the health of the turf of Jimmy’s Garden and report any problems, including irrigation system malfunction, drainage problems, disease problems, damage or vandalism to Stephanie Cook 788-9830 ext. 31 stephanie.cook@haileycityhall.org.
4. Carry no less than one million dollars of liability insurance and provide a copy of the policy to the city.
5. Be solely responsible for payment of payroll and withholding taxes, workers compensation insurance, unemployment insurance, health insurance and retirement benefits for its employees.
6. Submit monthly invoices to the City documenting SVS’ contribution.

City shall:

1. Maintain all park equipment and buildings.
2. Adjust the irrigation system and clocks as needed to maintain a healthy park without puddles or standing water, and without dry and under-watered areas. Comply with Hailey’s irrigation rules by irrigating at night on odd numbered calendar days.
3. Prune trees when needed.
4. Empty all garbage and dog pots.
5. Apply fertilizers and herbicides as needed to maintain health of the park.
6. Post notice of intent to apply fertilizer or herbicide prior to application.
7. Close area to the public prior to treating with fertilizer or herbicides.
8. Give prior notices of organized park activities to Gustavo Alvarado 481-0612
   gustavo@sunvalleyservicesidaho.com
9. Inspect the park periodically for damage caused by heavy use.
10. Provide a 2’ x 3’ foot sign at the entrance to the park with the SVS logo, Silver Leaf Adopter status, and
    contact information. In the event of a park co-adopter, the sign will be shared with SVS and the co-
    adopter on the same 2’ x 3’ sign.
11. Run a one-time ¼ page thank you ad in the Mountain Express with logo (all adopters in one ad); include
    the same ad in the City newsletter.
12. Publish one City newsletter article (all adopters in one article).
13. Publish logo listing in City newsletter and on City website June through October.
14. Publish logo listing in Adopt a Park Program guide.
15. Provide two no-fee park reservations for SVS company events.

**SVS and the City shall:**

1. Meet at least once a month during the season as scheduling allows, for ongoing review of activities and
   adequacy of the terms of this MOU.
2. Inform one another of significant maintenance developments and public events in the maintained area.
3. Cooperate on joint projects and additional activities when possible.
   A. SVS shall perform labor for agreed upon cooperative projects at a $35/hour rate, and
      provide an invoice to City for such costs.
   B. City shall provide supplies and materials to agreed upon projects.
   C. City shall produce a purchase order for supplies and materials.

**SVS and the City** will review this MOU one year after signing to determine adequacy. If it is determined that
continuing this arrangement is in the best interest of the public and the parties, this MOU may be revised if
appropriate and renewed. If this MOU is determined not to meet the needs of the parties and the best
interests of the public, either party can terminate it with 30 advance days written notice.

Sun Valley Services, Gustavo Alvarado  
3/7/18  
Date

Mayor, City of Hailey  
Date
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 4/2/2018 DEPARTMENT: PW DEPT. HEAD SIGNATURE: SC

SUBJECT: Motion to approve Resolution 2018-027 authorizing the Mayor to sign the Adopt A Park agreement with Clearwater Landscaping for maintenance at Keefer Park during the 2018 park season.

AUTHORITY: □ ID Code □ IAR □ City Ordinance/Code HMC 12
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
Clearwater Landscaping has adopted Keefer Park since 2012, and wish to continue to maintain the park during the 2018 park season.

These landscape companies who adopt parks provide a valuable and generous service to the community through the Adopt a Park program. Their contribution is greatly appreciated.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

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

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion to approve Resolution 2018-027 authorizing the Mayor to sign the Adopt A Park agreement with Clearwater Landscaping for maintenance at Keefer Park during the 2018 park season.

ACTION OF THE CITY COUNCIL:
Date

City Clerk

FOLLOW-UP:
*Ord./Res./Agrmt./Order Originals: Record *Additional/Exceptional Originals to: Copies (all info.): Copies (AIS only)

--14--
CITY OF HAILEY
RESOLUTION NO. 2018-027

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY
AUTHORIZING THE MEMORANDUM OF UNDERSTANDING WITH
CLEARWATER LANDSCAPING REGARDING THE ADOPT A PARK PROGRAM
FOR KEEFER PARK.

WHEREAS, the City of Hailey desires to enter into a Memorandum of Understanding
with CLEARWATER LANDSCAPING under which CLEARWATER LANDSCAPING will
provide landscaping maintenance of the grounds at Keefer Park.

WHEREAS, the City of Hailey and CLEARWATER LANDSCAPING have agreed to
the terms and conditions of the Memorandum of Understanding, a copy of which is attached
hereeto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF HAILEY, IDAHO, that the City of Hailey approves the Memorandum of
Understanding between the City of Hailey and CLEARWATER LANDSCAPING and that the
Mayor is authorized to execute the attached Agreement,

Passed this 2nd day of April, 2018.

City of Hailey

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk
MEMORANDUM OF UNDERSTANDING

Clearwater Landscaping and the CITY OF HAILEY

Adopt a Park Program for Keefer Park

This Memorandum of Understanding (MOU) is entered into by Clearwater Landscaping (Clearwater) and the City of Hailey (City) this ___ day of March, 2018.

RECITALS

A. The City is the owner of several city parks, including Keefer Park, and has established a maintenance program for various city parks (Adopt a Park Program).

B. Clearwater is a local landscaping company interested in making a civic contribution to the community and participating in the Adopt a Park Program, and is willing to maintain Keefer Park.

C. Subject to the terms and conditions of this MOU, the City and Clearwater wish to coordinate their activities in the Adopt a Park Program to better provide service to the citizens of Hailey, to avoid duplication of effort by agencies, to implement activities consistent with purposes and policies of the City of Hailey and to promote the civic good will of Clearwater.

DUTIES AND RESPONSIBILITIES

Clearwater shall:

1. Adjust the irrigation system and clocks as needed to maintain a healthy park without puddles or standing water, and without dry and under-watered areas, to the best of the irrigation system’s abilities. Comply with Hailey’s irrigation rules by irrigating at night on even numbered calendar days.
2. Blow out the sprinkler system at the end of the irrigation season before October 31, under city oversight.
3. Apply fertilizers, supplied by Clearwater, as needed to maintain health of the park, and provide MSDS information to City.
4. Notify City of Hailey two weeks in advance of intent to fertilize.
5. Post notice provided by City of Hailey of intent to apply fertilizer prior to application, along with MSDS information.
6. Close area to the public prior to treating with fertilizer.
7. Oversee the health of the vegetation of Keefer Park and report any problems, including irrigation system malfunction, drainage problems, diseased vegetation, damage or vandalism to Stephanie Cook 788-9830 ext. 31, stephanie.cook@haileycityhall.org.
8. Carry no less than one million dollars of liability insurance and provide a copy of the policy to the city.
9. Be solely responsible for payment of payroll and withholding taxes, workers compensation insurance, unemployment insurance, health insurance and retirement benefits for its employees.

City shall:

1. Mow and trim once a week on Mondays.
2. Maintain all playground equipment and buildings.
3. Prune trees, bushes and flowers when needed.
4. Empty all garbage and dog pots, and clean bathrooms.
5. Give prior notices of organized park activities to Matt Hoskins 471-0107
   mhoskins@clearwaterlandscaping.com
6. Inspect the park after each major event for damage caused by the event.
7. Provide a 2’ x 3’ foot sign at the entrance to the park with the Clearwater logo, Gold Leaf Adopter status, and contact information.
8. Publish an 8.5" x 11" company profile with logo and photos in the City newsletter and equivalent on the City website.
9. Run a one-time ¾ page thank you ad in the Mountain Express with logo (all adopters in one ad); include the same ad in the City newsletter.
10. Publish one City newsletter article (all adopters in one article).
11. Publish logo listing in City newsletter and on City website June through October.
12. Publish logo listing in Adopt a Park Program guide.
13. Provide three no-fee park reservations for Clearwater company events.

Clearwater and the City shall:

1. Meet at least once a month during the season as scheduling allows, for ongoing review of activities and adequacy of the terms of this MOU.
2. Inform each other of significant maintenance developments and public events in the maintained area.
3. Cooperate when possible on joint projects and activities additional to those outlined previously in this agreement. Hailey may request that Clearwater perform repairs to the irrigation system after needed repairs or improvements are identified.
   A. Clearwater shall perform labor for agreed upon cooperative projects at a $40/hour rate, and provide an invoice to City for such costs.
   B. City shall provide supplies and materials to agreed upon projects.
   C. City shall produce a purchase order for supplies and materials.

Clearwater and the City will review this MOU one year after signing to determine adequacy. If it is determined that continuing this arrangement is in the best interest of the public and the parties, this MOU may be revised if appropriate and renewed. If this MOU is determined not to meet the needs of the parties and the best interests of the public, either party can terminate it with 30 advance days written notice.

Clearwater Landscaping

Mayor, City of Hailey

3/1/18

Date

Date
AGENDA ITEM SUMMARY

DATE: 04/2/2018 DEPARTMENT: Community Development DEPT. HEAD SIGNATURE: 

SUBJECT:
Request for approval to hold a special event, the event being Hailey's Main Street Antique Show, to be held at the vacant lot at 810 North Main Street in Hailey on June 29th - July 1st from 9:00 a.m. to 6:00 p.m.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

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

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

□ City Administrator □ Library □ Benefits Committee
□ City Attorney □ Mayor □ Streets
□ City Clerk □ Planning □ Treasurer
□ Building □ Police □
□ Engineer □ Public Works, Parks □
□ Fire Dept. □ P & Z Commission □

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Recommendation to approve a special event, the event being Hailey's Main Street Antique Show, to be held at the vacant lot at 810 North Main Street in Hailey's Main Street Antique Show, on June 29th - July 1st from 9:00 a.m. to 6:00 p.m., and authorization for the Mayor to sign the special event decision and special event agreement.

This is approval is provided, contingent, upon applicant providing an updated Certificate of Insurance, showing the insurance has been renewed, and is the appropriate coverage (in the amount of one million dollars naming the city as an additional named insured).

ADMINISTRATIVE COMMENTS/APPROVAL:

City Administrator Dept. Head in Attendance at Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Date

City Clerk

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: Record □ *Additional/Exceptional Originals to:
Copies (all info.):
Instrument #
Copies (AIS only)

--19--
DECISION

Based on the Application for a Special Event Permit for Hailey’s Main Street Antique Show, 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.
e. A supporting application is on file and shall be complied with.

Additional Conditions

a. The applicant has provided a Certificate of Insurance, but shall provide City an updated Certificate of Insurance showing the insurance has been renewed, and is the appropriate coverage (in the amount of one million dollars naming the city as an additional named insured).

DATED this 2nd day of April 2018.

CITY OF HAILEY

By: ____________________________
    Fritz Haemmerle, its Mayor

ATTEST:

_______________________________
    Mary Cone, City Clerk
SPECIAL EVENT AGREEMENT

In consideration of the granting of a special event permit by the City of Hailey ("the City") for Hailey’s Main Street Antique Show, to be held at the vacant lot at 810 North Main Street in Hailey on June 29th - July 1st from 9:00 a.m. to 6:00 p.m., plus specified set up and teardown time, ("the Event"), and pursuant to Section 12.14 of the Hailey Municipal Code, the undersigned, as the applicant ("Applicant") of a Special Event Permit from the City for the Event, does hereby agree to reimburse the City for any costs incurred by the City in repairing damage or providing any services or materials resulting from the Event. The Applicant agrees that such costs may be deducted from a non-refundable security deposit or additional deposit as established by the City, and that if costs exceed any deposit made by the applicant, further reimbursement will be made to the City upon demand. The Applicant hereby agrees to indemnify, defend and hold harmless the City and its officers and employees, in their official and individual capacities, from any and all claims, demands, obligations, liabilities, lawsuits, judgments, attorneys’ fees, costs, expenses and damages of any nature caused by or arising out of, or connected with the Event. 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 herein or on appeal, or in bankruptcy proceedings. The Applicant agrees to comply with all the laws and ordinances of the City of Hailey, Idaho applicable to the subject matter thereof, and to conduct the Event in accordance with the terms and provisions of the application for a Special Event Permit, as approved or as modified by the City, and all conditions of the Special Event Permit. The Applicant agrees that the Special Event Permit is nontransferable and shall be conducted only for the dates and locations as approved by the City.

IN WITNESS WHEREOF, Applicant and the City have executed this Agreement on this 2nd day of April 2018.

APPLICANT:

By: ________________________________________________

_________________________________________________

(please sign and print name and title, if applicable)

CITY OF HAILEY:

By: ________________________________________________

Fritz Haemmerle, its Mayor

ATTEST:

______________________________
Mary Cone, its City Clerk

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

15/03/SPECIAL EVENT PERMIT (08/02/06)

--21--
SPECIAL EVENT PERMIT APPLICATION

EVENT NAME: Hailey’s Main Street Antique Show

LOCATION FOR EVENT (Be specific i.e. Hop Porter Park, all of 1st Avenue between Walnut and Pine, 115 Main St. S.):
☐ Public Property  ☑ Private Property

I. 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.

<table>
<thead>
<tr>
<th>Date(s) of Event</th>
<th>Hours</th>
<th>Estimated # of Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 29-30, 2018</td>
<td>Start Time: 9:00 am  End Time: 6:00 pm</td>
<td>All Day: 100 per hour</td>
</tr>
<tr>
<td>July 1-2, 2018</td>
<td>Start Time: 9:00 am  End Time: 5:00 pm</td>
<td>All Day: 100 per hour</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date(s) of Set-up/Tear-down</th>
<th>Hours</th>
<th>Estimated # Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 28-29, 2018</td>
<td>Start Time: 6:00 am  End Time: 10:00 am</td>
<td>Vendor's set up and tear down</td>
</tr>
<tr>
<td>July 1-2, 2018</td>
<td>Start Time: 5:00 am  End Time: 9:00 am</td>
<td></td>
</tr>
</tbody>
</table>

II. FEES

Special Event Permit Application Fee $125
Per Day Park Rental Fee $300

Events that meet both of the following criteria may be exempted from Park Rental Fee by resolution of the City Council:
☐ Non-profit event that is held annually within the City of Hailey for at least ten consecutive years and consistently draw large numbers of participants and spectators.
☐ Promoted locally and regionally within the state and the northwest.

Tax (on park rental fees only) 6%

TOTAL DUE $125.00

III. ORGANIZATION INFORMATION

Sponsoring Organization: Blue Cow Antiques & Appraisals
Applicant’s Name: Dana Jo Cameron
Title: Promoter/Owner
Address: 449 N Meridian
City: Hailey
State: ID
Zip: 83335
Telephone Home: 208-532-4565
Mobile: 208-734-4900
Fax: 208-532-4565

Applicant Driver’s License #: VR110430K
Email: camcam@pmt.org

IV. EVENT INFORMATION

New Event: Yes  ☑  Annual Event: Yes  ☑  Years Operating: 18

Event Category: ☑ Commercial  ☐ Noncommercial

No tickets sold.

Estimate of Gross Ticket Sales & Revenues (commercial event only): Vendors sell their own merchandise.

Description of Event: Antiques - Collectibles - Art - Crafts - Jewelry

V. INSURANCE REQUIREMENTS

A COMPREHENSIVE GENERAL LIABILITY insurance policy must be maintained 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: Hub Insurance
Agent Name: Craig Casperson
Phone: 208-734-1711

Updated: 11/9/2016

(Associate any additional pages as needed)
### SPECIAL EVENT ACTIVITIES PLANNED

It is the sole responsibility of the applicant to coordinate activities planned. All event materials and related items are to be furnished by the applicant unless arrangements are made prior to the event. (*Additional fees may apply.)

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Check all Planned Activities</th>
<th>Yes</th>
<th>No</th>
<th>Check all Planned Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>![X]</td>
<td></td>
<td>Street Closures &amp; Access / Parade (if yes)</td>
<td>![X]</td>
<td></td>
<td>Alcohol Served or Sold: Requires Alcohol Beverage Catering Permit (Hailey Code 5.13) Provider -</td>
</tr>
<tr>
<td>![X]</td>
<td></td>
<td>- Street Closure for Special Event Application and detailed map listing areas of closure are required. <em>An ITD permit and separate City form is required for Main Street Closures.</em> - Your Event Coordinator is required to have the Notification Certification completed by all affected businesses, churches, schools and neighborhoods.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>![X]</td>
<td>![X]</td>
<td>Barricades If yes, please include a logistics map and # of barricades applicant is providing.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>![X]</td>
<td>![X]</td>
<td>Police/Traffic Control Services (A security plan is necessary for Special Events anticipated to attract 250 or more participants while serving beer, wine or liquor or for street closures.) *Police Officers may be required for events serving alcohol. Applicant will be charged $40/hr. per officer. Barricades If yes, please include a logistics map and # of barricades applicant is providing.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>![X]</td>
<td>![X]</td>
<td>Police/Traffic Control Services (A security plan is necessary for Special Events anticipated to attract 250 or more participants while serving beer, wine or liquor or for street closures.) *Police Officers may be required for events serving alcohol. Applicant will be charged $40/hr. per officer. Electricity / Generators:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>![X]</td>
<td>![X]</td>
<td>Size: <strong>First Aid Stand</strong> Medical Services (Circle) EMT - Standby (or) Ambulance *Determination of EMS services is dependent on event size &amp; type. Applicant will be charged $35/hr. for EMS Standby.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>![X]</td>
<td>![X]</td>
<td>Electricity / Generators:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| ![X] | ![X] | Size: 

<table>
<thead>
<tr>
<th>ADA</th>
<th>Regular</th>
</tr>
</thead>
<tbody>
<tr>
<td>![#]</td>
<td>![#]</td>
</tr>
</tbody>
</table>

| ![X] | ![X] | Medical Services (Circle) EMT - Standby (or) Ambulance *Determination of EMS services is dependent on event size & type. |
| ![X] | ![X] | Portable Toilets / Wash Stations: (Please provide one (1) permanent or portable toilet per 100 people) *Contact Clear Creek Disposal for ordering: 208-726-9600 |
| ![X] | ![X] | Portable Toilets / Wash Stations: (Please provide one (1) permanent or portable toilet per 100 people) *Contact Clear Creek Disposal for ordering: 208-726-9600 |

Vendors (Items sold/Solicitation) Please list:
- Antiques - Collectibles
- Art - Jewelry - Crafts

Vendors (Items sold/Solicitation) Please list:
- Canopies/Tents/Temporary Structures - City of Hailey Fire Department, Fire Code Enforcement may require a permit for tents, canopies, membrane, or temporary structures over 400 sq. ft. Private Canopies Sizes All under 200 sq. ft.

Booths: ![Profit] Non-Profit

Signs or Banners
* A separate application and fee are required for street banners.

Food/Beverages (Caterers) Please list:
- Possibly / Sandwich or Coffee Vendor.

---

Community Development Forms
Updated: 11/09/2016

---

23
<table>
<thead>
<tr>
<th>Activity</th>
<th>Sanitation: Trash bins, Dumpsters, Recycle (Please provide one (1) six yard dumpster per 500 people) *Contact Clear Creek Disposal for ordering: 208-726-9600</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overnight Camping</td>
<td>Water: Drinking / Washing</td>
</tr>
<tr>
<td>Lighting: please attach plan if applicable</td>
<td>Open flame or flame producing devices</td>
</tr>
<tr>
<td>Gray Water Barrel / Grease Barrel</td>
<td>Open flame or flame producing devices Stages: (Number and Size(s))</td>
</tr>
</tbody>
</table>

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. 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.

Event Organizer’s Signature: [Name] Date: 3/6/18
**CERTIFICATE OF LIABILITY INSURANCE**

**This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by the policies below. This certificate of insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder.**

**IMPORTANT:** If the certificate holder is an additional insured, the policy(ies) must have additional insured provisions or be endorsed. If subrogation is waived, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).  

**PRODUCER:** License # 26460  
HUB International Mountain States Limited  
157 River Vista Place  
PO Box 9599  
Twin Falls, ID 83303-5999

**CONTACT:** Sindy Holloway  
PHONE: (208) 737-6451  
FAX: (208) 737-5000  
EMAIL: Sindy.Holloway@hubinternational.com

**INSURED:**  
Blue Cow Antiques & Appraisal  
Dana Jo Cameron  
949 N Meridian  
Rupert, ID 83350

**INSCRIBER(S) AFFORDING COVERAGE:**  
Insurance A: United Fire & Casualty  
13021

**COVERAGES**  
**CERTIFICATE NUMBER:**  
**REVISION NUMBER:**  
**THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.**

<table>
<thead>
<tr>
<th>LINE</th>
<th>TYPE OF INSURANCE</th>
<th>ADDED INSURER</th>
<th>INSURER</th>
<th>POLICY NUMBER</th>
<th>LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>COMMERCIAL GENERAL LIABILITY</td>
<td>X</td>
<td>X</td>
<td>60049739</td>
<td>04/03/2017 04/03/2018</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AUTO LIABILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANY AUTO</td>
</tr>
<tr>
<td>ANY AUTO ONLY</td>
</tr>
<tr>
<td>UMBRELLA LIABILITY</td>
</tr>
<tr>
<td>EXCESS LIABILITY</td>
</tr>
</tbody>
</table>

| WORKERS COMPENSATION AND EMPLOYERS LIABILITY |
| ANY PROPRIETOR/PARTNER/INDEPENDENT CONTRACTOR | N/A |

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required).**

**CERTIFICATE HOLDER**  
City of Hailey  
115 Main St S Ste H  
Hailey, ID 83333

**CANCELLATION**  
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE**

---

**ACORD 25 (2016/03)**  
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Return to Agenda
AGENDA ITEM SUMMARY

DATE: 04/2/2018 DEPARTMENT: PW DEPT. HEAD SIGNATURE: SC

SUBJECT:
Motion authorizing a special event, the event being Trailing of the Sheep to be held at Roberta Mckercher Park (October 12th from 9:00am until 7:00pm and October 13th, from 10:00 am. to 4:00 p.m.) and Lions Park (October 14th through 14th, 2017, from 8:00 a.m. to 4:00 p.m.).

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
The Trailing of the Sheep Folklife Fair has requested to hold their event for the 22nd year in Hailey.

Occupying Lions Park Oct. 11-14, 2018, for camping, the event will be at Mckercher Oct. 12 and 13 and will consist of music, food, beverages, craft vendors, demonstrations and presentations that are all related to sheep. Cedar Street between 3rd and 4th will be closed Oct. 12 and 13 from 9:00am – 4:00pm.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
Caselle #
Budget Line Item # Estimated Hours Spent to Date:
Estimated Completion Date:
Staff Contact:
Phone #
Comments:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

- City Administrator
- Library
- Benefits Committee
- City Attorney
- Mayor
- Streets
- City Clerk
- Planning
- Treasurer
- Building
- Police
- Engineer
- Public Works, Parks
- Fire Dept.
- P & Z Commission

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion authorizing a special event, the event being Trailing of the Sheep to be held at Roberta Mckercher Park (October 12th from 9:00am until 7:00pm and October 13th, from 10:00 am. to 4:00 p.m.) and Lions Park (October 14th through 14th, 2017, from 8:00 a.m. to 4:00 p.m.).

ADMINISTRATIVE COMMENTS/APPROVAL:

City Administrator _______ Dept. Head in Attendance at Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Date ______________________

City Clerk ______________________

FOLLOW-UP:
*Ord./Res./Agrmt./Order Originals: Record *Additional/Exceptional Originals to: Copies (all info.):
Instrument # Copies (AIS only)

--27--
Trailing of the Sheep Festival
"To gather, present, and preserve the history and cultures of sheepherding in Idaho and the West"

P.O. Box 3692, Hailey, ID 83333
208-720-0585
www.trailingofthesheep.org

City of Hailey
115 Main Street South
Hailey, ID 83333
Attn: Special Events
RE: Trailing of the Sheep Festival

February 1, 2018

Hello,

We look forward to our 22nd Annual Trailing of the Sheep Festival’s Folklife Fair! This year’s date is Saturday, October 13th, 2018.

Our Festival is Oct. 10th-14th, 2018.

I have enclosed the forms towards our application for our event in Hailey. I have also included our check to cover the fees.
I have already submitted the Banner Permit with check.

Our Liability Insurance is renewed each August. We send you a copy of your coverage by email before September 1st each year. This is our only ‘glitch’ in completion of our application. But we have never had rejection for our renewal in the past.

Generally, the Folklife fair will be the same as in the past years. We will have performers, vendors, shearing demonstrations, 4-H Kid’s Activities and other presentations as always. These are described on the forms.

We will be selling beer and wine buy the ‘glass’ during the Folklife Fair at R.M. Park. Since Alcohol Licenses are renewed in August, we will submit our Alcohol Beverage Catering Permit to you this coming Aug./Sept.

In talking with Jeff Gunter and Heather after last year’s event, it’s not best for all to use the HPD building as part of our event. But Jeff did offer the use of the outdoor lawn for our vendor booths and agreed to our street closure as long as we made sure HPD business on Friday was not restricted by road barriers. I have put these road barriers up on Friday
in the past to keep any vendors from parking on Cedar. But I will put up a new sign encouraging HPD Friday business while prohibiting vendor parking.

Our continuing challenge towards our impact of our event is parking for visitors for Folklife Fair. In 2016 and 2017 we worked with Mountain Rides to provide a shuttle from Folklife Fair to our Sheepdog Trials. This proved not only to be costly to us, but just wasn’t used. In 2018, we will not be providing a shuttle unless Mountain Rides donates their services.

I think I’ve covered most of any questions or concerns. But please feel free to contact me should you have any further questions. We would be glad to meet with the Council and Mayor, not only on our event, but how the city could enhance our event and growth!

Thank you!

Sincerely,

Sheila Kelley
Program Director
208-720-9361
sheila@trailingofthesheep.org

Laura Musbach Drake
Executive Director
208-720-0585
laura@trailingofthesheep.org
SPECIAL EVENT PERMIT APPLICATION

EVENT NAME: TRAILING OF THE SHEEP'S FOLKLIKE FAIR

LOCATION FOR EVENT (Be specific i.e. Hop Porter Park, all of 1st Avenue between Walnut and Pine, 115 Main St. S.):  
- Public Property  
- Private Property

ROBERTA M. KELCHER PARK; CEDAR STREET IN FRONT OF HPD & HPD LAWN

I. 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.

<table>
<thead>
<tr>
<th>Date(s) of Event</th>
<th>Hours</th>
<th>Estimated # of Attendees</th>
</tr>
</thead>
</table>
| OCT. 13, 2018    | Start Time: 10 AM  
End Time: 4 PM | All Day: 6,000 |
|                  | Start Time:  
End Time: | All Day: |
| Date(s) of Set-up/Tear-down | Hours | Estimated # Staff |
| OCT. 12, 2018    | Start Time: 9 AM  
End Time: 7 PM | 15 |
|                  | Start Time:  
End Time: | |

II. FEES

Special Event Permit Application Fee $125  
Per Day Park Rental Fee $300

Events that meet both of the following criteria may be exempted from Park Rental Fee by resolution of the City Council:
- Non-profit event that is held annually within the City of Hailey for at least ten consecutive years and consistently draw large numbers of participants and spectators.  
- Promoted locally and regionally within the state and the northwest.

Tax on park rental fees only 6%

TOTAL DUE

Sponsoring Organization: TRAILING OF THE SHEEP CULTURAL HERITAGE CENTER, INC.

Applicant’s Name: SHEILA KELLEY   
Title: PROGRAM DIRECTOR

Address: PO BOX 3672   
City: HAILEY   
State: ID   
Zip: 83333

Telephone Home: 208-720-0585   
Mobile: 208-720-9361   
FAX: 208-720-9361

Applicant Driver’s License #: EA 11491 D   
Email: sheila@trailingofthesheep.org

IV. EVENT INFORMATION

New Event: Yes   
Annual Event: Yes   
Years Operating: 22

Event Category:  
- Commercial
- Noncommercial

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

Description of Event: MUSIC, FOOD & BEVERAGES, CRAFT VENDORS, DEMONSTRATIONS, PRESENTATIONS & ALL RELATED TO SHEEP

V. INSURANCE REQUIREMENTS

A COMPREHENSIVE GENERAL LIABILITY insurance policy must be maintained 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: BUSINESS INS.   
Agent Name: BETTY URBANY   
Phone: 726-9866  
Updated: 11/9/2016

(Attach any additional pages as needed)
SPECIAL EVENT ACTIVITIES PLANNED

It is the sole responsibility of the applicant to coordinate activities planned. All event materials and related items are to be furnished by the applicant unless arrangements are made prior to the event. (*Additional fees may apply.)

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Check all Planned Activities</th>
<th>Yes</th>
<th>No</th>
<th>Check all Planned Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td></td>
<td><strong>Central in front of HPD</strong></td>
<td>☒</td>
<td></td>
<td>Alcohol Served or Sold: Requires Alcohol</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Street Closures &amp; Access / Parade</td>
<td></td>
<td></td>
<td>Beverage Catering Permit (Hailey Code 5.13)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(If yes) • Street Closure for Special Event Application and detailed map listing</td>
<td></td>
<td></td>
<td>Provider - CK'S REAL FOOD</td>
</tr>
<tr>
<td></td>
<td></td>
<td>areas of closure are required. An ITD permit and separate City form is required for Main Street Closures.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>• Your Event Coordinator is required to have the Notification Certification completed by all affected businesses,</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>churches, schools and neighborhoods.</td>
<td></td>
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</tr>
<tr>
<td>☒</td>
<td></td>
<td>Barricades If yes, please include a logistics map and # of barricades applicant is providing.</td>
<td></td>
<td>☒</td>
<td>Food/Beverages (Caterers) Please List:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>☒</td>
<td></td>
<td>LOCAL RESTAURANTS &amp;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CATERERS PLUS 4-H CLUB</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Police/Traffic Control Services (A security plan is necessary for Special Events anticipated to attract 250 or more participants while serving beer, wine or liquor or for street closures.) *Police Officers may be required for events serving alcohol. Applicant will be charged $40/hr. per officer. Barricades If yes, please include a logistics map and # of barricades applicant is providing.</td>
<td>☒</td>
<td></td>
<td>Booths: Prof/Non-Profit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Police/Traffic Control Services (A security plan is necessary for Special Events anticipated to attract 250 or more participants while serving beer, wine or liquor or for street closures.) *Police Officers may be required for events serving alcohol. Applicant will be charged $40/hr. per officer.</td>
<td>☒</td>
<td></td>
<td>TOTS SELLS SPACE FOR CRAFTS FOLKS SELLING THEIR PRODUCTS &amp; KEEPING PROFIT</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Electricity / Generators:</td>
<td>☒</td>
<td></td>
<td>Vendors (Items sold/ Solicitation) Please list:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Size:</td>
<td>☒</td>
<td></td>
<td>CRAFT &amp; FOOD</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Medical Services (Circle) EMT - Standby (or) Ambulance</td>
<td>☒</td>
<td></td>
<td>LIST UNAVAILABLE UNTIL SEPT.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Determination of EMS services is dependent on event size &amp; type. Applicant will be charged $35/hr. for EMS Standby.</td>
<td>☒</td>
<td></td>
<td>Vendors (Items sold/ Solicitation) Please list:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Electricity / Generators:</td>
<td>☒</td>
<td></td>
<td>Canopies/Tents/Temporary Structures - City of Hailey Fire Department, Fire Code Enforcement may require a permit for tents, canopies, membrane, or temporary structures over 400 sq. ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Size:</td>
<td>☒</td>
<td></td>
<td>Sizes 10’ X 10’ TENTS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Medical Services (Circle) EMT - Standby (or) Ambulance</td>
<td>☒</td>
<td></td>
<td>STREET BANNER PLUS DIRECTIONAL SANDWICH BOARDS NO LARGER THAN 2’ X 4’. LOCATED ON SITE SIGNS OR BANNERS &amp; A FEW ABOUT</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*Determination of EMS services is dependent on event size &amp; type.</td>
<td>☒</td>
<td></td>
<td>TOWN TO DIRECT FOR PARKING, CAMPING &amp; INFORMATION</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ADA Regular</td>
<td>☒</td>
<td></td>
<td>Portable Toilets / Wash Stations:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>#3 #8</td>
<td>☒</td>
<td></td>
<td>(Please provide one (1) permanent or portable toilet per 100 people) *Contact Clear Creek</td>
</tr>
<tr>
<td></td>
<td></td>
<td># #</td>
<td>☒</td>
<td></td>
<td>Disposal for ordering: 208-726-9600</td>
</tr>
</tbody>
</table>

* These are appropriate for 2018. I check each year for fullness. Without use of HPD Bathrooms I have added 1 ADA & 2 Regular To cover 31 of our folks comes and goes.
| Applicant will be charged $35/hr. for EMS Standby. | Sanitation: Trash bins, Dumpsters, Recycle (Please provide one (1) six yard dumpster per 500 people) *Contact Clear Creek Disposal for ordering: 208-726-9600
[ ] DUMPSTER HAS BEEN ADEQUATE |
| Amplified Sound: (90) dB maximum and sound may only be amplified between the hours of 10am and 10pm. | |
| Overnight Camping Please see City for designated areas. | Water: Drinking / Washing |
| Lighting: please attach plan if applicable. | Open flame or flame producing devices |
| [ ] Overnight Camping [F]OR [V]ENDORS Please see City for designated areas. | |
| Gray Water Barrel / Grease Barrel | Open flame or flame producing devices Stages: 1 (Number and Size(s)
32' x 5') |

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. 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.

Event Organizer's Signature: [Signature]
Date: 1/16/18
2018 TRAILING OF THE SHEEP FESTIVAL

ACTIVITIES AND ENTERTAINMENT AT FOLKLIKE FAIR

ON AND AROUND STAGE - 10 a.m. - 4 p.m.:
Basque Dancers and music
Peruvian Dancers and music
Highlander bagpipe band and dancers
Polish Dancers and musicians
And more typical ethnic musicians and dancers

KID’S ACTIVITIES AREA – 10 a.m. - 4 p.m.:
Classes and projects all related to sheep and wool

SHEARERS – 10 a.m. - 4 p.m.:
Exhibit with discussion on shearing sheep on the ½ hour
Live sheep shorn during exhibit

WEAVING & SPINNING DEMONSTRATIONS:
Within the Vendor area, many of the vendors demonstrate during the event

MAKE IT WITH WOOL – 10 a.m. – 4 p.m.:
Young people from around Idaho design and make clothing and other items from wool.
The contestants come to the Folklife Fair for judging. Winners go on to Washington,
D.C. for the National Competition. Winners receive scholarships.
Although judging will be held in the Senior Center, the entries will be shown at the park

THE STORY OF WOOL – 10 a.m. – 4 p.m.:
Guest Idahoan sheep ranchers have a designated area to hold short presentations with
Q&A all day on Today’s Wool.

RECORDING STORIES – 10 a.m. – 4 p.m.:
Held in the sheep camp on Cedar Street, Idaho Commission on the Arts will record
people’s stories about their lives in the sheep industry which are archived by the Western
Folklife Center, Elko, NV.

VENDORS – 10 a.m. – 4 p.m.:
About 88 ea. 10’x10’ spaces are filled with over 65 vendors selling handcrafted items of
wool, wool blends, alpaca; items made from sheep (lanolin soaps, cheese, etc.) or have
sheep designs. Over 75% of what vendors offer to the public is sheep related. This is a
juried show with vendors coming from all over Idaho, Nevada, Oregon, Utah and from as
far away as Texas and Florida specifically for this Fair.

We also have food and beverages with many booths offering dishes made with lamb.
2018 TRAILING OF THE SHEEP FESTIVAL

ELECTRICAL USAGE AT R.M. PARK FOR FOLKLIFE FAIR:

We require notification of all electrical needs prior to the event by all participants. I check all electrical outlets once during set-up and once during event to make sure folks comply.

Most electrical use is 110. Those requiring 220 (for instance Miller/Coors refrigerated beer trailer or other food/beverage vendors) are placed at the park so they can, with 100 ft. or less, extension cord, plug directly into the panel on the park’s NW corner. It is their responsibility to research the type of plug required.

All outlets under the spruce trees on 3rd Ave. side of park are reserved for Stage/Sound use - with only 2 ea. 110 outlets used on this circuit.

All outlets on 4th Ave. side of park are available for vendors with a limit of one extension cord per 110 outlet – no ‘T”s or additions.

Outlets on Cedar Street, under trees, east of where shed used to be, are used for Shearers’ shearing tools. West of where shed was is used by TOTS tents (cash register & Credit Card machine, 4-H and a few food vendors.

Food Vendors are required to use extension cords no longer than 75 ft. and plug directly into Electrical Panels located at corner of 3rd and Cedar or next to where the shed was. Again, no ‘T”s or any setup that overtaxes circuit.

So far, it’s worked fine!
STREET CLOSURE FOR SPECIAL EVENT

EVENT NAME: TRAILING OF THE SHEEP FOLKLIFE FAIR
The above listed event received a street closure permit for a community event.

STREET CLOSURE DATES: FRI, OCT 12 & SAT, OCT 13, 2018
STREET CLOSURE TIMES: FRI, 9 AM THRU SAT, 4 PM

☑ Route/street closure map must be attached.

| Names of streets to be closed (attach further closures on a separate sheet if needed) |
|-----------------------------------|-----------------------------------|-----------------------------------|
| CEDAR                             | Between (street) 3RD              | And (street) 4TH                 |
|                                   | Between (street)                 | And (street)                     |
|                                   | Between (street)                 | And (street)                     |
|                                   | Between (street)                 | And (street)                     |
|                                   | Between (street)                 | And (street)                     |
|                                   | Between (street)                 | And (street)                     |
|                                   | Between (street)                 | And (street)                     |
|                                   | Between (street)                 | And (street)                     |

Time of Street Closure
Start: 10/6 9 AM
End: 10/7 4 PM

☑ Participants/Spectators ☐ Animals ☑ Vehicles ☐ Floats ☑ Busses ☑ Bikes

☑ I certify that the entities listed below have been notified about my upcoming special event.

<table>
<thead>
<tr>
<th>Signature of Sponsor or Authorized Representative</th>
<th>Date</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Name/Business</th>
<th>Address</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>See attached</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2018 TRAILING OF THE SHEEP FESTIVAL

STREET CLOSURE DETAILS FOR TRAILING OF THE SHEEP FOLKLIFE FAIR: CEDAR ST. BETWEEN 3RD AND 4TH.

We will be using it as a Restricted Vehicle Zone plus Pedestrian Zone:

BARRICADES: will be set up at intersection of Cedar and 3rd plus Cedar and 4th on Friday with space between to allow access for 1 vehicle at a time to enter at either end. Barricades are removed Saturday after events.

SIGNAGE: New sandwich boards or signs taped to barriers at both ends of Cedar will let people know there is access to the HPD on Friday. We will work with HPD on this.

PARKING AREAS: Entry from 3rd will allow restricted access to the HPD parking lot for disabled parking and some for Trailing staff. Some parking will be on Cedar next to the park where food and activity providers will park.

PEDESTRIAN AND VENDOR ZONE: About from the HPD parking lot entry to 4th St. there will be no parking on either side of the street. Area will be reserved for pedestrians for easy access to vendors in front of building and park proper. Plus we will have vendors in 10’x10’ tents on both sides of Cedar with 16’ clearance between rows of tents. There will also be a sheep camp.

NEW VENDORS SPACES: Adding the vendor spaces has been discussed with Jeff Gunter prior to Special Event Application and updating our submitted Park Plan.
<table>
<thead>
<tr>
<th>Name/Business</th>
<th>Address</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AIRPORT INN</strong></td>
<td>320 4TH AVE. S.</td>
<td>788-2477</td>
<td><a href="mailto:bookings@airportinnwashington.com">bookings@airportinnwashington.com</a></td>
</tr>
<tr>
<td>CAROL YACOBS</td>
<td>PO BOX 984 H</td>
<td>788-3233</td>
<td><a href="mailto:carolehoffner@comcast.net">carolehoffner@comcast.net</a></td>
</tr>
<tr>
<td>ROBERTS ELECT.</td>
<td>304 4TH AVE. S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CARL HOFFER</td>
<td>PO BOX 3869 H</td>
<td>788-3233</td>
<td><a href="mailto:carolehoffner@comcast.net">carolehoffner@comcast.net</a></td>
</tr>
<tr>
<td><strong>SENIOR CONNECTION</strong></td>
<td>721 3RD AVE. S</td>
<td></td>
<td><a href="mailto:activities@blainecountyseiners.org">activities@blainecountyseiners.org</a></td>
</tr>
<tr>
<td>BARBARA ESPEDAL</td>
<td>PO BOX 28 H</td>
<td>788-3469</td>
<td><a href="mailto:director@blainecountyseiners.org">director@blainecountyseiners.org</a></td>
</tr>
<tr>
<td>VALLEY CAR WASH</td>
<td>517 3RD AVE. S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CARLOS RODRIGUEZ</td>
<td>PO BOX 4142 H</td>
<td>720-4670</td>
<td><a href="mailto:valleycarwash@gmail.com">valleycarwash@gmail.com</a></td>
</tr>
<tr>
<td>SILVER CREEK KILN</td>
<td>910 3RD AVE. S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ROBBIE TUPPER</td>
<td>3902</td>
<td>788-3115</td>
<td><a href="mailto:rtupper@silvercreeksupply.com">rtupper@silvercreeksupply.com</a></td>
</tr>
<tr>
<td><strong>ELLSWORTH INN</strong></td>
<td>702 3RD AVE. S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RONI ASHINGTON</td>
<td>PO BOX 4423 H</td>
<td>788-6354</td>
<td><a href="mailto:roni17n@gmail.com">roni17n@gmail.com</a></td>
</tr>
<tr>
<td>O'FARILY AUTO</td>
<td>CORNER OF 4TH &amp;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAIME VERGA</td>
<td>MAIN</td>
<td>788-0987</td>
<td><a href="mailto:jaime@jaimeverga.com">jaime@jaimeverga.com</a></td>
</tr>
<tr>
<td><strong>RICK &amp; JARYL ROBERTS</strong></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
PARK RESERVATION APPLICATION

Park: ROBERTA MCKERACHER  Field/Facility: ____________________________

Type of Event: FOLK LIFE FAIR  2018 DATES: FRI - 9-7 - 7  TO ________

Date(s) of Use: OCT. 12th (SET UP)  OCT. 13th (EVENT) Time: From ________ To ________

Day(s) of Use: M ☐ T ☐ W ☐ Th ☐ F ☒ Sat ☒ Sun ☐

(Sessional use limited to 4 days per week.)

Applicant Information

Name: SHEILA KELLEY  Mailing Address: PO BOX 2082  HAILEY, ID 83333
Phone #: 208-720-9361  Email: Sheila@TrailingoftheSheep.org

Organization Information (if applicable)

Name: TRAILING OF THE SHEEP  Mailing Address: PO BOX 3692  HAILEY, ID 83333
Phone #: 208-720-0585  Email: Laura@TrailingoftheSheep.org

Fees:

Daily Pavilion Rental  1 - 24 people $50.00 ☐
25 - 99 people $100.00 ☐
100 - 249 people $150.00 ☐

Daily Sports Field Rental  1 - 24 people $100.00 ☐
25 - 99 people $150.00 ☐
100 - 249 people $200.00 ☐

Daily Non-field Sport Rental  1 - 24 people $50.00 ☐
25 - 99 people $100.00 ☐
99 - 249 people $150.00 ☐

Seasonal Sports Field Rental (Keefer choose north or south field) $300.00 ☐

Seasonal Non-field Sport Rental $150.00 ☐

Subtotal __________________

6% Tax __________________

Total Due: EXEMPT

NOTE: Special Event Criteria

Your event is a Special Event if it meets either of the following criteria: 1) it will require a street closure within any zoning district, or 2) it is anticipated to attract 250 or more people at any one time within any zoning district. Special Event application procedures and additional fees apply.

I hereby certify the above statements to be true, complete and correct to the best of my knowledge.

Signature of Person Reserving Park: ____________________________

CITY OF HAILEY  115 MAIN ST. S., SUITE H  HAILEY, IDAHO 83333  208-788-4221

15/03/PARK RESERVATION APPLICATION (7/7/2015)
PARK USE PERMIT APPLICATION

Park Name: LION'S PARK

Type of Event: TRAILING OF THE SHEEP FESTIVAL

Date(s) of Use: OCT. 11 - OCT. 14, 2018 Time: From 8AM THURS to 4PM SUNDAY

Applicant Information

Name: SHEILA KELLEY
Mailing Address: 
Phone #: 208-720-9361
Email: sheila@trailingofthesheep.org

Organization Information (if applicable)

Name: TRAILING OF THE SHEEP FESTIVAL
Mailing Address: PO BOX 3692
HAILEY ID. 83333
Phone #: 208-720-0585
Email: laura@trailingofthesheep.org

- The park will not be reserved until the required applications and fees have been received by the city.
- All events and participants are subject to Hailey Municipal Code, 9.04.030 (noise) and 12.12 (parks). Special Events are also subject to 12.14 (special events).
- A $25/hour maintenance fee will be charged for any cleanup required by the city.
- There is no guarantee of restrooms before May 15th or after October 15th.

Fees:

Organized Private event up to 24 people $25.00 □
Organized Private Event / Rental for 25 – 99 people $50.00 □
Organized Private Event / Rental for 100 – 249 people $75.00 □
Seasonal Event (seasonal fee) $100.00 □

(Special Event Application required)

Your event is a Special Event if:
- It will require street closures within a zoning district
- It attracts crowds of more than 250 people at any one time
- It is not customary and incidental to the primary use of the property
- It will cause other public impact to the community or nearby neighborhoods via crowds, noise, traffic and parking.

Use of parking area for RV's and truck campers. No Tent camping.

Subtotal 0.00
6% Tax (on park rental fee only) 0.00
Total Due: 0.00

I hereby certify the above statements to be true, complete and correct to the best of my knowledge.

Signature of Person Reserving Park: SHEILA KELLEY

CITY OF HAILEY P.O. BOX 2280 HAILEY, IDAHO 83333 P. 208-720-4431
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 04/02/18  DEPARTMENT:  Clerk’s Office  DEPT. HEAD SIGNATURE  M. Cone

SUBJECT

Approval of Minutes from the meeting of the Hailey City Council on March 12, 2018 and to suspend reading of them.

AUTHORITY:  □ ID Code 74-205  □ IAR  □ City Ordinance/Code

Idaho Code requires that a governing body shall provide for the taking of written minutes at all of its meetings, and that all minutes shall be available to the public within a reasonable period of time after the meeting. Minutes should be approved by the council at the next regular meeting and kept by the clerk in a book of minutes, signed by the clerk.

BACKGROUND:

Draft minutes prepared.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Budget Line Item #   YTD Line Item Balance $   

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:

□ City Attorney  ☑ City Clerk  □ Engineer  □ Mayor  
□ P & Z Commission  □ Parks & Lands Board  □ Public Works  □ Other

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve the minutes as presented, and to suspend the reading of them, or remove from consent agenda to make changes and then approve as amended.

FOLLOW UP NOTES:
MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD MARCH 12, 2018
IN THE HAILEY TOWN CENTER MEETING ROOM

The Meeting of the Hailey City Council was called to order at 5:32 P.M. by Mayor Fritz Haemmerle. Present were Council members Colleen Tewin, Kaz Thea, Pat Cooley, and Martha Burke. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

5:32:40 PM Call to order by Mayor Haemmerle

Open Session for Public Comments:

No public comments

CONSENT AGENDA:

CA 079  Motion to approve Hailey Arbor Day Proclamation, setting 2018 Arbor Day in Hailey on May 12, 2018
CA 080  Motion to approve Resolution 2018-018, authorizing grant application for Arbor Day Tree to be planted in conjunction with Arbor Day activities
CA 081  Motion to approve Resolution 2018-019, authorizing grant agreement with the State of Idaho Parks and Recreation for the Balmoral Park Improvements project
CA 082  Motion to authorize Hailey Police Department to apply for Magic Valley Public Safety Grant for $2,800 if awarded will provide 4 body worn ballistic vests – 100% cost of vests
CA 083  Motion to approve Resolution 2018-020 and authorize the Mayor to sign Southern Wood River Valley Fire Service Automatic Aid Agreement
CA 084  Motion to approve Resolution 2018-021 and authorize the Mayor to sign an agreement with Clearwater Landscaping for seasonal upkeep at the Fox Acres Roundabout
CA 085  Motion to approve Resolution 2018-022 and authorize the Mayor to sign an agreement with Webb Landscaping for seasonal upkeep at the Fox Demonstration Garden
CA 086  Motion to approve Resolution 2018-023, and authorize the Mayor to sign the Adopt A Park agreement with Webb Landscaping for maintenance and mowing at Hop Porter Park during the 2018 park season
CA 087  Motion to approve Resolution 2018-024, surplus property and authorize the proper destruction or removal according to set procedures
CA 088  Resolution 2018-025, authorizing an agreement with iWorQ for a Public Works Department and Water Division software with an annual cost of $1,250 and a $25.00 initial set up fee
CA 089  Motion to approve a Special Event, Color Me Fearless 5K, to follow a course from River Street, on Broadford Road, through the Draper Preserve and end at Hop Porter Park, on Saturday, June 2, 2018 from 10:00am to 1:30pm
CA 090  Findings of Fact, Conclusions of Law and Decision regarding a Preliminary Plat application by Quigley Green, LLC for a Large Block Plat for Blocks 1-17 and Preliminary Plats for Phase 1 of a 230.85-acre property described in Exhibit B-1 to the Quigley Farm Annexation Agreement (document on file with the Hailey Community Development Department). Phase 1 consists of Preliminary Plats for Blocks 1 2, 3, 4, 10, 11 and 15
CA 091  Findings of Fact, Conclusions of Law and Decision regarding a request by PANC Investments, LLC, to resubdivide Lot 18, Block 7, Old Cutters Subdivision (611 San Badger), into two sublots, to be called the San Badger Townhomes
CA 092  Findings of Fact, Conclusions of Law and Decision regarding a request for a zone change by Bill Gooding on behalf of the owners of the Hailey Business Park South Condominiums, Units 1-15 located at 1120 Broadford

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Horowitz pulls 5:33:19 PM CA 092 for correction.

Burke pulls the minutes to abstain CA 093.

5:34:05 PM Burke moved to approve all consent agenda items minus CA 092 and CA 093, seconded by Cooley, motion passed unanimously.

5:34:16 PM CA 093 Burke will abstain from the motion as she was not present in the meeting.

Kaz Thea asked that her name be replaced for Don Keirn’s in heading of minutes. 5:34:55 PM

CA 093 Cooley moves to approve as amended, Teevin seconds, motion passed with Burke abstaining.

5:35:17 PM CA 092 – Horowitz points to the last page of document 7 of 7, she handed out a revised document at the meeting, showing an underlined sentence, the item is not in packet.

Cooley moves to approve as amended, Teevin seconds. Motion passed with roll call vote, Thea, yes. Teevin, yes. Cooley, yes. Burke, yes.

**PROCLAMATIONS AND PRESENTATIONS:**

**PP 096 5BEE Recycling Presentation by WRHS WATER Club**

5:36:10 PM 5BEE water club students present to council.

5:36:42 PM Josey Zamora, Vanessa Martinez and Kim Aranda, WATER Club members present to Mayor and Council. Elizabeth Jeffrey approached them earlier this year to put signs on dumpster bins to aid Hailey recyclers. They display artwork that they started with and then revised after comments last Thursday in a meeting with city staff. They want to put a wrap on the bins to help educate people. Josey presents, explains changes to graphic, border is corrugated line. They will add a hexagon shape and show users to flatten boxes – next slide is on glass recycling.

5:40:22 PM Vanessa presents the glass dumpster design and how it has changed. She wants suggestions from council.

5:40:50 PM Burke what is type of material used for these signs? Jeffrey responds, it is a plastic that is used on the Ketchum utility box artwork 5:41:05 PM.

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5:41:21 PM Thea asked, does it take up most of space on the dumpster. Vanessa replied, yes it does, each hexagon shape is 8 inches by 8 inches in size, the wrap will cover the dumpster, they are overall trying to simplify recycling, to help people.

Not sure how to “define” corrugated. There are many definitions and they are having a challenge selecting one that is simple and helpful.

5:43:18 PM Vanessa shows a picture of the corrugated border on the artwork, any ideas, waffled cardboard.

5:43:48 PM Mayor Haemmerle suggests removing the corrugated border on the glass bin recycling sign.

5:44:32 PM Teevin suggests that the students call the ERC for help with their definition.

5:44:53 PM Vanessa points to a metal sign placed behind the Mayor, explaining that these signs will be posted near the recycle bins to remind citizens that the dumpsters are for corrugated cardboard only.

5:45:18 PM Mayor Haemmerle asked, for all recycle bins around Hailey? Yes, confirmed.

5:45:34 PM Kim did the artwork for the original bee design, so that there would not be any copyright issues. They had originally used a bee stamp in the design.

5:46:23 PM Elizabeth Jeffrey has a donor to pay for the cost of the first 2 bin’s signage.

5:46:56 PM Mayor asks a funding question. Dawson, we do have a fund for education and outreach through our Clear Creek Franchise Agreement. Dawson announced the cost is $110 for each sign / per dumpster. There are 11 recycle dumpsters in Hailey.

This group wants to paint the bins a blue color, the sides and back. 5:48:24 PM Dawson answered the Mayor’s question about painting metal bins, Clear Creek does own the dumpsters Mike Goitendia is okay with painting them but he wants their name and phone number to remain on the dumpsters. The WATER Club will paint them. Metal is difficult to paint add the Mayor. 5:49:11 PM Elizabeth Jeffrey will check with Mike Goitendia to paint the dumpsters with the correct type of paint. The Mayor suggests to do one first and see how we like it.

5:49:37 PM Thea – this is a good idea.

5:50:09 PM Burke, this is a fantastic idea, great club, and setting a tone that everyone appreciates.

5:50:30 PM Burke moves to move forward with plan, Teevin seconds, motion passed unanimously.

Applause by crowd.

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PUBLIC HEARINGS:

PH 097  Update report on the Hailey Greenway Master Plan

5:51:30 PM Horowitz presents update to Mayor and council. March 23rd is the end of 60-day comment period, the next available meeting to discuss this is April 9th. The update in the council packet is from Harmony Engineering. There are 2 possible layouts for the ballfield, Horowitz handed out an email she received from Shaun Guisasola, citing his preference of the option 1 layout. We will bring the back in April for council.

5:53:21 PM Mayor Haemmerle asked Horowitz to give a brief overview of Harmony Engineering memo.

5:53:33 PM Horowitz, comments about plan improvements a Lions Park. There were generally many public comments against camping as an option, city will continue occasional camping associated with special event. Next, floodplain improvements comments, still a priority, asked for consultant to do these layouts.

5:55:00 PM Thea, don’t move too quickly without the Raz study results.

5:55:17 PM Haemmerle, this study was originally for the area, then we added the scope of project to include flooding analysis. This is not an “either or” situation. The people that come here are not in opposition of floodplain fixes.

5:56:28 PM Thea suggested that the Raz Study, could be significant in improving the flooding types of issues.

5:56:58 PM Mayor adds that ballfields are a quality use in a floodplain.

5:57:47 PM Simms, expect the Raz study for the April meeting.

5:58:07 PM Horowitz, next comments about parking – they are inadequate now and improving them by the ballfield will be challenging.

5:58:41 PM Horowitz added, there are 10 comments in support of a play wave and a few opposed to it.

Most comments on public restrooms, are in support of, if supported by municipal sewer, then it may be challenging to extend services on the other side of the river.

5:59:44 PM Concessions are generally supported by softball folks, not by others who are against the sports field upgrade. Lions park amenities versus flooding – comments. Consultant suggests to reduce or eliminate activities in certain areas – like the riparian area. Ball field and play wave are still in the plan.

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6:01:16 PM We received comments on this site being an old dump site and that moving the snow storage site is a high priority project.

6:01:30 PM floodplain issues, some comments felt there was too much focus on flooding, questions about the Local Improvement District comments. Horowitz reiterated that each project are only in the idea stage, they are not shovel ready, much needs to be done to carryout each project of the plan.

6:02:30 PM Colorado Gulch replacement bridge comments – Horowitz added the primary players are Blaine County and WRLT.

Comments on private property and land uses. Staff and consultant both recommend removing this reference.

6:03:31 PM Comment about having hot springs – staff doesn’t recommend adding this activity.

6:03:51 PM Horowitz displays options for ballfield, players like option 1.

6:04:35 PM Horowitz explains with option 2 it requires fill and subsequent compensatory removal of fill in other areas of the park.

6:05:08 PM Mayor added that the March 6th, memo is an excellent synopsis of public comment to date, the public should review this document.

Public comments.

6:05:41 PM Tony Evans, comments, the current plan as he reads it includes diverting water as an overflow, but the 3 tasks for Raz study, he asked Harmony if Raz study will include the water meandering around the river. It seems to Evans that you might take into account the possibility of flooding impacts with moving water around the ball field. Refers to Mallory photos of the meandering Big Wood River. It seems an enormous amount of water came down river, if diverted, it might come back into river, would this create possibility of flooding impacts? It looks like removal of options are inexpensive, how much would it cost to add the meandering around the softball field.

6:09:07 PM Mayor responded, these things are not mutually exclusive, it is a plan and not fully specked out projects. Floodplain questions should not remove the ballfield. This is a general plan only.

6:10:15 PM Evans is not suggesting mutually exclusive, but why don’t you add this to the scope of the study?

6:11:05 PM Horowitz to add it to the study, costs $1,200.

6:11:28 PM Al Hackle speaks to council, spent about 30 years working disaster situations. He read this plan, he doesn’t see any action plan stated here and there should be, this is frustrating as
a floodplain resident. He is looking for action from council in the floodplain because it (flooding) reduces his property values, he can’t wait 10 years, expected to see statement on whether or not the tennis court would be addressed.

6:13:46 PM Mayor Haemmerle responds, this is a plan on a large stretch of land in the area. Hailey has received a grant from FEMA, but cannot meet with them yet on projects, it is contingent on them approving the projects, we have many ideas, but cannot do anything until we have the go ahead from them.

6:14:47 PM Mark Kieckbusch Della resident was out of their house for 2 months last year. Why are you talking about the ballpark instead of flooding? You seem unwilling to fix flooding issues.

6:15:27 PM Mayor Haemmerle responds this is a plan for a large stretch of land, we have grants but cannot get funding from FEMA until they speak to us. If you want to speak to our engineer after this, you may speak with Brian Yeager.

Kieckbusch – when are you taking action. Mayor responds, when FEMA gives us the okay. 6:16:53 PM The money for the ballpark is mostly volunteer work by the ball players. Hailey doesn’t have the money for what you us to do. Mayor Haemmerle suggests that the neighbors form an LID district, you would need approval from FEMA too.

6:17:59 PM Yeager responds, you can’t push FEMA, they will give you a date, and then they say, we will be back in touch.

6:18:21 PM Dawson gives an update, it will be 6 months before the City will receive reimbursements of $65,000 for flooding support efforts from last spring.

6:18:54 PM Mayor Haemmerle adds that the money from FEMA has to be prioritized, they do not respond quickly. Kieckbusch asked what is flood control district doing? Mayor Haemmerle responds. Kieckbusch, our property values are declining. 6:20:12 PM Mayor Haemmerle, we have not gotten money or approvals, without them the city cannot do anything.

6:20:36 PM Burke this is not a choice, we are between a rock and a hard spot, without government help. 6:21:10 PM Mayor Haemmerle, there are some citizens that don’t want the city to raise our budgets to do a lot of work down there.

6:21:25 PM Kevin Wilson Della resident spoke, he went 47 days with no power. There are things you can do, there are overflow places not in the flood area you can use to provide extra flow so that we don’t flood again. Last year at the end of the year, the River was at 3 feet and the water was still flowing down his street. He is going to flood again. Wilson is not happy with the way he is being treated. Mayor Haemmerle suggests Wilson can speak to the City Engineer after this discussion.

6:23:08 PM Burke did you get any information when you were building in a floodplain? Wilson confirmed yes.

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6:23:36 PM Mayor Haemmerle, we have done what we can, and have to wait to do any work.

6:24:00 PM Burke suggests you (the neighbors) write FEMA, form a coalition with your neighbors, owners and contact FEMA, and see if it helps push us ahead of the line.

6:24:33 PM Peter Lobb this is not about flood control, he agrees with staff comments about removal of items. Lobb only disagrees with the softball field, they tend to be noisy. Lobb doesn’t have problem with tournaments or drinking. Hailey needs to make a choice, do you want this to be quiet riparian area with wildlife, or bring in more noise, he thinks this is a mistake to expand the ball field. Find another place less intrusive of wildlife. If he were king, he’d remove this item (ball field). It is a shame to jeopardize wildlife for softball.

6:27:24 PM Patty Lousen with the WRLT, a partner in this study speaks to council. The Land Trust is also working with Blaine County, and by utilizing Army Corps engineer funds, trying to identify funding available for grants, these moneys haven’t been allocated yet, there is other work that county and cities are doing. But we are working on it, we are all keen to determine if we can apply for these grants. The WRLT doesn’t look at this as a play wave – we look at it as a break control, sediment control, and clarifies, this is slow process, they are working with Hailey as a partner, and this feature of wave control provides flood control too, not only a recreation feature.

6:30:03 PM Mayor Haemmerle comments, FEMA compares us to other events in the country first.

6:30:29 PM Sam Linnet, attorney and citizen comments to council. Linnet implores, you should have as much open space as possible, potentially the ballfields. There are land use and zoning improvements that could be made along the Greenway that would improve recreation, potentially mitigate flooding, and have a lot of benefits. Having this plan as an option and having the master plan, long-term in 20, 30, 50 years from now could be very beneficial. And throughout the stretch of the river, zone for floodplain and stop building in the floodplain.

Council will revisit this on April 9th meeting.

Brian Yeager goes to a conference room with Della neighbors after floodplain ordinance. After a brief discussion, the neighbors want to wait until after the floodplain ordinance discussion to leave meeting.

Council comments:

6:34:00 PM Teevin – pulls public comment, verbal public comment not documented. Horowitz commented, those are in minutes, can forward to consultant. Parking lot, would it be paved? Horowitz, it is not specified. R1 & r4, don’t have estimate on reclaiming ballfield? Teevin feels this is worth it. 6:36:06 PM Mayor, should we cost out this at this point? Horowitz, we have not cost out anything. Removing ballfields completely is not in there, b/c not an option right now.

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Improving ballfields is not a high priority for Teevin. Teevin wants to add the cost to reclaiming the ballfield to the Raz study.

6:38:09 PM Burke attended concepts – permits we can apply for, to take out fill that is the ballfield, permit 319 grant. Lousen comments. That money if awarded, would lower area, put ball field back after fill is removed.

6:40:09 PM Teevin other issues are not about ball field

6:40:29 PM Burke we can all win, remove fill AND put ball field back in after fill removed from old dump. Mayor we need a snow storage site first, then we can do other things with area. Burke supports this plan.

6:42:22 PM Teevin wonders how we can cost out raz study? Horowitz clarifies, no estimates in the raz study.

6:43:55 PM Cooley, practical point of view, not expensive to expand the ballfield. From a financial and practical application, we see what campion ice house has done for our community, we should expand ballpark, expand amenities, try for funding to drop this down, there is a backstop, but no other fixtures to stop flowing water. In future if money is there, raz study's done, then move snow storage, get money to remove fill.

6:46:11 PM Thea if we are removing fill, we need to do water sample tests, add this as item of information. Wherever there is greenspace we should look at ??? listen. wants info. To let us know if beneficial to flooding in della area. Would like to see us prioritize floodplain interaction, right now there are barriers. It will take decent research as mention by lousen, conducted by army corps of engineers. Where we have open land and barriers to river and flooding, we should consider these things. This is a longer-term thing, she doesn't know what it will cost to remove tennis courts, remove fill, City of Hailey is not prepared to do this tomorrow.

6:49:15 PM horowitz. $1 mil. To remove tennis courts. Thea, we cannot address this now, because of cost. Thea, it is her responsibility, financially and otherwise, prioritize flooding in our city. Thea understands FEMA, worked with them in the past. There are great things in this plan but takes lots of time and money.

Mayor open for public comment until April 9, meeting.

PH 098  Consideration of a City-initiated Text Amendment to Title 17, Section 17.04J, Flood Hazard Overlay Zoning District (FH), to update the existing code to meet current standards and recommendations from the State of Idaho Floodplain Coordinator and the National Flood Insurance Program (NFIP) and to reflect lessons learned in 2017 flooding. The existing code section will be repealed and replaced in its entirety. Proposed changes include new definitions, permit exemptions, limitations on fill and edits intended to streamline administration of the code

6:51:40 PM Rebecca Bundy certified floodplain manager for Hailey, reminds council that NFIP is a cooperative agreement and voluntary, but if ever found in non-compliance, there could be

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severe repercussions to Hailey floodplain residents, including that they cannot apply for grant funding or flooding insurance. We decided to update code, had a visit from NFIP in August, trying to make sure code is revised in preparation of this week’s visit. Bundy covers the goals, we based this on the Idaho state code model, dove-tailed it to not lose any provisions to any Hailey code changes made since 1988. Incorporated Association of Idaho Cities (AIC) suggestions. Presented to this to the Planning and Zoning Commission and those recommendations were sent to FEMA floodplain coordinator, and IDWR and now submitted to you with her comments. Any substantive changes, matches the model ordinance (what FEMA would like to see), with the exception of a few instances that go above and beyond the code, i.e. 17.04J.020C see activities exempt from requiring a Floodplain Development Permit, on page 243 of packet. This section is a concern to the floodplain coordinator, and FEMA wanted more time to review it. Bundy proposes, skipping this section tonight, as we are meeting with Region 10 FEMA floodplain this week, they are in support of concept, but want to make sure this doesn’t cause problems with FEMA. On page 247, definitions, certain required definitions are marked with an asterisk – need to be verbatim – not modified in any way. Another section with substantive change, is a requirement to elevate utilities, 2 feet above floodplain for new construction. 17.04J.060.a.4, 1 foot above floodplain, suggested 2 foot above floodplain for new construction and substantive improvement - over 50% of structure. Bundy reviewed the next item which concerns putting fill on property, we have had issues with people adding fill for berms. Current code is not clear, FEMA recommends, if fill then you dig a hole the same size to offset the water for the fill. Section 17.04J.060.a.18, made and exception for backfill of foundation.

7:01:47 PM Mayor Haemmerle clarifies on the compensatory storage fill requirement you could do fill if you have compensatory storage and show that your fill doesn’t affect neighbors. Bundy, confirmed, that is correct.

7:02:03 PM Bundy, the grading which is required with a Building Permit is a six-inch rise in 10 feet around the perimeter of the building, it does not have to be fill but can be, that is just the grade and how the soil needs to go away from the foundation, we did put an exception in there to make sure these structures could always be compliant with building code. Mayor Haemmerle asks a question for clarification, if you are putting in fill, does this require a permit? Bundy replies, yes, the way the NFIP code is written, technically you need a floodplain development permit to move spoonful of dirt. In discussion with FEMA about this clarification now. 7:03:20 PM another change is that the current code states that the bottom of lowest floor system (floor joist) needs to be 1 foot above flood elevation 17.04j.060.b.1, However, we are proposing, regulating to top of the floor, approximately the same as how it states today. This gives the planner the information they need directly from the flood elevation certificate. This saves a planner from having to measure the crawlspace area in the future. Bundy shows a crawlspace typically found in the floodplain, this is allowed by FEMA, if allowed by local building code. Fences in the floodplain, gives no guidance in code. 7:06:07 PM After the last flooding event, we felt that there shouldn’t be fences below floodplain elevation, but also felt we needed to respond to neighbors that have dogs and children, open at bottom of fence with wire mesh for water to flow, proposing fence floodplain permit - combined permits into one for ease.
7:07:32 PM Mayor Haemmerle asked Bundy, Planning and Zoning Commission had 5 hearings on this? Bundy yes, at various times to accommodate schedules. FEMA wants to look at items on Page 244 & 245 of packet, right? Bundy, confirmed, yes.

Public Comments:

7:08:23 PM Kevin Wilson – his chain link fence plugged up in the flooding last year, so he ripped his fence out completely – there was 4 feet high flooding on his fence.

7:09:33 PM Horowitz understands that in extreme cases like Wilson’s house 2 inches could be problematic, we talked about this at length at P&Z, because they started at 4 inches in the draft and understand this is a very hard fence to procure. There will be a cost to the city with the amount of chain link fencing we have a Heagle Park and by the lift station. All of that would need to be replaced, if council decided to go with a bigger opening than 2 inches.

7:10:15 PM Bundy adds that any opening size will cause a dam, and debris backs up against it. The question, is the city in a position to not allow in floodplain. It is a compromise.

7:11:09 PM Cooley spoke with Rick Spaulding, and he doesn’t understand substantial improvement, 4 foot crawlspace, if he had fire in his house and has to do substantial improvement, does he have to change the crawlspace? Bundy responds, he might have to add fill in his crawlspace, according to the NFIP requirement.

7:13:05 PM Teevin, on pg 247, there is an extra heading for 17.041.030, Definitions. Yes, she will remove it, replies Horowitz. Page 258, b3 b, 21. “RVs and ATVs stored or kept outdoors” is this repetitive. This is FEMA verbatim – Bundy will check to make sure it is verbatim language. Teevin asks on the fencing topic, if vegetative fencing is appropriate? Pg. 244, page 7 of plan, 3B, fertilizing, worth discussing language, prevent new homes from using toxic chemicals, may be heavy handed but we don’t want it going down the river. Bundy, from her experience, doesn’t believe state law will allow us to do that but will check.

7:15:42 PM burke thanks Bundy for these changes, wonders how we can make good decisions. Feeling much better about moving forward. Fencing is a problem. Burke not prepared to say no fencing.. not prepared to do away with the cities chain link fence.

7:17:06 PM Burke moves to continue, seconds? Motion ??

Brian Yeager leaves the room to talk with Della residents about flooding. 7:17:41 PM

PH 099 Reconsideration of a City-Initiated Text Amendment to Title 17, Section 17.02, Definitions, to clarify and amend the definition of: Dwelling Unit. The amendment would include changes to the minimum gross floor area in that every dwelling unit shall not have less than two hundred (200) square feet of gross floor area, instead of one hundred twenty (120) square feet of gross floor area, and to reconsider changes that ensure the primary residential unit on a lot shall not be smaller than the accessory unit

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Horowitz gives a brief recounting of this item and states that, 150 square feet is the Planning and Zoning Commission’s recommendation. Horowitz gives an explanation – after a brief discussion when item remanded back to the Planning and Zoning Commission, they have kept their same recommendation of 150 square feet. Mayor Haemmerle, clarifies, 120 sq feet is an IBC building code size. Horowitz IBC code is much simpler. Burke, we added other terms, Horowitz confirmed yes.

Public comments.

Peter Lobb likes 200 sq feet, you don’t have to stick with IBC, you can do what you want, 200 sq ft is reasonable.

Bob Macleod, agrees with Lobb 200 sq ft – feels reasonable.

Teevin likes 200 sq ft – and she feels we should stick with our initial recommendation.

Cooley likes 250 sq ft.

Horowitz, Jim Warjone’s units will be between 200 and 250 sq ft.

Mayor Haemmerle suggests, 300 sq ft, and you can have less than that as an approved conditional use.

Thea doesn’t mind 150 sq ft, it is on the builder to sell that size, we shouldn’t over regulate a builder. Thea asks a question about the accessory structure language? Simms comments, may have tiny primary homes with an Accessory Dwelling Unit (ADU). Concern that a tiny home would become an accessory use on the lot. This was discussed with the Commission and language was added in to prevent this from happening.

Cooley didn’t we discuss Mayor’s option of building a small unit and have a larger unit, 1:1. Conversation ensued on this topic.

Burke likes 200 sq ft.

Horowitz comments. Cooley what about, For every unit built above xxx sq ft. have unit xxx sq ft? Mayor Haemmerle can get complicated.

Mayor Haemmerle reminded council, this has been in the IBC building code for years, do you want to stick with the building code size or change it?

Burke, this 150 sq ft hasn’t been applied much? Horowitz, it has never been applied.

Teevin suggests staying with 200 sq ft.

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Haemmerle, comments, let the public decide if the apartments are too small at this size. 7:29:45 PM Teevin, we are assuming the developer can adjust to enlarged units.

7:31:13 PM Simms, if we deviate from the proposal other than the square footage we will need to re-notice this item for a future meeting. 200 sq ft is not a material change.

7:32:03 PM Burke moves to approve Ordinance No. 1231, and conduct the first reading by title only, amending Title 17 Section 17.02, Definition, definition of “dwelling unit,” changing 150 sq ft to 200 sq ft, Teevin seconds, Thea asks question, and shall include other requirements as specified in IBC or IRC code,” what is this? Horowitz answers, this is plumbing and plumbing separation. Motion passed with roll call vote. Teevin, yes. Burke, yes. Cooley, yes. Thea, yes.

7:34:43 PM Mayor Haemmerle conducted the 1st reading of Ordinance No. 1231 by title only.

PH 100 Consideration of Ordinance No. ___, changes to Title 17, Section 17.05 to correct an error to Ordinance No. 1225, where Hailey Ordinance No. 1225 erroneously omitted “Recreation Facility, Residential” from the District Use Matrix

7:35:13 PM Haemmerle gives summary. Conducted a 2nd ordinance which didn’t fix the omission from the 1st ordinance, so here we are again a 3rd time.

7:36:16 PM Lobb asks what is “recreation residential facility.” Horowitz replies.

No more public comments.

7:36:51 PM Burke moves to adopt Ordinance No. 1232, conduct 1st and only reading by title only, waive the 2nd and 3rd Readings and authorize the Mayor to sign, seconded by Cooley, motion passed unanimously.

7:38:15 PM Mayor conducts 1st and only reading of Ordinance No. 1232, by title only.

NEW BUSINESS:

NB 101 Consideration of Resolution-__ adopting Voluntary Water Conservation Landscape Guidelines as a guide to water conservation for properties in Hailey

7:39:13 PM Horowitz starts, Lousen will add her comments also. This is a valley wide effort with municipalities, the county, non-profits and industry representatives to develop water conservation guidelines. These are voluntary guidelines to conserve water with landscaping and drought tolerant plants. The WRLT has been conducting water conservation workshops to educate citizens on drought tolerant plants. The City has the Water Smarty grant program. Kevin Lakey from water district 37 had helped county staff to develop this chart to show how water is used in this county, the City of Hailey is part of that 11,000 acre feet per year section of the graph – one of 4 cities. And agriculture use is largest use by far.

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Why are we developing these guidelines? To educate citizens as well as it 7:41:25 PM will help us apply for grants. Horowitz displays a list of folks involved, and guideline categories. Horowitz, sustainable water use is a good idea for our future. Horowitz gave the council a hand out from the Tree Committee, Stephanie Cook developed a memo from tree committee’s meeting last Thursday.

7:42:31 PM Linda Ries Tree committee chair, looked at this last Thursday, not much time to review the list of trees and bushes. Some items will be removed from the suggested trees, i.e. we will be removing Ash trees. And noted, there is no definition of compost. There is nothing that addresses trees in these conservation guidelines, i.e. you could be killing trees if cutting back on watering of plants. Also, you don’t put mulch around tree trunks. The Ernerald Ash bore is on its way here, so we don’t want to encourage any more Ash trees.

7:45:07 PM Haemmerle asked Ries is she can further comment on this document and give to staff. Ries will collect comments. Dawson suggests May 14th as next meeting date.

7:46:03 PM Burke thinks this is something we should pursue.

7:46:17 PM Haemmerle asks if other cities are adopting this? Does Ketchum have odd / even watering? Cooley responds, it is on book, but not enforced right now. What about a tiered rate in Ketchum? Cooley confirmed yes in Ketchum. Lousen replied that Sun Valley does not have tiered rates but they recently went to odd / even watering schedule. Cooley clarifies that Sun Valley only meters their irrigation water. Haemmerle contends, this is a good plan, no one has embraced, “brown is the new green more than this City.” More jurisdictions should adopt more conservation standards.

7:48:11 PM Teevin asks, on page 318, is something omitted? Do you need to add cities to fourth whereas statement? Horowitz agrees, and will add it to the whereas statement.

7:48:52 PM Lousen speaks to council, this has been an effective means to work with all the planners in valley. The tree committee has had other suggestions, deep watering, and a number of comments that were spot on. Ketchum adopted this in full, crafting to meet your needs is what is expected in Hailey, last date we have April 12th, is it possible to move adoption up in April? Haemmerle wants to accommodate the Tree Committee’s desire. They can’t meet next until April 9th. 7:51:19 PM Lousen sent this to the water resource board, they are interested in using this throughout the state.

7:51:37 PM Thea agrees with Haemmerle, wants Ketchum and county to follow suit. We should eventually adopt it in the ordinance. Cooley commented we already have a rate structure, pay for what you use.

7:53:03 PM Burke moves to continue discussion to the May 14th meeting, seconded by Cooley, motion passed unanimously.

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HAILEY CITY COUNCIL MINUTES
March 12, 2018

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7:53:26 PM Horowitz announced this is the corresponding ordinance associated with the rezone you adopted in the last meeting.


7:54:53 PM Mayor Haemmerle conducts the 1st Reading of Ordinance No. 1233, by title only.

OLD BUSINESS:

OB 103 3rd Reading of Ordinance No. 1229, amending various Titles in Chapter 12.20 that address City trees in the public right of way, creating new standards and amending existing language to reflect recommendations made by the Hailey Tree Committee and Summary of Ordinance No. 1229

7:55:18 PM Burke moves to approve Ordinance No. 1229, authorize 3rd reading by title only, adopt the summary of the ordinance and authorize the Mayor to sign, Cooley seconded. Motion passed with roll call vote. Burke, yes. Cooley, yes. Thea, yes. Teevin, yes.

7:55:46 PM Mayor Haemmerle conducts 3rd Reading of Ordinance No. 1229, by title only.

OB 104 2nd Reading of Ordinance No. 1230, amending the Parks Section, Title 12.12 of the Hailey Municipal Code, prohibiting use of city parks for commercial sales unless a recreational or community purpose is served

7:57:07 PM Mayor Haemmerle conducts 2nd Reading of Ordinance No. 1230, by title only.

STAFF REPORTS:

7:58:01 PM Horowitz, Mayor signed and we sent letter to the legislature regarding the proposed changes to building codes.

No exec session needed tonight.

On Pg. 348, staff reports – Dawson points out that Brian Yeager is purchasing a ditch witch under $50,000.

7:59:10 PM Burke moves to adjourn, seconded by Cooley, motion passed unanimously.

HAILEY CITY COUNCIL MINUTES
March 12, 2018
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 03/16/2018  DEPARTMENT: Finance & Records  DEPT. HEAD SIGNATURE: MHC

SUBJECT

Council Ratification of Claims costs incurred during the month of February 2018.

AUTHORITY: □ ID Code 50-1017  □ IAR □ City Ordinance/Code

BACKGROUND:

Claims are processed for approval three times per month under the following procedure:
1. Invoices received, approved and coded to budget by Department Head.
2. Invoice entry into data base by finance department.
4. Following council approval, mayor and clerk sign checks and check register report.
5. Signed check register report is entered into Minutes book.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
Budget Line Item #  YTD Line Item Balance $

Payments are for expenses incurred during the previous month, per an accrual accounting system.

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:

Review report's, ask questions about expenses and procedures, ratify claims for payment.

FOLLOW UP NOTES:
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Return to Agenda
AGENDA ITEM SUMMARY

DATE 04/02/2018  DEPARTMENT: Finance & Records  DEPT. HEAD SIGNATURE: MHC

SUBJECT

Council Approval of Claims costs incurred during the month of March 2018 that are set to be paid by contract for April 2018.

____________________________________________________________________________________

AUTHORITY: □ ID Code 50-1017  □ IAR ___________  □ City Ordinance/Code ______

____________________________________________________________________________________

BACKGROUND:
Claims are processed for approval three times per month under the following procedure:
1. Invoices received, approved and coded to budget by Department Head.
2. Invoice entry into data base by finance department.
4. Following council approval, mayor and clerk sign checks and check register report.
5. Signed check register report is entered into Minutes book.

____________________________________________________________________________________

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
Budget Line Item # _____________  YTD Line Item Balance $ ______________________

Payments are for expenses incurred during the previous month, per an accrual accounting system.

____________________________________________________________________________________

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:

Review report's, ask questions about expenses and procedures, approve claims for payment.

____________________________________________________________________________________

FOLLOW UP NOTES:
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Total 4409 A.W. REHN & ASSOCIATES:

222.00  222.00

1532 AIRGAS USA LLC

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Total 1532 AIRGAS USA LLC:

155.69  155.69

176 ALLINGTON, RICK

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3,677.75  3,677.75

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Total 1913 AMAZON CAPITAL SERVICES:

1,281.62  1,281.62

2918 AMERIPRIDE LINEN AND APPAREL 8

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## Unpaid Invoice Report - MARY'S APPROVAL

**Posting period: 04/18**  
Mar 23, 2018 03:45PM

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Total 2817 UNITED OIL: 1,961.00

Total 1216 UPPER CASE PRINTING, INK: 255.85

Total 7501 VINCENT, BRIAN: 12.00
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Total: 121,558.15 121,558.15
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 04/02/2018  DEPARTMENT: Admin  DEPT. HEAD SIGNATURE: HD

SUBJECT:

Resolution 2018-广场 appointing Nate Hart as Hailey’s representative to the Blaine County Housing Authority Board.

AUTHORITY: ☐ ID Code  ☐ IAR  ☐ City Ordinance/Code  ☐ IC
(IFAPPLICABLE)

The BCHA has informed us that Nate Hart has attended some BCHA meetings and is interested in being appointed to the Board. He resides within Hailey, and the City of Hailey currently has no representative to the Board. Our last representative was Rick Davis.

City Administrator met with Nate Hart to discuss meeting frequently to report housing elements and receive instruction about Hailey goals.

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The BCHA has informed us that Nate Hart has attended some BCHA meetings and is interested in being appointed to the Board. He resides within Hailey, and the City of Hailey currently has no representative to the Board. Our last representative was Rick Davis.

City Administrator met with Nate Hart to discuss meeting frequently to report housing elements and receive instruction about Hailey goals.

Nate will be present during the meeting so that the City Council can meet him.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

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)

___ 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:

Move to approve Resolution 2018-广场 appointing Nate Hart as Hailey’s representative to the Blaine County Housing Authority.

FOLLOW-UP REMARKS:

--82--
HAILEY RESOLUTION NO. 2018-028

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF
HAILEY, IDAHO, NOMINATING NATE HART AS HAILEY’S
REPRESENTATIVE ON THE BLAINE COUNTY HOUSING AUTHORITY

WHEREAS, there is a vacancy for the Hailey’s representative on the Blaine
County Housing Authority, created by the expiring 3-year term of Richard L. Davis;

WHEREAS, the City of Hailey wishes to appoint Nate Hart as the Hailey
representative to the Blaine County Housing Authority for a 3-year term; and

WHEREAS, Nate Hart has agreed to accept the appointment on the Blaine
County Housing Authority.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of
the City of Hailey that Nate Hart be nominated as the Hailey representative to the Blaine
County Housing Authority.

THIS RESOLUTION is adopted by the Mayor and Hailey City Council and is in
full force and effect on the 2nd day of April, 2018.

ATTEST:

Fritz X. Haemmerle, Mayor

Mary Cone, City Clerk
Dear Heather (et al.):

I am interested in representing Hailey to the Blaine County Housing Authority, to fill the vacancy left when Rick Davis departed.

This valley has been my home since the first week of December 2009, spending a cold week sleeping in my car before starting work and moving into the dorms at Sun Valley. I have wanted to get involved but now, after buying our first home last spring, I feel the timing is right. I have been employed with POWER Engineers for about a year and a half, and feel secure enough in my position to be able to commit to representing my community.

My varied experiences finding housing between the rustic Sun Valley dorms and our current South Woodside home likely are parallel to other folks who want to make Blaine County their home. I want to see the valley thrive, and see that it needs a consistent influx of emigrants to make that happen. New people, new perspectives, and new opportunities for our community all go hand-in-hand. There are, of course, many elements to that equation, but housing is a major first component.

I’m prepared to take the time and energy to help find real solutions to that component and thank you for this opportunity to serve my community. Please let me know if you’d like any further information, and I look forward to meeting you March 12th.

Sincerely,

Nate

Nathan Hart

hart.nathanthomas@gmail.com

C:808-203-4759

W:208-788-0455

On Wed, Feb 28, 2018 at 8:51 AM Heather Dawson <heather.dawson@haileycityhall.org> wrote:

Nate,

Thanks for your interest in the BCHA. Let’s plan a meeting the week of March 12. On Monday of that week, I have an open time slot from 5:00 p.m. to 5:30 p.m. The mayor is in at that time as well, and you could meet him.
Nathan T. Hart
Hailey, ID - hart.nathantomas@gmail.com - 808-203-4759

EXPERIENCE

Technical Writer, POWER Engineers (November 2016-Present)
Primary responsibilities revolve around aiding project managers to cultivate client relationships and win work through the written word. I am involved in emerging business opportunity research, renewable energy support, and other marketing needs as required.

Sales and Scheduling, Sun Valley Outfitters (August-November 2016)
Responsible for coordinating scheduling for fly fishing guided trips and answering questions about hunting trips and other activities offered. Was primary packer for end-of-season close, tearing down displays and repackaging merchandise for storage and eventual re-display.

Technical Recruiter, Payette Group (April-August 2016)
I averaged 350-500 cold calls a week to software companies in order to place engineers and sales employees at those companies. I utilized organizational software and personal skills to track interest in candidates and interactions with hiring managers for future relationships and opportunities.

Server, Michel's Christiana (July 2011 – April 2016)
I worked to present wine and food specials, coordinated with unique dietary needs, and collaborated with other staff to maximize profit while providing seamless service. I also trained new servers in computer interface, presentation, and serving etiquette as needed.

Sales, Hunting Department, Silver Creek Outfitters (April 2012-January 2016)
I was a lead in sales and coordinated events between management, marketing, third-party partners, and vendors. These events included live, educational demos, email and web campaigns to drive sales, and departmental sales increased as much as 35% in my tenure.

Purchasing & Receiving, Ski-Tek/Hanson Orthotics Lab (September 2011-May 2012)
My responsibilities included boot-fitting, generating purchase orders, receiving merchandise, tagging and displaying hard goods, and listing clearance/close-out items on eBay. I often utilized Microsoft Excel and Word to organize and streamline work orders and scheduling.

Trail Crew Leader, Vermont Youth Conversation Corps (May 2009-September 2009)
I managed and educated a 5-person crew of 19-23 year old men in park maintenance, hand tool use/maintenance, and trail work. We lived in tents and I managed group dynamics for optimum productivity alongside USDA-FS partners. I collaborated with USDA-FS partners to design, layout, and construct trails; we coordinated daily on all projects.

Instructor/Senior Guide for Kailua Sailboards & Kayaks (May 2005 – March 2009)
I independently led half-day kayaking trips in Kailua Bay with groups of 2 – 8 people and organized multi-national trips with multiple guides and languages. I trained clients in ocean kayaking safety and offered tips to enhance their experience while leading site-specific interpretive tours and services. I coordinated daily safety briefings for guides and guests to inform them about the weather forecast and safety concerns.
VOLUNTEERING

Radio DJ, KDPI-FM Ketchum A non-commercial community radio station in Ketchum, I volunteer at least one hour a week since the station opened in 2013, as a non-paid Radio Personality position in addition to mentorship for new DJ volunteers to the station.

Assorted Volunteering with the Ketchum Environmental Resource Center: In 2010 I assisted with the pilot of the ERC’s RISE program. I moved bins, observed use, and assisted with setup and take down. I was also asked to Emcee the Environmental Film Festival, and did so that 2010 year also.

TRAINING & CERTIFICATIONS

Amateur HAM Radio Operator – Technician certified 2011

Leave No Trace Trainer Completed training in February 2003 on joint US Park Service and Forest Service course

Wildness Steward, Wilderness Education Association Course instructor in May 2005

Project Wet/Project Wild trained, 2005

S-130, S-190, and I-100 Basic wild land firefighting coursework in RE495 led to national certification and red card issued August 2003, refresher courses in March 2004, July 2009
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 04/02/18  DEPARTMENT: Community Development  DEPT. HEAD SIGNATURE: LH

SUBJECT: Consideration of the Colorado Gulch Preserve Amended Plat: Staff Report and related documents regarding the Amended Plat request from CGP, LLC for 24.46 acres (Colorado Gulch Preserve, Lot 1A, Block 1, Stevens Family Ranch), the final plat.

AUTHORITY: □ ID Code □ IAR □ City Ordinance/Code Title 16 (IF APPLICABLE)

BACKGROUND:
The Colorado Gulch annexation was approved on September 11, 2017. The Preliminary Plat was approved September 11, 2017. Previously, thirty six (36) lots were proposed. The amended plat proposes twenty seven (27) residential lots, with an additional 5.77 acres of open space to be located at the south end of the development. The Commission approved the amended plat on February 20, 2018.

The plat is being amended to create a new parcel, Parcel C. The creation of this parcel results in a reduction of 9 lots from the previously approved subdivision. Parcels A and B are dedicated as open space parcels to the benefit of property owners within the subdivision. Parcel D is dedicated as open space to benefit the public and satisfy the City park requirement. The applicant has stated that Parcel C will be open space dedicated to the Wood River Land Trust. A drawing has been submitted by the Land Trust showing their intentions for the property.

All improvements are planned for installation this summer. However, the applicant plans to establish a security agreement for 150% of the cost of all improvements, so that they can record the final plat after Council approval. The establishment of security is permitted under Section 16.05.090, B. See attached Security Agreement and Cost Estimate.

Attachments to this report:

1) Staff report on final plat, and final plat maps
2) Map from WRLT showing preliminary plans for Parcel C
3) Draft Security Agreement and cost estimate
4) Public comment received to date

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Caselle #
Budget Line Item #
YTD Line Item Balance $
Estimated Hours Spent to Date:
Estimated Completion Date:
Staff Contact: Lisa Horowitz
Phone # 788-9815 #13

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

_x_ City Attorney  _x_ City Administrator  _x_ Engineer  _x_ Building

Library  _x_ planning  Fire Dept.
Safety Committee  P & Z Commission  Police
_x_ Streets  _x_ Public Works, Parks  Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Conduct a public hearing on the Colorado Gulch Preserve Final Plat.
ADMINISTRATIVE COMMENTS/APPROVAL:
City Administrator _______________ Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Approval:
Motion to approve the Amended Final Plat application for CGP, LLC, represented by Galena Engineering located at Lot 1A, Block 1, Stevens Family Ranch LLC, (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho), with conditions (a) through (q) finding that the application meets all City standards.

Denial:
Motion to deny the Amended Final Plat application for CGP, LLC, represented by Galena Engineering located at Lot 1A, Block 1, Stevens Family Ranch LLC, (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho), finding that (Council should cite which standards are not met and provided the reason why each identified standard is not met).

Continuation:
Motion to continue the public hearing upon the Amended Final Plat application for CGP, LLC, represented by Galena Engineering located at Lot 1A, Block 1, Stevens Family Ranch LLC, (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho) to __________________________________________ [the Council should specify a date].

________________________________________
Date ________________________________________
City Clerk ________________________________

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: *Additional/Exceptional Originals to: ____________________________
Copies (all info.): ____________________________ Copies
Instrument # ________________________________
STAFF REPORT

TO: Hailey City Council

FROM: Lisa Horowitz, Community Development Director

RE: Final Plat – Colorado Gulch Preserve Subdivision (Amended Plat)

HEARING: April 2, 2018

Applicant: CGP, L.L.C, c/o Preston Ziegler

Project: Amended Preliminary Plat – Final Plat and amendment to the Annexation, Services and Development Agreement to replace the Exhibit C (previous plat) with the new Plat

Location: Lot 1A, Block 1, Stevens Family Ranch LLC - Map 2N R18E Section 15 & 16

Zoning: Limited Residential 2 (LR-2) and Recreational Greenbelt (RGB)

Attachments:

1. Findings of Fact, Conclusions of Law and Decision from the Hailey Planning and Zoning Commission dated February 20, 2018 regarding the Amended Preliminary Plat
2. Security Agreement and Infrastructure Cost Estimate for the Colorado Gulch Preserve Subdivision as amended
3. Sketch from the Wood River Land Trust (WRLT) showing their concept plan for Parcel C.

Notice

Notice for the February 20, 2018, Planning and Zoning public hearing was published in the Idaho Mountain Express on January 31, 2018. The notice was mailed to property owners within 300 feet and to public agencies on February 1, 2018. Notice for the City Council public hearing was published in the Idaho Mountain Express March 14; the notice was mailed to property owners within 300 feet on March 9, 2018.

Application

The Colorado Gulch annexation was approved on September 11, 2017. The Preliminary Plat was approved September 11, 2017. Previously, thirty six (36) lots were proposed. The amended plat proposes twenty seven (27) residential lots, with an additional 5.77 acres of open space to be located at the south end of the development. The Commission approved the amended plat on February 20, 2018.

The plat is being amended to create a new parcel, Parcel C. The creation of this parcel results in a reduction of 9 lots from the previously approved subdivision. Parcels A and B are dedicated as
open space parcels to the benefit of property owners within the subdivision. Parcel D is dedicated as open space to benefit the public and satisfy the City park requirement. The applicant has stated that Parcel C will be open space dedicated to the Wood River Land Trust. It is not platted as “unbuildable”. A drawing has been submitted by the Land Trust showing their intentions for the property.

Procedural History
Pursuant to Hailey Municipal Code Section 16.10.010, the Commission approved the amended preliminary plat on February 20, 2018. Findings are attached to this report.

SECTION 2 - PERMITS.
2.9 No permit for the construction of any building shall be issued upon any land for which all improvements required for the protection of health and the provision of safety, (including but not necessarily limited to an approved potable water system, an approved wastewater system to accept sewage, and asphalt paving of the streets) have not been installed, inspected, and accepted by the City of Hailey, with the following exception: Building permits may be issued for any building in a development for which plats have been recorded and security provided, but the streets have not yet been completed with asphalt due to winter conditions. In such instances, the street shall be constructed as an all-weather surface to City Standards to the satisfaction of the City Engineer, and shall be kept clear to the satisfaction of the Fire Chief. No Final Inspection approval or Certificate of Occupancy shall be granted until all improvements, including asphalt, have been installed, inspected and accepted.

Notice of this requirement is hereby given to the applicant, and included as a recommended condition of approval.

SECTION 3 – PROCEDURE
3.3 Final Plat Approval.
The final plat, prepared by a Professional Land Surveyor, 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 or as otherwise provided herein. Plats not submitted for final approval within one (1) year or according to the phasing agreement, shall be considered expired and preliminary plat approval shall become null and void. The Council may extend the deadline for submitting the final plat upon holding a public hearing.

The final plat has been prepared by a professional land surveyor and submitted within one year of the preliminary plat. The amended preliminary plat application was approved by the Commission pursuant to Municipal Code Section 16.10.010. Per this section, amended plats are approved by the Commission for the preliminary plat, and the Council for the final plat.

3.3.2 The administrator shall review the final plat application to ensure that the application submitted is consistent with the approved preliminary plat. The conditions imposed on the preliminary plat approval must be either completed or shown on plans or the plat prior to any public notice for final plat approval.

The final plat is consistent with the preliminary plat approved by the Commission. Conditions of preliminary plat approval have been met or are carried over. Changes to Conditions of Approval related to the amended plat are shown in strike-underline; deleted conditions of approval have been met in the revised plat.

Department Comments

Life/safety: The current preliminary plat and Final Plat reflect all changes and revisions recommended and requested by the City Engineer.

Public Works (Streets):

Public Works (Water): The following will need to be inspected prior to acceptance:

Public Works (Wastewater):

Standards of Evaluation
SECTION 4 – DEVELOPMENT STANDARDS
Development standards were reviewed in detail during the preliminary plat approval process. Please refer to the preliminary plat Findings of Fact 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. All improvements are planned for installation this summer. However, the applicant plans to establish a security agreement for 150% of the cost of all improvements, so that they can record the final plat after Council approval. See attached Security Agreement and Cost Estimate.

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. This requirement has been met.

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. A pre-construction meeting will be conducted prior to any construction.

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. This standard will be met.

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. This standard will be met.
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. This standard will be met.

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. This standard will be met.

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. N/A

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. This standard will be met.

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 standard will be 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. N/A

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. This standard will be met.

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. This standard will be met.

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

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. This standard will be met.

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. The developer has proposed a security agreement for 150% of the cost of all improvements. See attached Security Agreement and Cost Estimate.
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. The developer has proposed a security agreement for 150% of the cost of all improvements. See attached Security Agreement and Cost Estimate.

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. The developer has proposed a security agreement for 150% of the cost of all improvements. See attached Security Agreement and Cost Estimate. Acceptance will take place prior to release of the bond.

**Motion Language:**

**Approval:**

Motion to approve the Amended Final Plat application for CGP, LLC, represented by Galena Engineering located at Lot 1A, Block 1, Stevens Family Ranch LLC, (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho), with conditions (a) through (q) finding that the application meets all City standards.

**Denial:**

Motion to deny the Amended Final Plat application for CGP, LLC, represented by Galena Engineering located at Lot 1A, Block 1, Stevens Family Ranch LLC, (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho), finding that (Council should cite which standards are not met and provided the reason why each identified standard is not met).

**Continuation:**

Motion to continue the public hearing upon the Amended Final Plat application for CGP, LLC, represented by Galena Engineering located at Lot 1A, Block 1, Stevens Family Ranch LLC, (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho) to [the Council should specify a date].

**Planning and Zoning Commission Recommended Conditions of Amended Preliminary Plat Approval**

The following conditions below are recommended by the Commission. Changes are suggested to the approved conditions in strike-underline format:

a) All Fire Department and Building Department requirements shall be met. Items to be completed at the applicant’s sole expense include, but will not be limited to, improvements shown on the submitted preliminary plat attached to this report.

b) All City infrastructure requirements shall be met as outlined in Title 16, Chapter 16.05 of the Hailey Municipal Code except as otherwise provided herein. Detailed plans for all
infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department 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 improvements shown on the most recent submitted plans and those listed in these conditions. Final design of the water, wastewater and road systems shall be reviewed and approved by the Water, Wastewater and Road Divisions.

c) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 16.02.080 of the Hailey Municipal Code.

d) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to subsections 16.03.030(l) and 16.05.090(B) of the Hailey Municipal Code, prior to recordation of the final plat.

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.

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

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

h) The final plat shall include plat notes 1, 2 and 3 as stated on the approved preliminary plat, with the addition of the following plat notes:

City Plat Note #4: A plat note shall be added advising buyers of the existing industrial uses adjacent to Colorado Gulch Preserve Subdivision east of Broadford Road and that heavy equipment may operate at any time during the day.

Plat Note #5: A plat note shall be added advising buyers of the floodplain.

Plat Note #6: Buyers are advised that this property is located near the Friedman Memorial Airport. Present and future impacts may be annoying and interfere with the unrestricted use and enjoyment of the property. These noise impacts might change over time by virtue of number of aircraft, louder aircraft, seasonal variations, and time of day variations that may change airport, aircraft, and air traffic control operating procedures or layout. The user's own personal perceptions of the noise exposure could change and that his or her sensitivity to aircraft noise could increase.

h) Per the Hailey Parks and Lands Board recommendation, Applicant shall dedicate the 3.25 acre- Parcel D and public access across Parcel C Parcel-F as public open space. A final pathway design shall be reviewed and approved by the City. Final signage design shall clearly state the land is open to the public and there is public access and shall be developed in collaboration with the City of Hailey and Wood River Land Trust for the
Parcels D and F park space. Signage design shall be approved by the City of Hailey prior to approval of the final plat installation.

j) Applicant shall submit a final Erosion Control Plan prior to recordation of the final plat.

j) Per the Hailey Tree Committee recommendations, street trees shall be installed at a minimum every 50' of lot frontage and 10' from each driveway, or as other spacing recommended by the Tree Committee. Trees shall be at least 3 different large deciduous species listed in the Wood River Valley Tree Guide with desirable fall color. Drip irrigation shall be provided with private water rights per Idaho State Code Section 67-6537.

k) Pursuant to Hailey Municipal Code 16.05.010, the Applicant shall be allowed to pay in lieu fees for on-site sidewalks prior to approval of the final plat per the Annexation Agreement, which shall be used towards the Broadford Road path construction. If only one estimate is provided, it shall be reviewed by the City Engineer, and additional estimates may be requested.

l) Pursuant to Hailey Municipal Code 16.05.010, the Applicant shall be allowed to modify road grades called for in standard 16.04.020.H due to the existing topography on the property. Road grades as proposed would result in a superior design.

m) All residential lots shall be served irrigation water first by Water Right #37-22248 & 37-23017 per Idaho State Code Section 67-6537, and second by the municipal source. A reduced pressure backflow assembly shall be installed to protect the City of Hailey water main from contamination because the proposed system is considered a high hazard application. High hazard application system plans shall be submitted to DEQ for their approval.

n) All proposed roads within the development shall be dedicated public streets according to City standard 12.04.010 and shall allow public parking and be subject to all other uses and restrictions identified in City code.

o) Any damage to Broadford Road that occurs during construction shall be rehabilitated at the cost of the Applicant.

q) Broadford Road shall be improved to a width of 22'.

p) The portion of land within the Colorado Gulch right of way labeled “To be Deeded to Blaine County” as shown on the preliminary final plat shall be deeded concurrent with the prior to recordation of the final plat.

q) There shall be no further subdivision of any lots or parcels within the plat with the exception of Parcel C.
CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned are the owners in fee simple of the following described parcel of land:

A parcel of land located within Sections 15 and 16, Township 2 North, Range 18 East, Boise Meridian, City of Hailey, Blaine County, Idaho; more particularly described as follows:

LOT 1A, BLOCK 1, STEVENS FAMILY RANCH LLC

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. We do hereby certify that all lots in this plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of the lots shown within this plat.

It is the intent of the owners to hereby include said land in this plat.

CSP, LLC, An Idaho Limited Liability Company

By: Preston Ziegler, Managing Member

BLAINE COUNTY SURVEYOR’S APPROVAL

I, Sam Young, County Surveyor for Blaine County, Idaho, do hereby certify that I have checked the foregoing Plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating to Plats and Surveys.

Sam Young, P.L.S. 11577
Blaine County Surveyor

ACCEPTANCE OF DEDICATION BY BLAINE COUNTY

Dedication of the portions of right-of-way for Colorado Gulch Road, as shown on this plat, was approved and accepted this ______ day of ____________, 2018 by Blaine County.

Chairman, Blaine County Commissioners

HAILEY CITY ENGINEER’S APPROVAL

The foregoing plat was approved by ____________ City Engineer for the City of Hailey on this ______ day of ____________ 20__

City Engineer

HAILEY CITY COUNCIL’S APPROVAL

The foregoing plat was approved by the City Council of Hailey on this ______ day of ____________ 20__

City Clerk

BLAINE COUNTY TREASURER’S APPROVAL

I, the undersigned County Treasurer in and for Blaine County, State of Idaho, per the requirements of Idaho Code 50–1308, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Blaine County Treasurer

BLAINE COUNTY RECORDER’S CERTIFICATE

MARK E. PHILLIPS, PLS 16670

16670

COLORADO GULCH PRESERVE
GALENA ENGINEERING, INC.
HAILEY, IDAHO
SHEETS OF 5
Job No. 5558.04
SECURITY AGREEMENT
RE: COLORADO GULCH PRESERVE

THIS SECURITY AGREEMENT RE: COLORADO GULCH PRESERVE is made and entered into as of the ___ day of April, 2018, by and between CGP, LLC, an Idaho limited liability company, whose mailing address is P.O. Box 41, Ketchum, Idaho, 83340 (hereinafter referred to as "CGP"), and the City of Hailey, Idaho, a municipal corporation, (hereinafter referred to as "Hailey").

WHEREAS, CGP and Hailey are parties to that certain ANNEXATION, SERVICES AND DEVELOPMENT AGREEMENT, dated September 12, 2017, incorporated into City of Hailey Resolution No. 2017-085, and recorded in the Records of Blaine County, Idaho as Instrument No. 646480 (the "Annexation Agreement");

WHEREAS, in conjunction with the Annexation Agreement, CGP has made application for final subdivision plat approval of the Colorado Gulch Preserve hereinafter referred to as "CGP Subdivision") after receiving preliminary plat approval from Hailey thereof as set forth in the Hailey Planning and Zoning Commission's Findings of Fact, Conclusions of Law and Decision dated March 5, 2018, and incorporated herein by reference;

WHEREAS, CGP has completed its obligations under the Annexation Agreement as they relate to the Broadford Road Improvements, as defined in the Annexation Agreement;

WHEREAS, CGP has requested final subdivision plat approval and recordation prior to completion of construction of certain infrastructure and related improvements as set forth on attached Exhibit A and fulfillment of certain obligations of CGP set forth in the Annexation, Services and Development Agreement, Colorado Gulch Preserve dated September 7, 2017 as amended by the First Amendment to the Annexation, Services and Development Agreement, Colorado Gulch Preserve dated April ___, 2018 hereinafter collectively referred to as the "Improvements") and as a condition thereof CGP is required by the Hailey City Council to post security therefore consistent with the Hailey City Code §16.03.030.I; and,

NOW, THEREFORE, CGP and Hailey hereby covenant and agree as follows:

CGP, simultaneously with the execution of this Agreement, deposits with Hailey a Letter of Credit Number _____, from MOUNTAIN WEST BANK, Ketchum, Idaho, whose mailing address is 802 W. Bannock St., Suite 1100, Boise, Idaho, 83702, in the principal total amount of ONE MILLION __________ AND NO/00 DOLLARS ($1,___,000.00), as security for complete performance and construction of the Improvements upon the following terms and conditions:

1. CGP shall complete construction of the Improvements on or before April ___, 2019 or the amount of said Letter of Credit shall be due and payable to Hailey up to the full amount thereof and Hailey may draw upon said letter of credit as Hailey in its sole discretion determines necessary to complete the

SECURITY AGREEMENT
RE: COLORADO GULCH PRESERVE - 1

-105-
Improvements or any portion thereof.

2. Said letter of credit shall be made solely in the name of the City of Hailey, Idaho and said letter of credit shall be held by Hailey in lieu of the Owner filing or depositing a performance bond with Hailey.

3. In the event CGP fails or refuses to complete the Improvements or any portion thereof on or before the date as set forth in Paragraph Number 1 hereinabove, Hailey shall have the right, but not the obligation, to draw the funds from said letter of credit and apply the proceeds thereof to construction of the Improvements or any portion thereof. To the extent the funds are drawn upon from the Letter of Credit, they must be used for the construction of the Improvements or returned to CGP.

4. In case of default by CGP, if the total cost of construction of the Improvements is less than the amount of the letter of credit, Hailey agrees to return to CGP the unused portion of the letter of credit funds. However, if the cost of installing or constructing the Improvements is greater than the amount of the letter of credit, CGP agrees to reimburse and hold harmless Hailey for any and all additional costs and expenses incurred by Hailey associated with installing and constructing the Improvements.

5. In the event CGP completes construction of the Improvements on or before the dates set forth in Paragraph Number 1 herein above, Hailey shall release the funds from said letter of credit, including any and all interest accrued, to CGP upon receiving written notice by the City Engineer that the Improvements have been installed according to applicable ordinances, regulations, plans and specifications, and that the same has been inspected and approved by the City Engineer. Also, CGP can apply for a partial release of funds from Hailey and the Hailey City Council may so authorize release by the City Clerk of an appropriate proportion of the amount held as security upon completion of a substantial portion of the Improvements, and the inspection and approval thereof by the City Engineer. In such cases, Hailey shall retain sufficient security for completion of all the Improvements in compliance with this Agreement.

6. In addition to the foregoing, CGP is responsible for and shall pay any and all fees incurred by the City Engineer in providing services associated with the review of the letter of credit amount and/or review of and/or inspections necessary to confirm completion of any or all of the Improvements required.

7. This Agreement is not a guarantee that any of the Improvements will be constructed nor does not oblige Hailey in any way to complete any of said Improvements. This Agreement is not intended nor shall it be construed as a third party beneficiary contract or creating any third party beneficiary rights.

8. The Parties acknowledge confirm that the Broadford Road Improvements as defined in the Annexation Agreement have been completed and accepted by the City and that the City has received payment from CGP in the amount of Two

SECURITY AGREEMENT
RE: COLORADO GULCH PRESERVE - 2
Hundred Twenty-Three Thousand Four Hundred Eighty-Five and 63/100 Dollars ($223,485.63) of the Total Fee Amount as also defined in the Annexation Agreement. As such, this Security Agreement does not secure payment of nor completion of the Broadford Road Improvements.

IN WITNESS WHEREOF, the parties hereto have signed this document the day and year first written above.

OWNER,

CGP, LLC, an Idaho limited liability company

by ____________________________

Preston Ziegler, Manager
THE CITY OF HAILEY, IDAHO

by________________________
Fritz X. Haemmerle, Mayor

ATTEST:

________________________
Mary Cone, City Clerk
STATE OF IDAHO } ss.
County of Blaine }

On this ____ day of April, 2018, before me, a Notary Public, in and for said County and State, personally appeared Preston Ziegler, known or identified to me on the basis on satisfactory evidence, to be a manager of CGP, LLC, an Idaho limited liability company, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

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

NOTARY PUBLIC FOR IDAHO
Residing at: ____________________________
My commission expires: __________________

STATE OF IDAHO } ss.
County of Blaine }

On this ____ day of April, 2018, before me, a Notary Public, in and for said County and State, personally appeared Fritz X. Haemmerle, known or identified to me on the basis on satisfactory evidence, to be the duly elected Mayor of the City of Hailey, Idaho, a municipal corporation, the municipal corporation that executed the instrument or the person who executed the instrument on behalf of said municipal corporation, and acknowledged such municipal corporation executed the same.

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

NOTARY PUBLIC FOR IDAHO
Residing at: ____________________________
My commission expires: __________________

SECURITY AGREEMENT
RE: COLORADO GULCH PRESERVE - 5
EXHIBIT A

to Security Agreement Re: Colorado Gulch Preserve

SECURITY AGREEMENT
RE: COLORADO GULCH PRESERVE - 7

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## Colorado Gulch Subd.

<table>
<thead>
<tr>
<th>#</th>
<th>Item &amp; Category Description</th>
<th>Unit</th>
<th>Qty</th>
<th>Unit Cost</th>
<th>Item Cost</th>
<th>Category Cost</th>
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</thead>
<tbody>
<tr>
<td><strong>Category A: Roadways</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Shredding &amp; Grubbing - 3% Depth w/ R/W</td>
<td>S.Y.</td>
<td>13,835</td>
<td>$0.95</td>
<td>$13,143.14</td>
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<td>2</td>
<td>Excavation / Embankment - Roads only (Cut, No Cut)</td>
<td>C.Y.</td>
<td>4,000</td>
<td>$3.50</td>
<td>$14,000.00</td>
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<tr>
<td>3</td>
<td>Excavation / Embankment - Berms (Fill, No Fill Factor)</td>
<td>C.Y.</td>
<td>910</td>
<td>$3.50</td>
<td>$3,185.00</td>
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<td>4</td>
<td>2% Trench Sub-Base, 6% depth</td>
<td>C.Y.</td>
<td>1,853</td>
<td>$26.00</td>
<td>$48,181.85</td>
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<td>5</td>
<td>3% Levee Base Course Gravel, 4% Depth</td>
<td>C.Y.</td>
<td>980</td>
<td>$37.00</td>
<td>$36,289.14</td>
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<td>6</td>
<td>Superpave HMA SPS, 1/2% gradation, PG58-34, 3% D</td>
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<td>$86,625.00</td>
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<td>$86,625.00</td>
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<tr>
<td>7</td>
<td>Street and Stop Sign</td>
<td>Each</td>
<td>3</td>
<td>$260.00</td>
<td>$780.00</td>
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</tr>
<tr>
<td>8</td>
<td>Drywell with Ring &amp; Cover (City Standard)</td>
<td>Each</td>
<td>5</td>
<td>$1,800.00</td>
<td>$9,000.00</td>
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<tr>
<td>9</td>
<td>Catch Basin (City Standard)</td>
<td>Each</td>
<td>10</td>
<td>$1,500.00</td>
<td>$15,000.00</td>
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<tr>
<td>10</td>
<td>12% ADS N-12 Storm Drain Pipe</td>
<td>L.F.</td>
<td>410</td>
<td>$15.00</td>
<td>$6,150.00</td>
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<td>11</td>
<td>Traffic Control</td>
<td>L.S.</td>
<td>1</td>
<td>$11,400.00</td>
<td>$11,400.00</td>
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<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$243,704</strong></td>
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</tbody>
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| **Category B: Water, Sewer, and Irrigation** | | | | | | |
| 12 | Potable Water | | | | | |
| 13 | 8\% PVC Water Main (C-900) | L.F. | 3,090 | $22.50 | $69,525.00 | |
| 14 | 8\% Fittings (Ductile Iron) w/ thrust blocks | Each | 17 | $450.00 | $7,650.00 | |
| 15 | 8\% Gate Valves w/ thrust blocks | Each | 11 | $1,200.00 | $13,200.00 | |
| 16 | Water Services w/ Meters (27 lots, Parcel C, & II 750) | Each | 29 | $2,400.00 | $68,600.00 | |
| 17 | Fire Hydrant Assembly (includes FF, fittings, thrust blocks, valves) | Each | 5 | $4,171.00 | $20,855.00 | |
| 18 | 1\% High Hazard Backflow Preventer w/ Water Meter | Each | 1 | $8,500.00 | $8,500.00 | |
| 19 | Frost Free Hydrant or Blow-off Hydrant | Each | 1 | $1,500.00 | $1,500.00 | |
| 20 | Connection to Halley Water Main and | Each | 1 | $2,600.00 | $2,600.00 | |
| 21 | Pressure Reducing Station (C-900) | Each | 1 | $4,000.00 | $4,000.00 | |
| a | 6\% Pressure Reducing Valve (CLA-VAL Model 96- | Each | 1 | $4,000.00 | $4,000.00 | |
| b | 2\% Pressure Reducing Valve (CLA-VAL Model 96- | Each | 1 | $1,500.00 | $1,500.00 | |
| c | 6\% Gate Valves (FL) | Each | 4 | $2,400.00 | $6,600.00 | |
| d | 6\% Gate Valve (FL) | Each | 2 | $300.00 | $600.00 | |
| e | 6\% X43\# Straier | Each | 1 | $800.00 | $800.00 | |
| f | 8\%x8\%x6\% Tee | Each | 1 | $250.00 | $250.00 | |
| g | 6\%x6\%x6\% Tee | Each | 2 | $200.00 | $400.00 | |
| h | 6\%x6\%x2\% Tee | Each | 3 | $175.00 | $525.00 | |
| i | 8\%x6\% Reducer | Each | 1 | $125.00 | $125.00 | |
| j | 6\% Spool (Approx. 12\% Length) | Each | 2 | $200.00 | $400.00 | |
| k | 8\% 90\% Bend | Each | 2 | $75.00 | $150.00 | |
| l | 8\% 90\% Bend (FL) | Each | 2 | $25.00 | $50.00 | |
| m | 9\% Spool | Each | 4 | $25.00 | $100.00 | |
| n | Pressure Guages | Each | 2 | $25.00 | $50.00 | |
| o | Air Release Valve | Each | 1 | $600.00 | $600.00 | |
| p | Armore Utility Vault (8\%x16\%x8\% with 4\%x8\% Access) | Each | 1 | $14,000.00 | $14,000.00 | |
| q | 6\% PVC Water Main (C-900) | L.F. | 26 | $25.00 | $625.00 | |
| **22 | Irrigation:** | | | | | |
| 23 | Landscaping Bid Per Clearwater Landscaping | BID | 1 | $88,825.00 | $88,825.00 | |
| 24 | 4\% PVC Water Main (C-200) | L.F. | 2,505 | | | |
| 25 | 8\% Fittings (Ductile Iron) w/ thrust blocks | Each | 14 | | | |
| 26 | Irrigation Services (27 lots; Parcel A, B, & C; Street) | Each | 31 | | | |
| 27 | Air Relief Valve | Each | 3 | | | |
| 28 | Irrigation Meters (27 lots; Parcel A, B, & C; Street) | Each | 31 | | | |
| 29 | Street Tree | Each | 78 | | | |
| 30 | Native Seed Landscaping | SY | 4,778 | | | |
| 31 | Parcel B Tree Installation | Each | 44 | | | |
| 32 | Sewer: | | | | | |
| 33 | 8\% PVC Gravity Sewer Main | L.F. | 2,585 | $22.00 | $56,870.00 | |
| 34 | Sewer Manhole | Each | 13 | $3,500.00 | $45,500.00 | |
| 35 | 4\% Sewer Services (27 lots, Parcel C, II 750s) | Each | 29 | $750.00 | $21,750.00 | |
| 36 | Connection to Electra Lane Lift Station | L.S. | 1 | $1,000.00 | $1,000.00 | |
| 37 | 8\% Sewer Cleanout | Each | 1 | $500.00 | $500.00 | |
| 38 | Dry Utilities | | | | | |
| 39 | Idaho Power - Joint Trench | Est | 1 | $116,000.00 | $116,000.00 | |
| **Total** | | | | | | **$550,450** |

**Total:** $794,154
Lisa Horowitz

From: catherine sullivan <cwsparis@yahoo.com>
Sent: Tuesday, March 20, 2018 12:21 PM
To: planning
colorado gulch

To the Hailey City Council

I would like to go on record as being very much in favor of the replatting of the Colorado Gulch subdivision on Broadford road. As everyone knows, I and so many of my neighbors were very much against the annexation by the city of this property and the original plat that included thirty-six residential lots. It destroyed the ambience of Broadford road and the overall serenity of the area as well as decreasing animal habitat. Not only will this new plan limit the size of development and the impact it will have on our area but it will provide everyone in the community access to the great open space previously acquired by the Wood River Land Trust. Even though the perfect scenario would be to eliminate the development altogether, I think this is a great compromise that benefits everyone.

I would encourage the city council to vote unanimously for this replatting and be grateful that this compromise was reached.

Sincerely, Catherine Sullivan
92 Broadford Road
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 04/02/18  DEPARTMENT: Community Development  DEPT. HEAD SIGNATURE: LH

SUBJECT: Consideration of the first Amendment to the Colorado Gulch Preserve Annexation, Services and Development Agreement and Resolution No. 2018-

BACKGROUND:
The Colorado Gulch annexation was approved on September 11, 2017. The Preliminary Plat was approved September 11, 2017. Previously, thirty six (36) lots were proposed. The amended plat proposes twenty seven (27) residential lots, with an additional 5.77 acres of open space to be located at the south end of the development. The Commission approved the amended plat on February 20, 2018.

The plat is being amended to create a new parcel, Parcel C. The creation of this parcel results in a reduction of 9 lots from the previously approved subdivision. Parcels A and B are dedicated as open space parcels to the benefit of property owners within the subdivision. Parcel D is dedicated as open space to benefit the public and satisfy the City park requirement. The applicant has stated that Parcel C will be open space dedicated to the Wood River Land Trust. The applicant plans to bond, and provide a Security Agreement incorporating a letter of credit, for assure necessary subdivision improvements, but record the plat immediately after Council approval, due to a negotiated agreement with the Wood River Land Trust.

An amendment to the Annexation, Services and Development Agreement is needed to replace the previously approved plat (which was Exhibit C) with the amended plat. Paragraph 1 of the Amended Agreement replaces Exhibit C from the previous agreement with the amended plat. Paragraph 2 stipulates that there will be no conveyance of residential lots within the subdivision until the City has approved and accepted all infrastructure requirements within the plat (with the exception of landscaping or other elements that may be delayed due to weather).

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
Caselle #
Budget Line Item # YTD Line Item Balance $
Estimated Hours Spent to Date: Estimated Completion Date:
Staff Contact: Lisa Horowitz Phone # 788-9815 #13

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

_X_ City Attorney _X_ City Administrator _X_ Engineer _X_ Building
_X_ Library _X_ planning _X_ Fire Dept.
_X_ Safety Committee _X_ P & Z Commission _X_ Police

_X_ Streets _X_ Public Works, Parks _X_ Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Conduct a public hearing on the First Amendment to the Colorado Gulch Preserve Annexation, Services and Development Agreement, and adopt Resolution No. 2018-

ADMINISTRATIVE COMMENTS/APPROVAL:
City Administrator Depart. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:
Make a motion to:

a) Approve or deny the First Amendment to the Annexation, Services and Development Agreement. If approved, make a motion to authorize the mayor to sign Resolution No. 2018-

Date _____________________
City Clerk ____________________

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: *Additional/Exceptional Originals to: ______________ Copies
Copies (all info.): ______________ Copies
Instrument # __________________
CITY OF HAILEY
RESOLUTION NO. 2018-029

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY AUTHORIZING THE FIRST AMENDMENT TO THE ANNEXATION, SERVICES AND DEVELOPMENT AGREEMENT WITH CGP, LLC AN IDAHO LIMITED LIABILITY COMPANY.

WHEREAS, the City of Hailey and CGP, LLC previously adopted an Annexation, Services and Development Agreement (Resolution 2017-085), and

WHEREAS, the City of Hailey and CGP, LLC, have agreed to the terms and conditions of the First Amendment to the Annexation, Services and Development Agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, that the City of Hailey approves the Annexation, Services and Development Agreement between the City of Hailey and CGP, LLC and that the Mayor is authorized to execute the attached agreement.

Passed this 2nd day of April, 2018.

City of Hailey

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk
FIRST AMENDMENT TO
COLORADO GULCH PRESERVE ANNEXATION AGREEMENT

THIS FIRST AMENDMENT TO COLORADO GULCH PRESERVE ANNEXATION AGREEMENT, entered into this ____ day of April, 2018, by and between the CITY OF HAILEY, IDAHO, a municipal corporation (the “City”) and CGP, LLC an Idaho limited liability company (“CGP”), Darin and Kathleen Barfuss, husband and wife (“Barfuss”), Brad and Anna Billger, husband and wife (“Billger”, together with Barfuss, the “In-Holders”). The City, CGP and the In-Holders are collectively referred to as the “Parties.”

RECITALS

This FIRST AMENDMENT TO COLORADO GULCH PRESERVE ANNEXATION AGREEMENT (this "Amendment") is predicated upon the following facts:

WHEREAS, the City, CGP and In-Holders are parties to that certain ANNEXATION, SERVICES AND DEVELOPMENT AGREEMENT, dated September 12, 2017, incorporated into City of Hailey Resolution No. 2017-085, and recorded in the Records of Blaine County, Idaho as Instrument No. 646480 (the “Annexation Agreement”); and

WHEREAS, the Annexation Agreement sets forth various rights and obligations with regard to the annexation property and the development thereof; and

WHEREAS, the City has approved a revised preliminary subdivision plat for Colorado Gulch Preserve which the Parties desire to use in place of the preliminary subdivision plat that was included in the Annexation Agreement as Exhibit “C”.

WHEREAS, the Parties now desire to amend and supplement the Annexation Agreement to confirm the completion of certain obligations of CGP and to replace Exhibit “C” with the revised preliminary subdivision plat attached hereto as Exhibit “A”.

NOW, THEREFORE, in consideration of the mutual promises, covenants and which are an integral part of this Agreement and are fully incorporated herein by this reference, the Parties hereby mutually covenant and agree as follows:

1. Preliminary Subdivision Plat. The Parties agree that Exhibit “C” in the Annexation Agreement shall be replaced with the revised preliminary subdivision plat attached hereto as Exhibit “A”.

11993-002
2. **Sale of Lots in Colorado Gulch Preserve.** The Parties contemplate that the final Plat will be recorded pursuant to §3.3.7 of the City's Subdivision Ordinance. In such event, CGP agrees to not close the sale or conveyance of any residential Lot identified on the Plat until the City has approved and accepted all infrastructure improvements required to be completed by the developer, with the exception of landscaping or other non-life safety improvements which may be delayed as a result of weather. Notwithstanding the foregoing, nothing in this paragraph shall impact or limit the timing as it relates to closing the sale or conveyance of Parcel C on the Plat.

3. **Construction.** This Amendment and the Annexation Agreement constitute one agreement between the Parties. In the event of any inconsistency between this Amendment and the Annexation Agreement, the terms of this Amendment shall govern. All capitalized terms in this Amendment shall have the respective meanings in the Annexation Agreement when used in this Amendment, unless otherwise defined herein.

4. **Ratification.** The Annexation Agreement, as amended by this Amendment, is hereby ratified and affirmed.

5. **Counterparts.** This Amendment may be executed in counterparts, all of which together shall constitute an agreement binding on all the Parties hereto, notwithstanding that all such Parties are not signatories to the original or the same counterpart.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in accordance with the laws of the state of Idaho, the date and year first written above.

**CITY OF HAILEY, IDAHO,**

a municipal corporation

By: __________________________

Fritz X. Haemmerle, Mayor
STATE OF IDAHO

: ss.

County of Blaine

On this _____ day of April, 2018, before me the undersigned Notary Public in and for said State, personally appeared Fritz X. Haemmerle, known or identified to me to be the manager of CGP, LLC, an Idaho limited liability company, and the person who executed the foregoing instrument on behalf of said company and acknowledged to me he executed the same on behalf of said company.

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

Notary Public for Idaho
Residing at: ____________________________
Comm. Expires: ________________________
CGP, LLC an Idaho limited liability company,

By: __________________________
    Preston Ziegler, its manager

STATE OF IDAHO   )
     ss.
County of Blaine   )

On this _____ day of April, 2018, before me the undersigned Notary Public in and for said State, personally appeared Preston Ziegler, known or identified to me to be the manager of CGP, LLC, an Idaho limited liability company, and the person who executed the foregoing instrument on behalf of said company and acknowledged to me he executed the same on behalf of said company.

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

____________________________
Notary Public for Idaho
Residing at: ________________
Comm. Expires: ________________
BARFUSS

Darin Barfuss

Kathleen Barfuss

STATE OF IDAHO  )
               : ss.
County of Blaine  )

On this _____ day of April, 2018, before me the undersigned Notary Public in and for said State, personally appeared Darin Barfuss and Kathleen Barfuss, known or identified to me to be the persons who executed the foregoing instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at: ____________________
Comm. Expires: ____________________
BILLGER

______________________________
Brad Billger

______________________________
Anna Billger

STATE OF IDAHO  )
    ss.
County of Blaine  )

On this _____ day of April, 2018, before me the undersigned Notary Public in and for said State, personally appeared Brad Billger and Anna Billger, known or identified to me to be the persons who executed the foregoing instrument and acknowledged to me that they executed the same.

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

______________________________
Notary Public for Idaho
Residing at:____________________
Comm. Expires:__________________
CITY OF HAILEY
RESOLUTION NO. 2017-085

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY
AUTHORIZING AN ANNEXATION, SERVICES AND DEVELOPMENT AGREEMENT
WITH CGP, LLC an Idaho limited liability company TO ANNEX PROPERTY KNOWN
AS COLORADO GULCH.

WHEREAS, the City of Hailey and CGP, LLC agree the Annexed Property shall be
developed in accordance with the terms and conditions of this Agreement and the Ordinances of
the City.

WHEREAS, the City of Hailey and CGP, LLC, have agreed to the terms and conditions of
the Annexation, Services and Development Agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF HAILEY, IDAHO, that the City of Hailey approves the Annexation, Services and
Development Agreement between the City of Hailey and CGP, LLC and that the Mayor is
authorized to execute the attached agreement,

Passed this 28th day of August, 2017.

City of Hailey

[Signature]
Fritz X. Haemmerle, Mayor

ATTEST:

[Signature]
Mary Cone, City Clerk

[City Seal]
ANNEXATION, SERVICES AND DEVELOPMENT AGREEMENT
COLORADO GULCH PRESERVE

THIS ANNEXATION, SERVICES AND DEVELOPMENT AGREEMENT ("Agreement") is dated this 12th day of September, 2017, by and between the CITY OF HAILEY, IDAHO, a municipal corporation (the "City") and CGP, LLC an Idaho limited liability company, ("CGP"), Darin and Kathleen Barfuss, husband and wife ("Barfuss"), Brad and Anna Billger, husband and wife ("Billger", and together with Barfus, the "In-Holders"). The City, CGP and the In-Holders are collectively referred to as the "Parties".

RECITALS

A. The City is a municipal corporation possessing all powers granted to municipalities under the applicable provisions of the Idaho Code, including the power to annex property contiguous to its boundaries, the power to zone and enforce zoning within the boundaries of the property so annexed, and the power to contract.

B. CGP owns approximately 24.29 acres of property in Blaine County, Idaho and contiguous to the boundaries of the City, the legal description of which is set forth in attached Exhibit A-1 and depicted in attached Exhibit A-2 (the "CGP Property").

C. Barfuss owns two lots in Blaine County at 1371 Silver Star Drive identified as Tax Lot 7731 and Tax Lot 7732 (the "Tax Lots 7731 & 7732") the legal description of which is set forth in attached Exhibit A-1 and depicted on Exhibit A-2.

D. Billger owns a lot in Blaine County at 43 Broadford Road Drive identified as Tax Lot 3913 (the "Tax Lot 3913") the legal description of which is set forth in attached Exhibit A-1 and depicted on Exhibit A-2.

E. An additional lot in Blaine County at 71 Broadford Road Drive identified as Tax Lot 7505 (the "Tax Lot 7505") the legal description of which is set forth in attached Exhibit A-1 and depicted on Exhibit A-2. Tax Lot 7505 is included in the Annexed Property, as defined below, but the owner of Tax Lot 7505 is not a Party to this Agreement. Tax Lots 7731 & 7732, Tax Lot 3913 and Tax Lot 7505 are collectively referred to as the "In-Holder Lots."

F. The CGP Property and the In-Holder Lots are all located within the Area of City Impact ("ACT"), which requires a subdivision within the Hailey ACI to comply with much of the City subdivision ordinance. CGP has applied for annexation and for a subdivision for a 36 lot residential development on the CGP Property within the City.

G. The City has conducted several public hearings before the Hailey Planning and Zoning Commission and the Hailey City Council for an annexation application between 2003 and 2011 and for the annexation and subdivision application filed in 2017.
H. The City has decided to annex the CGP Property, along with the In-Holder Lots as depicted in attached Exhibit “A-2” (the “Annexed Property”) pursuant to Idaho Code § 50-222(3)(a). CGP and the In-Holders consent to such annexation of the Annexation Property subject to the terms, conditions and obligations set forth herein.

I. Concurrent with the execution of this Agreement, the City has adopted Ordinance No. 1224 (the “Annexation Ordinance”) to annex the Annexed Property into the City and to classify and zone the Annexed Property.

J. CGP has concurrently submitted an application for approval of a subdivision of portions of the CGP Property pursuant to the City’s Subdivision Ordinance and Zoning Ordinance which shall be approved immediately subsequent to adoption and publication of the Annexation Ordinance.

K. The Parties agree the Annexed Property shall be developed in accordance with the terms and conditions of this Agreement and the Ordinances of the City.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, promises, agreements, terms and conditions set forth herein, the Parties covenant and agree as follows:

1. INCORPORATION OF RECITALS. The Recitals set forth above are an integral part of this Agreement and are fully incorporated herein by this reference.

2. DEFINITIONS. Throughout this Agreement, the following terms will be defined as follows:

“Annexation Ordinance” shall mean the ordinance adopted by the City annexing the Annexed Property into the City.

“Annexed Property” shall mean the real property more particularly described in attached Exhibit “A-1” and depicted in attached Exhibit “A-2” consisting of approximately 34.94 acres.

“CGP Property” shall mean the real property more particularly described and depicted in attached Exhibit “A-1.”

“CGP” shall mean CGP, LLC an Idaho limited liability company.

“City” shall mean the City of Hailey.

“In-Holder” shall mean Barfuss and Billger, or either of them.
“In-Holder Lots” shall mean the mean Tax Lots 7731 & 7732, Tax Lot 3913, and Tax Lot 7505, as depicted on Exhibit “A-2”, or any of them.

“Plat” shall mean the preliminary subdivision plat for Colorado Gulch Preserve, more particularly described in Paragraph 6, approved by the City concurrent with the effective date of the Annexation Ordinance. A copy of the Plat is attached hereto as Exhibit “C”.

3. AUTHORITY. This Agreement is made pursuant to and in accordance with the provisions of Idaho Code §§ 50-222, 50-301, 67-6511A and 67-6512.

4. ANNEXATION. The Annexed Property shall be annexed by the City of Hailey. CGP and the In-Holder Lots consist of residential enclaved lands of less than one hundred privately-owned parcels which are bounded by all sides by lands within the City and the boundary of the City’s area of impact. Accordingly, the annexation of the Annexed Property is a Category A annexation and is authorized by Idaho Code § 50-222(3)(a)(ii). In addition, CGP and the In-Holders do hereby consent to the Annexation of the Annexed Property under the terms of this Agreement. Accordingly, as to the CGP Property and the property owned by the In-Holders, the annexation is Category A annexation and is authorized by Idaho Code § 50-222(3)(a)(i). This Agreement shall become effective only upon, and subject to, the Hailey City Council’s enactment of the Annexation Ordinance.

5. ZONING. Upon annexation, the Annexed Property shall be classified and zoned in accordance with the Annexation Ordinance. The Parties acknowledge that no zoning of the Property can exist solely by virtue of this Agreement. The zoning districts of the Annexed Property are depicted in Exhibit “B” and consist of LR-2, RGB, and SCI – I and SCI - SO. Tax Lot 3913 may be rezoned as SCI – SO in the event legal access is constructed to that lot through Airport West and the existing Broadford Road access is terminated. Tax Lot 7505 may be rezoned as SCI – I in the event legal access is constructed to that lot through Airport West and the existing Broadford Road access is terminated.

6. DEVELOPMENT AND DENSITY.

A. **CGP Property.** The CGP Property shall be developed as shown on the approved Plat, attached as Exhibit “C”.

B. **In-Holder Lots.** The In-Holder Lots may be developed consistent with the zoning applied to each Lot. As consideration for the In-Holders agreeing to the Annexation Agreement, the City commits that it will not issue an “Official Notice” under Hailey Ordinance 13.04.030 requiring mandatory hookup to Municipal Water and Wastewater Systems to any owner of an In-Holder Lot until the earlier of: (i) a change in the nature of the use or an expansion of the use, including, but not limited to, subdivision (but not including a lot line amendment), or that
would require an addition to, improvement or expansion of the septic system currently in use on the In-Holder Lot; or (ii) the existing septic system fails to or no longer meets current health and safety requirements. In the event the owner of an In-Holder Lot is required to connect to City Water and Wastewater Systems, that owner shall permanently disconnect and abandon the existing septic tank and leach field immediately upon connection to the City System. As part of the development of the CGP Property, CGP shall “stub” water and sewer service lines to the Tax Lot 7732 and Tax Lot 7505 as shown on Exhibit “C”.

7. CONSIDERATION. In consideration for the City providing essential governmental and utility services to the CGP Property and to mitigate the impact on the City of annexation and development of the Annexed Property, CGP shall pay to the City an Annexation Fee in the amount of One Hundred Thirty-One Thousand, Two Hundred Twenty Dollars ($131,220.00) ("Annexation Fee"), due on or before the effective date of the Annexation Ordinance pursuant to the City’s Annexation Fee Schedule (Ordinance 1146). Said amount shall be deposited into an account held jointly by CGP and the City and utilized to fund the Broadford Improvements ("Broadford Account") identified in Paragraph 8, below.

In addition, CGP will be required to pay On-Site Sidewalk In Lieu Fees in the amount of One Hundred Forty-Two Thousand, Three Hundred Fifty Dollars ($142,350.00) ("Sidewalk Fees") prior to the recording of the Final Plat for Colorado Gulch Preserve ("Final Plat"). The sum of the Annexation Fee and the Sidewalk Fees, that is, Two Hundred Seventy-Three Thousand, Five Hundred Seventy Dollars ($273,570.00), is hereafter referred to as the “Total Fee Amount”.

8. BROADFORD IMPROVEMENTS. The Broadford Improvements shall consist of two projects, (i) the Broadford Road Improvements; and (ii) the Broadford Path Improvements.

A. Broadford Road Improvements. Broadford Road shall be improved by CGP to a 22 foot width from the North Boundary of the Tax Lot 7731 to a point approximately sixty (60) feet north of the south boundary of the LDS Church Parcel, consistent with the scope and plans contained in Exhibit “D” (the “Broadford Road Improvements”). The cost for CGP to complete the Broadford Road Improvements is estimated to be $232,000.00 if completed in 2017. In the event entitlements for the Plat are not obtained from the City with sufficient time to complete the Broadford Road Improvements in 2017, the cost estimate may increase by approximately ten percent (10%) to complete work in the spring of 2018. In any event, CGP shall endeavor to use its best efforts to complete the Broadford Road Improvements at or below the cost of the above estimates. If, after commencement of construction of the Broadford Road Improvements, it is determined that additional work is required that is not included on Exhibit “D”, a change order will be required identifying a source of payment for such additional work.

B. Broadford Path Improvements. The Broadford Path consists of an eight foot wide paved path along the north end of Broadford consistent with the scope contained on the preliminary plans attached as Exhibit “E” (the “Broadford Path Improvements”). The Broadford Path Improvements shall be a City project with CGP’s participation in funding as set forth below.
C. Payment for the Broadford Improvements. CGP shall be responsible for construction of the Broadford Road Improvements which shall be completed as a condition of recording the final Plat. Payment for the Broadford Road Improvements shall first be made from the Broadford Account until said account is depleted. Thereafter, payments shall be made by CGP and credited against CGP’s obligation to pay Sidewalk Fees. The difference between the actual cost to CGP of completing the Broadford Road Improvements (which shall include all typical construction, materials, engineering and permitting fees and shall be verified through accounting records maintained by CGP and reviewed by the City) and the Total Fee Amount shall be paid by CGP to the City prior to the recording of the final Plat, and said amount shall be held by the City in a fund dedicated to the Broadford Path Improvements, which shall be a City project.

In the event the City commences work on the Broadford Path Improvements within two (2) years of the date of this Agreement, CGP agrees to also advance to the City, in cash or equivalent value of services, the transportation portion of the City’s Development Impact Fees that would be charged on construction within the CGP Property, which are estimated to total approximately Fifty-One Thousand Dollars ($51,000.00), to be utilized for the Broadford Path Improvements, less any amounts previously collected by the City in Development Impact Fees associated development of the CGP Property. The prepaid amount shall then be credited against Development Impact Fees to be paid by CGP, or subsequent owners of lots within the CGP Property, as they become due in the course of development of the CGP Property.

The Parties acknowledge and agree that the consideration described in this Paragraph 8 is fair and equitable and has been agreed upon as consideration for the City providing essential governmental and utility services to the Annexed Property and to mitigate the impact on the City of annexation and development of the CGP Property. Except as otherwise provided herein, CGP agrees for itself and its successors, heirs and assigns, that CGP or any of its successors, heirs or assigns, as the case may be, shall not be entitled to any credit for any obligation for an impact or capital facilities fee, water and wastewater connection fees for each lot or building, building permit fee, development impact fee created in accordance with Idaho Code §§ 67-8201 et seq., as amended, or similar fee associated with the development of the CGP Property, by virtue of the consideration described in this Paragraph 8.

9. SEWER LIFT STATION. In further consideration for the City providing essential governmental and utility services to the Annexed Property and to mitigate the impact on the City of annexation and development of the Annexed Property, if, in the process of development the CGP Property, it is determined that a Sewer Lift Station (“Lift Station”) is required to allow for adequate sewer flows, CGP shall pay all costs associated with the design and construction of the Lift Station and the Association shall own and maintain the Lift Station to City standards unless, at the request of the City, the Lift Station is dedicated to the City.

10. ON-SITE IMPROVEMENTS. In further consideration for the City providing essential governmental and utility services to the Annexed Property and to mitigate the impact on
the City of annexation and development of the Annexed Property, and to benefit the community as a whole, CGP agrees to make the following improvements and dedications within the Annexed Property:

A. **Drought Resistant Water Policy.** CGP will require 75% of the total area of each residential Lot on the Plat shall be either hard scape, xeriscape, or qualified drought tolerant. CGP will cause the Association to, prior to the issuance of a building permit for any residential lot to, require and approve a drought tolerant landscape plan that incorporates at least the following criteria:

- integrates City of Hailey Smarty Water Program techniques;
- promotes a low water use landscape through the use of drought tolerant plants as set forth on an approved plant list;
- includes detailed irrigation plan identifying water usage (per day) based on proposed plant requirements;
- encourages rainwater harvesting techniques when environmentally feasible; and
- minimize impervious surfaces to the greatest extent reasonably feasible.

The above provisions shall be incorporated into the Association’s CC&Rs and may not be amended without City approval.

B. **Irrigation Water.** CGP shall utilize its existing irrigation water for all irrigation needs on the CGP Property each year until such time as the existing water rights are called, as set forth in paragraph 12, below

C. Dedication of property at Corner of Colorado Gulch Road and Broadford Road to Blaine County as identified on Exhibit “A-2”.

D. Restrict Height Limit on Residential Construction along Broadford road to 28 feet as shown on Exhibit “C”.

E. Dedicate Parcel D, identified of Exhibit “C” to the Wood River Land Trust.

11. **OFF-SITE IMPROVEMENTS.** In further consideration for the City providing essential governmental and utility services to the Annexed Property and to mitigate the impact on the City of annexation and development of the Annexed Property, CGP shall make the following off-site improvements:

A. **Broadford Improvements.** As described in Paragraph 8, above.

B. **Broadford/Cedar Intersection.** Prior to approval of the final Plat for the
development of the CGP Property, CGP shall cause approved striping and signage to be incorporated at the intersection of Broadford Road, Cedar Street and Highway 75, as set forth on Exhibit “F”.

12. WATER RIGHTS AND WATER SYSTEM. CGP shall retain ownership of all of irrigation and other water rights which are currently appurtenant to the CGP Property (the “Water Rights”) and, sufficient water rights to irrigate the CGP Property shall remain appurtenant to the Property and be assigned to a Homeowners’ Association (“Association”) created to administer the CGP development. Except as hereinafter provided, CGP, in its sole and absolute discretion, may sell or otherwise convey and transfer Water Rights, to the extent not necessary for the irrigation of the CGP Property, off of the CGP Property.

Notwithstanding the foregoing, CGP agrees for itself and its successors, heirs and assigns, that CGP or any of its successors, heirs or assigns, as the case may be, shall pay water connection fees for every residential use at the time of connection at the then current amount charged for such connections by the City. CGP shall construct an appropriate water system to City Standards including a potable water main connected to the City municipal water system and a separate irrigation water main. Water from the City’s system shall be used for domestic, indoor use and fire suppression. Irrigation shall not be provided from the City’s system, except after such time as CGP’s Water Rights may be called from time to time. Each property shall be individually charged monthly water user fees as set by the City. Operation of CGP’s private irrigation pump system shall conform to all IDEQ standards and shall be the responsibility of the Association. The City will provide supplemental irrigation water from the City’s System in the event of curtailment, system failure or any other reason that limits CGP from providing its own irrigation water, and all such water shall be billed to the Association.

13. MISCELLANEOUS PROVISIONS.

A. POLICE POWERS. Except as otherwise expressly provided herein, nothing contained herein is intended to limit the police powers of the City or its discretion in review of subsequent applications regarding development of the Property. This Agreement shall not be construed to modify or waive any law, ordinance, rule, or regulation not expressly provided for herein, including, without limitation, applicable building codes, fire codes, Hailey’s Zoning Ordinance, Hailey’s Subdivision Ordinance, and Planned Unit Development requirements for the Property. The Parties agree and understand that all state and city sales tax, including nonproperty taxes authorized pursuant to Chapter 5.32 of the Hailey Municipal Code, shall apply to any applicable sales in the Annexed Property.

B. 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 amended plats and development plans.

C. REMEDIES. In the event the CGP Property is not developed in accordance
with this Agreement, or if CGP or its successors and assigns, if any, materially breach, default or fail to perform any material obligation under this Agreement and do not cure such breach, default or failure within thirty (30) days after written notice from City of the breach, default or failure, or in the case of a breach which is incapable of being cured within a thirty (30) day time period, CGP fails within thirty (30) days after written notice from City to commence to cure the same and thereafter to prosecute the cure of such breach with due diligence and continuity, a) the City has the right to de-annex the Annexed Property, b) and/or CGP may be required to pay additional annexation fees. Subject to the conditions set forth herein, CGP and each In-holder hereby grants to the City its irrevocable consent to the de-annexation of the Property. In the event of a breach of this Agreement, in addition to all other remedies of law or in equity, this Agreement shall be enforceable by specific performance by either party hereto. All remedies shall be cumulative.

D. **FORCE MAJORE.** Notwithstanding the foregoing, CGP shall be held to a standard of reasonableness and shall not be liable to the City for matters outside its control, including but not limited to acts of God, civil riot, war, strikes, labor unrest, or shortage of material. In such event, the City shall grant extensions to CGP’s subdivision approvals, upon the request of CGP, for such period of time as said matters may remain in effect.

E. **NOTICES.** All notices under this Agreement shall be in writing, shall be delivered to each of the Parties, and shall be (i) delivered in person or (ii) mailed, postage prepaid, either by registered or certified mail, return receipt requested, or by overnight express carrier, addressed in each case to the party’s address set forth in the introductory paragraph of this Agreement, or (iii) sent by facsimile with the original to follow by mail in the manner described above. It is provided, however, that any party may change its respective address for purposes of receipt of any such communication by giving ten (10) days prior written notice of such change to the other party hereto in the manner provided above. All notices sent pursuant to the terms of this paragraph shall be deemed received (i) if sent by overnight, express carrier, on the next business day immediately following the day sent, (ii) if sent by registered or certified mail, on the third business day following the day sent or (iii) if sent by facsimile on the date so sent.

F. **RELIANCE BY PARTIES.** This Agreement is intended by CGP to be considered by the City as part of CGP’s request for annexation of the CGP Property and application for subdivision approval and is contingent upon said annexation. CGP acknowledges and intends the City to consider and rely upon this Agreement in its review and consideration of said annexation request and subdivision application.

G. **RELATIONSHIP OF PARTIES.** It is understood that the contractual relationship between the City, CGP and the In-Holders is such that no Party is the agent, partner, or joint venturer of any other Party.

H. **SUCCESSORS AND ASSIGNS; COVENANT RUNNING WITH LAND.** This Agreement shall inure to the benefit of the City, CGP and the In-Holders and each of their respective heirs, successors and assigns. This Agreement, including all covenants, terms,
and conditions set forth herein, shall be and is hereby declared a covenant running with the land with regard to the Annexed Property or any portion thereof, and is binding on all parties to this Agreement as well as their respective heirs, successors and assigns.

I. RECORDATION AND RELEASE. This Agreement shall be recorded with the Blaine County Recorder. Where the conditions of the payment of the consideration described in Paragraphs 7 and 8 of this Agreement have been fully performed to the City’s satisfaction, the City shall execute and deliver from time to time upon request partial releases in the form acceptable to CGP and sufficient to release the lien of this Agreement from portions of the CGP Property being conveyed to third party purchasers. The cost of recording each partial release shall be paid by CGP.

J. NO WAIVER. In the event that the City, CGP, or any In-holder, or their respective successors and 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 the City, CGP or any In-holder as the case may be, or their successors and assigns, 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.

K. PARTIAL INVALIDITY. In the event that any provision of this Agreement is deemed to be invalid by reason of the operation of any law, or by reason of the interpretation placed thereon by any court or other governmental body, this Agreement shall be construed as not containing such provision and the invalidity of such provision shall not affect the validity of any other provision hereof, and any and all other provisions hereof which otherwise are lawful and valid shall remain in full force and effect.

L. ENTIRE AGREEMENT. This Agreement sets forth the entire understanding of the Parties hereto, and shall not be changed or terminated orally. Any other agreements between the parties, express or implied, are hereby cancelled and of no further force nor effect. It is understood and agreed by the parties hereto that there are no verbal or written promises, agreements, stipulations or other representations of any kind or character, express or implied, other than as set forth in writing in this Agreement.

M. EXHIBITS. All exhibits referred to herein are incorporated in this Agreement by reference, whether or not actually attached.

N. AUTHORITY. Each of the persons executing this Agreement represents and warrants that he has the lawful authority and authorization to execute this Agreement, as well as all deeds, easements, liens and other documents required hereunder, for and on behalf of the entity executing this Agreement.

O. NO THIRD-PARTY RIGHTS. This Agreement shall be for the sole
benefit of the Parties and/or their successors and assigns, and no covenants or agreements herein shall be for the benefit of or create any rights in favor of any third parties.

P. **GOVERNING LAW.** The validity, meaning and effect of this Agreement shall be determined in accordance with the laws of the State of Idaho applicable to agreements made and performed in that state.

Q. **TIME OF ESSENCE.** Time is of the Essence in this Agreement.

R. **NECESSARY ACTS.** Each party agrees to perform any further acts and execute any documents that may be reasonably necessary to affect the purpose of this Agreement.

S. **CAPTIONS TO PARAGRAPHS.** The captions to the paragraphs of this Agreement are for convenience only and shall not be deemed to enlarge, diminish, explain or in any manner affect the meaning of such paragraphs.

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year written herein.

DATED this 12th day of September, 2017.

CITY OF HAILEY

By, [Signature]
Fritz X. Haemmerle, Mayor

ATTEST:

[Signature]
Mary Cone
Hailey City Clerk

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STATE OF IDAHO  
County of Blaine  

: ss.

On this 12\textsuperscript{th} day of September, 2017, before me the undersigned Notary Public in and for said State, personally appeared Fritz X. Haemmerle, known or identified to me to be the Mayor of Hailey and the person whose name is subscribed to the within instrument, and acknowledged that he executed the same on behalf of the City of Hailey.

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

Notary Public for Idaho
Residing at: Hailey, ID
Comm. Expires: 9/15/2020
CGP, LLC an Idaho limited liability company,

By: [Signature]

Preston Ziegler, its manager

STATE OF IDAHO     )
    ss.
County of Blaine    )

On this 8th day of September, 2017, before me the undersigned Notary Public in and for said State, personally appeared Preston Ziegler, known or identified to me to be the manager of CGP, LLC, an Idaho limited liability company, and the person who executed the foregoing instrument on behalf of said company and acknowledged to me he executed the same on behalf of said company.

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

[Signature]

Marilyn J. Terry
Notary Public for Idaho
Residing at: Nampa, ID
Comm. Expires: 10-20-2018
STATE OF IDAHO  

County of Blaine  

On this 26th day of September, 2017, before me the undersigned Notary Public in and for said State, personally appeared Darin Barfuss and Kathleen Barfuss, known or identified to me to be the persons who executed the foregoing instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho
State of Idaho
Residing at: Ketchum, ID
Comm. Expires: 10-30-2018

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9-7-17

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Billger

Brad Billger

Anna Billger

STATE OF IDAHO )
     ss.
County of Blaine )

On this 8 day of September, 2017, before me the undersigned Notary Public in and for said State, personally appeared Brad Billger and Anna Billger, known or identified to me to be the persons who executed the foregoing instrument and acknowledged to me that they executed the same.

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

Marilyn D. Perry
Notary Public for Idaho
Residing at: Rathdrum, ID
Comm. Expires: 10-20-2018

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9-7-17
### Parcel Line Table

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### Graphic Scale

1 inch = 200 ft

### Curve Table

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### EXHIBIT A2
ANNEXATION BOUNDARY
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 04/02/2018   DEPARTMENT: Admin   DEPT. HEAD SIGNATURE: HD

SUBJECT:

Introduction of FY2018 Capital Budget Amendment and Capital Improvement Plan Amendment

AUTHORITY: □ ID Code ____________ □ IAR ______  □ City Ordinance/Code IC 50:1002-1003
(IFAPPLICABLE)

We recommend following the statutes pertaining to budget public hearings, with publication of the tentative budget followed by public hearing on April 23, 2018, even though the appropriation ordinance will not necessarily be amended with this budget amendment.

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

See attached Memorandum

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

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)

____ 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:

1. Motion to approve (with or without amendments) Hailey’s 2018 Capital Improvement Plan detail and set for public hearing on April 23, 2018.
2. Motion to approve (with or without amendments) Hailey’s proposed 2018 Capital Fund Budget Amendment and set the matter for public hearing on April 23, 2018.

FOLLOW-UP REMARKS:

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MEMORANDUM

To: Hailey Mayor and City Council
From: Heather Dawson, Administrator - Brian Yeager, Engineer - Becky Stokes, Treasurer
Date: April 2, 2018
RE: Consideration of FY 2018 Capital Budget and Capital Improvement Plan Amendments

Background
Hailey’s Development Impact Fee Advisory Committee (the Committee) meets annually to make recommendations on Hailey’s Capital Improvement Plan (CIP). Hailey’s development impact fee is established by a five-year study, currently the 2016 Development Impact Fee Report written by TischlerBise. That report utilized as its basis the 2015 CIP, which is updated annually to reflect new projects, estimates, priorities, and completed and eliminated projects. These annual updates don’t amend the fee; but in order to spend fees on a project, that project must be eligible and must be shown in both the CIP and the city’s budget. The amendments proposed in this report were reviewed and recommended by the Committee on March 19, 2018. They update the FY 2018 Budget and FY 2018 CIP to reflect project costs and proposed spending on additional CIP items. The total budget amount has not changed, only the source of the funding and the specific project detail within the FY2018 budget.

What are the Proposed Budget Amendments?
The proposed budget amendments are being introduced because we now know more about the timing and detail of reimbursement money to be received from FEMA. The flood repairs were estimated for the FY 2018 budget in June of 2017 while streets were still under water in west Hailey and we believed we would have to rebuild roads or portions of roads. The provisional award discussed with FEMA was for $977,311 to repair roads, parks and public property damaged during the flood, as well as to reimburse allowable city staff time spent on flood response. That amount was budgeted as revenue and match from our capital fund. We are in the final processes of working with FEMA on the details of our expenses, most of which occurred in the past fiscal year. What we now know is that the damage during the 2017 flood was minor; our eligible reimbursement amount will be approximately $150,000 and will not be paid until FY2019. That amount includes eligible flood response by staff, which amounts to $65,000, and approximately $85,000 in reimbursement for road repairs along War Eagle Drive and clean-up work at Heagle Park.

In summary, the City of Hailey FY 2018 budget contains $977,311 in revenue and expenses that will not occur within this fiscal year. The expenses occurred largely within FY2017, and the reimbursement revenue will not be received until FY 2019.

Hailey also applied for two flood mitigation grants, each totaling $913,600. The projects under these grants may help prevent or mitigate future flooding. Those grants are not the subject of this budget amendment discussion because they won’t be reviewed and awarded until FY 2019, after which proper permits and authorization would have to be secured.

Hailey has other substantial new revenue and corresponding projects that were not known during last summer’s budgeting process; namely the Seagraves grant which bought Jimmy’s Garden and the Colorado Gulch annexation fees which were received and spent on Bradford Road repaving. We recommend amending the FY2018 budget to include these new revenues and corresponding expenses, as well as several other grants and projects not included in the budget. The amendments repurpose the appropriated Capital Improvement Fund amount of $2,384,440 for different expenses. The original FY 2018 budget is shown on the next page:
In the proposed budget amendment, some of the expense amounts are unchanged, such as the Balmoral Park Grant project and the Rodeo Arena Bond Principal & Interest payment. What is proposed to change includes detail corresponding to project timing and actual bid or contract amounts. The discussion of the proposed capital improvement plan amendments which follow explain all of these capital budget amendments. This discussion is followed by a budget spreadsheet showing the proposed amended capital fund budget.

**What are the Proposed Capital Improvement Plan Amendments?**

**2018 Capital Improvement Plan.** The City of Hailey has made some key successes in capital plan implementation so far this year, both with and without the use of development impact fees. The use of grant funds and partnerships is key to Hailey’s implementation success. This section explains the capital projects in relationship to development impact fee spending on the projects.

A. **River Street Project.** Last year, the DIF Committee recommended that the River Street project be the top CIP priority. The City has qualified for an LHTAC grant of $1.9 million, but the grant expense period keeps being moved to the future. It is now set in FY 2023/2024. Hailey does plan to apply for other grants for this project, namely an Idaho Community Development Block Grant, for up to $500,000 in funds. The Hailey URA is willing to prioritize this project with a tax-increment bond. Bonded infrastructure project costs are not DIF eligible, because the bond is paid by future growth. Portions of the project not paid for with bond funds are DIF eligible, with bicycle/pedestrian improvements being 30% eligible, and lane and intersection expansion or sidewalk infill improvements 40% eligible. The City and LHTAC are in the process of selecting an engineer for this project. The project design and engineering work will begin this summer, and we’ve assigned $60,000 in engineering to FY 2018. The bulk of the engineering work will occur in FY 2019. Once plans are in place, we will move higher up on the LHTAC priority list.

**Action Items:** The CIP and budget for FY 2018 should be adjusted to show $60,000 of design/engineering expense for this summer. The remainder of the design/engineering work will occur in FY2019. The City will review the FY19 Budget in June of this year.

B. **Broadford Road Projects.** Just after the FY2018 Budget was adopted last August, Hailey entered into an annexation agreement with the Colorado Gulch Preserve Subdivision. Annexation fees were assessed and applied to the Broadford Road project. According to the Agreement, $131,220 was to be applied from annexation fees directly to the Road project, which was estimated to cost more than that. Sidewalk in-lieu fees were assessed at $142,350. This amount was to be reduced by the amount the developer would pay for the total Road construction costs. The remainder of the sidewalk in-lieu fee was to be paid at final plat and remain in the City’s account until the Broadford Path project is constructed by the City.

\[
\begin{align*}
131,220 & \quad \text{Annexation Fee to be used for Broadford Road} \\
+ 142,350 & \quad \text{Sidewalk In-Lieu Fee} \\
273,570 & \quad \text{Total Fees due from Colorado Gulch Subdivision} \\
- 213,220 & \quad \text{Total Road Construction Cost} \\
60,350 & \quad \text{Remaining Sidewalk In-Lieu fee due at final plat} \\
82,000 & \quad \text{Additional Annexation Fee Paid to Complete Road, credited against sidewalk in-lieu fees due}
\end{align*}
\]

**Action Items:** Because this agreement was put into place after the 2018 budget was adopted, the budget should be amended to reflect the Broadford Road project revenue and expenses. This project is
already in the CIP. The sidewalk in lieu fees will be paid sometime in FY 2019, so the Path construction project will be addressed in the FY 2019 budget, which the City will review in June of this year.

C. Pathways for People Projects. The $800,000 from Hailey’s two-year levy will be fully received in July; spending on visible projects begins this summer. The engineering and sidewalk maintenance costs to date total $95,000. The Croy/2nd Street improvements are contracted for $434,000, with work scheduled for summer 2018. The Myrtle Street grant of $500,000 is matched with remaining levy funds set aside to complete construction in the summer of 2019. We do not expect to have enough funds for the Werthheimer Connector path project from the levy. We are actively looking for other ways to fund that project.

One method by which to fund the Werthheimer Connector project would be to assign development impact fees to eligible portions of the Pathways for People projects. These were not previously assigned, because the design of the project was not completed. With a completed design, we are able to identify which portions of the project serve growth. The Myrtle Street and Croy Street projects are 30% growth eligible, as they allow for more pedestrian/bicycle traffic on collector streets. If that growth assignment were made, the spending plan would look like this:

<table>
<thead>
<tr>
<th>Pathways for People Levy Amount Calculations</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td>FY 2018 Budget</td>
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<tr>
<td>Original</td>
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<td>Alta Preliminary Engineering, Planning (Growth Eligible)</td>
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<td>Sidewalk Maintenance: Location TBD (Not Growth Eligible)</td>
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<td>2nd Ave PAP (Not Growth Eligible)</td>
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<td>Myrtle Street Project Construction (Growth Eligible)</td>
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<td>Myrtle Street Project Additional Grant (Growth Eligible)</td>
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</table>

Subtotals

Pathways for People Levy & Myrtle Street Grant Total: $1,300,000

PAP Levy: $800,000

Updated FY 2018 Budget Total: $1,086,562

Proposed Pathways for People Levy To be Used: $493,045

Proposed Development Impact Fees to be Used: $255,375

Remaining Levy available for Werthheimer or other projects: $366,955

Action Items: Although the Pathways for People projects are in the current CIP and budget, they have not been previously shown as growth eligible. The CIP can be amended to show Pathways for People Collector projects as 30% growth eligible, using the criteria established by the Committee and Hailey City
Council as shown in Attachment 3. With development impact fees assigned to these collector street projects, additional levy funds would then be available for the Werthheimer Connector project, which is estimated to cost approximately $200,000.

D. **Rolling Stock and Facilities.** Equipment and proper facilities are needed to maintain streets. Rolling stock is eligible for DIF funding when additional equipment capacity is purchased and added to the fleet. Aged equipment that simply needs to be replaced is not eligible. Facilities that serve city-wide programs are also eligible for DIF funding. The growth factor on additional equipment and facilities is 30%. The Street Division has identified a need for a chip spreader, a fuel storage facility and a salt storage facility. These three items together cost approximately $300,000, of which $90,000 is DIF eligible.

**Action Items:** Spread across three years, these three items would be matched by new DIF revenue received each year for transportation projects. City Staff recommends that the FY 2018 budget and CIP be amended to include the chip spreader expense. The other items will be addressed in future years.

E. **Master Plans.** The City has been focused on master planning work, including updates to the Parks & Trails Master Plan and the new Greenway Master Plan. Master Plans are a prerequisite to grant eligibility. Hailey’s Transportation Master Plan was adopted in 2007, and is now too old to gain points in applications for grants, such as TIGER grants. We believe it is strategically important to use budget funds immediately to conduct an update to the Transportation Master Plan.

**Action Items:** The cost of master planning should be put into the CIP. The budget should be amended to show the cost of the Transportation Master Plan. Projects from these master plans, including the Greenway Master Plan, will be addressed in the upcoming June budget work, after the Hailey City Council finishes the adoption of these plans.

F. **Snow Storage Infrastructure Installation.** Hailey is hoping to secure a snow storage site other than Lions Park. Access, compaction and drainage infrastructure is needed before snow can be piled on a site. Some funds may also be needed for land acquisition.

**Action Item:** Snow storage land and infrastructure should be budgeted in FY2018 in anticipation of some late summer spending. This item is already in the CIP but not in the budget. If not spent in FY 2018, the funds would be carried over into the FY 2019 budget, and held for this high priority item.

G. **Other Grants.**

a) **Balmoral Park Project.** The Hailey City Council adopted a grant agreement for the Balmoral Park project on March 12, 2018. This grant and the full project is already included in the FY 2018 Budget, including any available development impact fees.

**Action Item:** NO ACTION is required. The budgeted item is the same as in the original budget.

b) **ITD Curb Ramp Grant.** Hailey received a $57,000 grant to upgrade 9 curb ramps to improve ADA accessibility. The total project is estimated to cost $121,000. These replacement projects are not development impact fee eligible.

**Action Item:** This item was already in the CIP, but was not budgeted. The proposed budget amendment includes this project at the amount estimated in the grant award.
c) **Jimmy’s Garden Purchase.** Hailey received the gift of a $175,000 Seagraves Grant, from which Jimmy’s Garden was purchased for $201,425. This occurred in the first few months of the fiscal year. It was not anticipated when the budget was adopted, and was therefore not budgeted.

   **Action Item:** Amend FY 2018 budget to include the expense for Jimmy’s Garden. This does not need to be shown in the CIP and is not DIF eligible, as the park, which was formerly leased, is already shown in Hailey’s inventory of parks.

d) **FEMA Seismic Retrofit to Hailey Fire Station.** Hailey applied for a FEMA grant to upgrade windows, doors and the roof of Hailey Fire Station to better withstand snow loads and seismic activity. This grant is still pending. The project was not budgeted.

   **Action Item:** Amend FY 2018 budget to include the project, setting aside the matching funds from capital fund balance. We expect this grant to be funded within the next few months.

**Report Attachments**

1. Proposed amended Capital Improvement Fund Budget.
3. Growth Criteria established by DIF Advisory Committee and Hailey City Council in 2016.

**DIF Advisory Committee Motions Made on March 19, 2018**

1. Motion to approve the annual Development Impact Fee Advisory Committee report.
2. Motion to recommend to the Hailey City Council amendments to Hailey’s 2018 Capital Improvement Plan detail.
3. Motion to recommend to the Hailey City Council adoption of the 2018 Capital Fund Budget Amendment.

**City Council Motions**

1. Motion to approve (with or without amendments) Hailey’s 2018 Capital Improvement Plan detail and set for public hearing on April 23, 2018.
2. Motion to approve (with or without amendments) Hailey’s proposed 2018 Capital Fund Budget Amendment and set the matter for public hearing on April 23, 2018.
• We recommend assigning a 40% growth factor to collector and neighborhood collector street reconstruction projects that add additional vehicle travel lanes or improvements to intersections.

iv. The Pathways for People projects will improve traffic flow by carrying pedestrians and bicyclists far more safely, allowing motorists to travel with assurance and less impediments. Growth is served even when additional vehicle lanes are not added, as the street will be able to carry more traffic.
  • We recommend assigning a 30% growth factor to all collector street projects that add bicycle/pedestrian lanes or separated paths and sidewalks.
  • We recommend assigning a 25% growth factor to neighborhood collector street projects that add bike lanes, sidewalks or separated paths.

v. Local street reconstruction, even when bike lanes or sidewalks are added, is qualitative in nature, as there remain no significant infill opportunities except when property is subdivided.
  • We recommend a 0 growth percentage be applied to all local street projects.

vi. Policies of Hailey's Transportation Master Plan state that new developments are required to install their own infrastructure, including pedestrian and bicycle infrastructure and facilities, to foster the movement of people, not just cars. These developments sometimes create a gap of missing sidewalks.
  • We recommend a 40% growth rate be assigned to all city infill sidewalk projects along collector and neighborhood collector streets.

vii. Transportation infrastructure that serve all street types and the population as a whole, such as shop and storage facilities, snow storage acquisition and development, and rolling stock, mirror growth that will occur within their useful life.
  • We recommend a 30% growth rate designation for street facilities and fleet.

Hailey's parks are categorized as neighborhood parks and city-wide parks. Improvements to neighborhood parks do not serve growth, but improve the quality of the park for neighborhood residents. We recommend that the list of city-wide parks identified by TischlerBise in 2007 be expanded to include Balmoral Park, as it has significant parking and restrooms, and lies along the Wood River Trail. City-wide parks would include:

<table>
<thead>
<tr>
<th>Balmoral Park</th>
<th>Keefer Park</th>
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<tbody>
<tr>
<td>Heagle Park</td>
<td>Lion's Park</td>
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<tr>
<td>Hop Porter Park</td>
<td>McKercher Park</td>
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<td>Old Cutters Park</td>
<td>Werthheimer Park</td>
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</table>

  • We recommend a 30% growth rate be assigned to park improvements for city-wide parks and trails.

viii. Hailey Fire Department equipment and facility replacement continue to serve growth at 25%.
### FY18 AMENDED CAPITAL IMPROVEMENT BUDGET

<table>
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<tr>
<th></th>
<th>G/O BOND</th>
<th>Pathways LEVY</th>
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<td>131,220</td>
<td>257,452</td>
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### REVENUE FY 18 AMENDED

- **LEVY - Pathways for People Levy Second Year**: 400,000
- **Balmoral Park D of Lands Grant**: 149,208 (149,208)
- **FEMA Flood Repair (Provisional Award)**: 0
- **Seagraves Grant for Jimmy’s Garden Purchase**: 175,000 (175,000)
- **ITD ADA Curb Ramp Upgrade Grant**: 57,000 (57,000)
- **FEMA Siesmic Retrofit Grant-HFD**: 77,520 (77,520)
- **Annexation & Development Impact Fee Revenue**: 70,000 (82,000) 152,000
- **RODEO ARENA General Obligation Bond Revenue FY2018**: 399,400 (399,400)

**TOTAL REVENUE AND FUND BALANCE**: 399,400 709,640 458,728 346,000 213,220 257,452 2,384,440

### EXPENSE FY18 AMENDED

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<th>ANNEX FEES</th>
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</table>
- **FEMA Flood Repair (Provisional Award)**
- **Balmoral Park D of Lands Grant** 149,208 8,326 157,534
- **Seagraves Grant for Jimmy’s Garden Purchase** 175,000 26,425 201,425
- **ITD Curb Ramp Upgrade** 57,000 64,000 121,000
- **FEMA Siesmic Retrofit Grant-HFD** 77,520 20,840 98,360
- **Pathways for People Projects Engineering & Construction** 481,495 142,200 623,695
- **Pathways for People Sidewalk maintenance** 66,500
- **River Street Design/Engineering** 20,000 40,000 60,000
- **Chip Spreader** 37,500 87,500 125,000
- **Broadford Road Repaving Proj** 213,220
- **Transportation Master Plan** 75,000 75,000
- **Snow Storage Infrastructure Installation** 73,000 170,306 243,306
- **RODEO ARENA BOND Principle and Interest** 399,400 399,400

**TOTAL CAPITAL PROJECTS EXPENSES FY18**: 399,400 547,995 458,728 272,700 213,220 492,397 2,384,440
## FY18 AMENDED CAPITAL IMPROVEMENT BUDGET

### 10/1/17 BEGINNING BALANCES

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### EXPENSE FY18 AMENDED

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## Capital Improvement Plan Project List - FY 18 Update

**Sorted By:** Type

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<th>Priority</th>
<th>Project Description</th>
<th>FY 17 Budgeted</th>
<th>FY 18 Projected</th>
<th>FY 18 UPDATED</th>
<th>FY 19 Projected</th>
<th>FY 20 Projected</th>
<th>Future (5-10) 2022-6</th>
<th>Future (11-20) 2027-2036</th>
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<td>377,222</td>
<td>113,167</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>2nd Ave. Advisory Lanes (lake facing) PW4P</td>
<td>0</td>
<td>356,195</td>
<td>356,195</td>
<td>12,805</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,185,276</td>
<td>1,861,471</td>
<td>0</td>
<td>1,861,471</td>
</tr>
<tr>
<td>Old Halley Ped/Bike Improvements (PW4P)</td>
<td>N/A</td>
<td>121,000</td>
<td>121,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,138,276</td>
<td>1,861,471</td>
<td>0</td>
<td>1,861,471</td>
</tr>
<tr>
<td>Main street sidewalk A&amp;W Upgrade turf</td>
<td>0</td>
<td>160,000</td>
<td>160,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>50,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3rd Ave Sidewalks (Elm St - Hwy 75)</td>
<td>40%</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>200,000</td>
<td>100,000</td>
<td>0</td>
<td>193,000</td>
</tr>
<tr>
<td>Wayfinding System - design and implementation (100% URA)</td>
<td>N/A</td>
<td>30,000</td>
<td>30,000</td>
<td>30,000</td>
<td>30,000</td>
<td>30,000</td>
<td>30,000</td>
<td>30,000</td>
<td>1,115,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sidewalk and accessibility upgrades</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>1,861,471</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Werthheimer/Nelson Field Main Street Connection</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>313,000</td>
<td>313,000</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>River street Reconstruction/upgrade</td>
<td>75%</td>
<td>160,000</td>
<td>160,000</td>
<td>200,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,026,000</td>
<td>2,246,000</td>
<td>0</td>
<td>2,246,000</td>
</tr>
<tr>
<td>2nd Ave. Reconstruction - Elm to Myrtle (not PW4P)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2,101,862</td>
<td>2,101,862</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Airport Way improvements</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>30,000</td>
<td>30,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cobblestone Lane Chip Seal</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>11,500</td>
<td>11,500</td>
<td>0</td>
<td>11,500</td>
</tr>
<tr>
<td>W. Bulition St Improvements</td>
<td>40%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>360,000</td>
<td>360,000</td>
<td>0</td>
<td>360,000</td>
</tr>
<tr>
<td>E. Bulition St Improvements</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>325,000</td>
<td>325,000</td>
<td>0</td>
<td>325,000</td>
</tr>
<tr>
<td>Roundabout at 2nd and Myrtle St</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>350,000</td>
<td>350,000</td>
<td>0</td>
<td>350,000</td>
</tr>
<tr>
<td>River St &amp; Cedar St Roundabout (100% URA)</td>
<td>30%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>350,000</td>
<td>350,000</td>
<td>0</td>
<td>350,000</td>
</tr>
<tr>
<td>Silver Star Dr &amp; Cedar St Roundabout</td>
<td>30%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>350,000</td>
<td>350,000</td>
<td>0</td>
<td>350,000</td>
</tr>
<tr>
<td>E Elm St Improvements</td>
<td>25%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>225,000</td>
<td>229,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Roundabout 4th and Elm St</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>350,000</td>
<td>350,000</td>
<td>0</td>
<td>350,000</td>
</tr>
<tr>
<td>4th Ave. Improvements</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>357,000</td>
<td>357,000</td>
<td>0</td>
<td>357,000</td>
</tr>
<tr>
<td>6th Ave. Improvements</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>720,000</td>
<td>720,000</td>
<td>0</td>
<td>720,000</td>
</tr>
<tr>
<td>South Woodside Industrial Park street Reconstruction</td>
<td>25%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,188,000</td>
<td>1,861,471</td>
<td>0</td>
<td>1,861,471</td>
</tr>
<tr>
<td>NW Woodside Reconstruction (Excludes Blue Lakes)</td>
<td>25%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,327,000</td>
<td>1,861,471</td>
<td>0</td>
<td>1,861,471</td>
</tr>
<tr>
<td>Blue Lake Dr. (ONLY)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>844,000</td>
<td>844,000</td>
<td>0</td>
<td>844,000</td>
</tr>
<tr>
<td>E Myrtle St Reconstruction</td>
<td>40%</td>
<td>5%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>644,000</td>
<td>644,000</td>
<td>32,200</td>
<td>257,600</td>
</tr>
</tbody>
</table>

### Additional Information

- **Broadford Road**
  - N/A: 15% | 0 | 0 | 0 | 0 | 0 | 0 | 275,000 | 31,983 |
  - N/A: 15% | 0 | 0 | 0 | 0 | 0 | 0 | 275,000 | 31,983 |

- **Street Shop Fuel Storage**
  - 30% | 0 | 0 | 0 | 0 | 0 | 0 | 243,300 | 1,096,700 | 0 | 0 |

- **Street Shop Cold Storage**
  - N/A | 0 | 0 | 0 | 0 | 0 | 0 | 243,300 | 1,096,700 | 0 | 0 |

- **Chip Spreader**
  - 30% | 0 | 0 | 0 | 0 | 0 | 0 | 1,096,700 | 1,096,700 | 0 | 0 |

- **Woodside Blvd Street Trees**
  - 0 | 0 | 55,000 | 0 | 0 | 0 | 0 | 55,000 | 0 | 0 |

- **Street Project Total**
  - 155,000 | 1,227,310 | 2,317,792 | 2,824,912 | 1,609,500 | 284,000 | 8,108,000 | 6,324,138 | 22,615,652 | 2,792,908 | 5,623,204
B. Growth Percentage Assignments

This section discusses growth percentage criteria and recommendations, to insure that growth percentages are assessed consistently each year. The primary consideration in determining the correct percentage of growth is whether the improvements have a quantitative element; will the project create the ability to serve more people? Qualitative improvements, such as wayfinding signs, don’t create the ability to serve more people and are not growth related.

i. The River Street Reconstruction project was shown as being 100% within the URA, and therefore 100% URA funded. If other funding sources apply, the City is provided more latitude in forming partnerships and using all funding sources more broadly.
   • We recommend that all Capital Projects within the URA have growth percentages identified and assigned to them in the same manner as other city areas.

ii. Projects on minor arterials serve growth within the City and Blaine County, and support job and recreational trip generation.
   • We recommend all projects on minor arterials be assigned a 40% growth factor.

### GROWTH PERCENTAGE ASSIGNMENTS

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Vehicle Lanes/Intersection Improvements</th>
<th>Bicycle/Ped Lanes &amp; Paths</th>
<th>Sidewalk Gaps Created By New Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collector</td>
<td>40%</td>
<td>30%</td>
<td>40%</td>
</tr>
<tr>
<td>Neighborhood Collector</td>
<td>40%</td>
<td>25%</td>
<td>40%</td>
</tr>
<tr>
<td>Local Streets</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Minor Arterials</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Equipment and Facilities</th>
<th>City-Wide Parks &amp; Trails</th>
<th>Fire Facilities &amp; Equipment</th>
<th>Police Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>30%</td>
<td>30%</td>
<td>25%</td>
<td>50%</td>
</tr>
</tbody>
</table>

iii. Improvements to intersections, such as roundabouts or added turning lanes, serve to carry more traffic. The addition of vehicle traffic lanes also serves growth significantly.
• We recommend assigning a 40% growth factor to collector and neighborhood collector street reconstruction projects that add additional vehicle travel lanes or improvements to intersections.

iv. The Pathways for People projects will improve traffic flow by carrying pedestrians and bicyclists far more safely, allowing motorists to travel with assurance and less impediments. Growth is served even when additional vehicle lanes are not added, as the street will be able to carry more traffic.
  • We recommend assigning a 30% growth factor to all collector street projects that add bicycle/pedestrian lanes or separated paths and sidewalks.
  • We recommend assigning a 25% growth factor to neighborhood collector street projects that add bike lanes, sidewalks or separated paths.

v. Local street reconstruction, even when bike lanes or sidewalks are added, is qualitative in nature, as there remain no significant infill opportunities except when property is subdivided.
  • We recommend a 0 growth percentage be applied to all local street projects.

vi. Policies of Hailey’s Transportation Master Plan state that new developments are required to install their own infrastructure, including pedestrian and bicycle infrastructure and facilities, to foster the movement of people, not just cars. These developments sometimes create a gap of missing sidewalks.
  • We recommend a 40% growth rate be assigned to all city infill sidewalk projects along collector and neighborhood collector streets.

vii. Transportation infrastructure that serve all street types and the population as a whole, such as shop and storage facilities, snow storage acquisition and development, and rolling stock, mirror growth that will occur within their useful life.
  • We recommend a 30% growth rate designation for street facilities and fleet.

Hailey’s parks are categorized as neighborhood parks and city-wide parks. Improvements to neighborhood parks do not serve growth, but improve the quality of the park for neighborhood residents. We recommend that the list of city-wide parks identified by TischlerBise in 2007 be expanded to include Balmoral Park, as it has significant parking and restrooms, and lies along the Wood River Trail. City-wide parks would include:

- Balmoral Park
- Heagle Park
- Hop Porter Park
- Old Cutters Park
- Keefer Park
- Lion’s Park
- McKercher Park
- Werthheimer Park

  • We recommend a 30% growth rate be assigned to park improvements for city-wide parks and trails.

viii. Hailey Fire Department equipment and facility replacement continue to serve growth at 25%.
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 04/2/2018 DEPARTMENT: Parks/Admin DEPT. HEAD SIGNATURE: CS

SUBJECT: Introduction of Ordinance amending the Parks Section of Hailey Municipal Code, prohibiting use of scooters in a portion of the Skatepark Facility, providing a curfew for use scooters in the Skatepark and providing penalties for violations thereof.

AUTHORITY: ☐ ID Code __________ ☐ IAR ___x___ ☐ City Ordinance/Code HMC 12.12.
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The Mayor, Public Works Director and Police Chief directed the City Attorney to draft an ordinance amendment that would prohibit, and penalize, scooter use in the "skate board only" portion of the Skatepark Facility and create a 6:00 p.m. scooter curfew, to avoid ongoing conflict and safety concerns with skateboard use.

In the attached ordinance draft, we have added a paragraph to include the prohibition against scooter use in that portion of the Skatepark wherein only skateboards are allowed, and prohibiting the use of scooters from the Skatepark after 6:00 p.m., and penalizing violations thereof. These changes are shown in amendments to Hailey Municipal Code 12.12.060.B.8. USE OF SKATEPARK FACILITY and 12.12.060 PENALTY.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

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

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

___ City Attorney ___ Clerk / Finance Director ___x__ Engineer ___ Building
___ Library ___ Planning ___ Fire Dept. __________________________
___ Safety Committee ___ P & Z Commission ___x__ Police __________________________
___ Streets ___x Public Works, Parks ___ Mayor __________________________

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Conduct a Public Hearing and consider first reading of Ordinance _______ amending the Parks Section of the Hailey Municipal Code which will prohibit use of the specified portion the Skatepark by scooters and prohibit the use of scooters after 6:00 p.m., and penalize violations thereof.

FOLLOW-UP REMARKS:

*
HAILEY ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO AMENDING CHAPTERS 12.12.060 AND 12.12.080 OF THE HAILEY MUNICIPAL CODE BY ADDING A CURFEW AND LIMITATION OF AREA OF USE OF SCOOTERS AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and the City Council of the City of Hailey have adopted Chapters 12.12.060 and 12.12.080 regulating use of the Skatepark Facility and penalizing violations thereof; and

WHEREAS, the Mayor and City Council wish to clarify and amend the provisions of Chapters 12.12.060 and 12.12.080; and

WHEREAS, the Mayor and the City Council of the City of Hailey desire to promote the health, safety and welfare of all users and promote public interest management of city parks and public pathways.

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

Section 1. Section 12.12.060 of the Hailey Municipal Code is hereby amended by the addition of the underlined language as follows:

12.12.060: USE OF SKATEPARK FACILITY:

A. Use of the skatepark facility is for use by persons using human powered skateboards, in-line skates, scooters and roller skates only. All other uses are prohibited.

B. The following are expressly prohibited at the skatepark facility:

1. Bicycles, BMX bicycles and similar bicycles, and motorized or electric vehicles or devices.

2. Food and drinks on or directly over concrete surfaces.

3. Glass containers or any glass item.

4. Animals.

5. Smoking, chewing or ingestion of a tobacco product or an electronic cigarette by any person regardless of age.

6. Possession of a tobacco product or an electronic cigarette by a minor.

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7. Possession of any liquor, beer or wine by any person, regardless of age. (Ord. 1216, 2017; Ord. 1156, 2014; Ord. 1083 §§ 1 - 6, 2011; Ord. 1030 § 1, 2009)

8. Scooters after 6:00 p.m. and/or in the area posted for use of skateboards only.

Section 2. Section 12.12.080 of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

12.12.080: PENALTY:

Except for a violation of subsections 12.12.060B5, B6 and B7, 12.12.065A4, A5 and A6 and 12.12.070C and D of this chapter by a minor, any person who violates any provision of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than three hundred dollars ($300.00) or imprisoned in the County Jail for a period of not more than thirty (30) days, or by both such fine and imprisonment. Any minor who violates the provisions of subsections 12.12.060B5, B6, and B.8, 12.12.065A4 and A5 and 12.12.070C of this chapter shall be guilty of an infraction punishable by a fine of seventeen dollars fifty cents ($17.50) plus court costs. Any minor who violates the provisions of subsections 12.12.060B7, 12.12.065A6 and 12.12.070D of this chapter without a prior violation of these provisions or Idaho Code section 23-604, shall be guilty of an infraction punishable by a fine of three hundred dollars ($300.00) plus court costs. Any minor who violates the provisions of subsections 12.12.060B7, 12.12.065A6 and 12.12.070D of this chapter with a prior violation of these provisions or Idaho Code section 23-604, regardless of the location of the prior offense, shall be guilty of a misdemeanor punishable by a fine set forth in Idaho Code section 18-1502, as amended.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS 2nd DAY OF APRIL, 2018.

Fritz X. Haemmerle, Mayor

Attest:

Mary Cone, City Clerk

Publish: Idaho Mountain Express ______________________, 2018
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 02/26/2018  DEPARTMENT: Parks/Legal  DEPT. HEAD SIGNATURE: CPS

SUBJECT:
Consideration of Ordinance #1230 amending the Parks Section of Hailey Municipal Code, prohibiting use of city parks for commercial sales unless a recreational or community purpose is served.

AUTHORITY: □ ID Code □ IAR □ City Ordinance/Code  HMC 12.12.10 &
12.12.040
(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
The Mayor and City Council directed staff to develop an ordinance amendment that would prohibit city parks from being used by large retailers for sales events that are typically intended for car lots or RV lots. At the same time, we don't want to exclude special events that include sales, such as ArborFest, the Hailey Antique Fair, etc.

In the attached ordinance draft, we have created a definition of a Sales Event and then have excluded certain sales in city parks, and allowed others as special events. These changes are shown in amendments to Hailey Municipal Code 12.12.010 Definitions, and 12.12.040.A, Reservation of City Parks.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
Budget Line Item #
Estimated Hours Spent to Date: ________________________
Staff Contact: ________________________
Comments: ________________________

YTD Line Item Balance $
Estimated Completion Date: ________________________
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:
Conduct public hearing and consider first reading of Ordinance #1230 amending the Parks Section of Hailey Municipal Code which will prohibit use of city parks for commercial sales unless a recreational or community purpose is served.

FOLLOW-UP REMARKS:
* 2/26 - Council approved Ord. No. 1230 as amended. Mayor to conduct 1st reading by title only.
3/12 - 2nd Reading
4/12 - 3rd Reading 

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HAILEY ORDINANCE NO. 1230

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO AMENDING CHAPTERS 12.12.010 AND 12.12.040 OF THE HAILEY MUNICIPAL CODE BY ADDING DEFINITIONS OF "SINGLE-RETAILER EVENT," "MULTI-RETAILER EVENT" AND "COMMUNITY EVENT SALES" AND AMENDING APPLICABILITY OF RESERVATION OF CITY PARKS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and the City Council of the City of Hailey have adopted Chapters 12.12.10 and 12.12.040 defining and regulating parks and public pathways; and

WHEREAS, the Mayor and City Council wish to clarify and amend the provisions of Chapters 12.12.10 and 12.12.040; and

WHEREAS, the Mayor and the City Council of the City of Hailey desire to promote the health, safety and welfare of all users and promote public interest management of city parks and public pathways.

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

Section 1. Section 12.12.010 of the Hailey Municipal Code is hereby amended by the addition of the underlined language as follows:

12.12.010: DEFINITIONS:

For purposes of this chapter, the following words and phrases shall apply as defined herein:

ADMINISTRATOR: The department head, or his/her designee, as assigned by the Mayor or City Administrator to oversee the administration of this chapter.

BEER: Any beverage obtained by the alcoholic fermentation of an infusion or decoction of barley, malt and/or other ingredients in drinkable water.

CITY PARKS: Those parcels of land that are owned or managed by the City of Hailey and are held for public use or as open or green space, including but not limited to Jimmy's Garden, the Skatepark Facility and hillside parcels.

CITY TRAILS: Those parcels of land that are owned or managed by the City of Hailey and are held for nonmotorized public use as trails and rights-of-way.

ELECTRONIC CIGARETTE: Any device that can provide an inhaled dose of nicotine by delivering a vaporized solution. Electronic cigarette includes the components of an electronic...
cigarette, including, but not limited to, liquid nicotine.

IN-LINE SKATES: Footwear containing three (3) or more axles mounted in a straight line extending generally from or behind the heel of the footwear to or in front of the toe of the footwear with a single wheel attached to each axle.

JIMMY'S GARDEN: That City park located adjacent to the intersection of Croy Street and 2nd Avenue, Hailey, Idaho.

LIQUOR: A. "Alcohol", which means the product of distillation of any fermented liquor, rectified once or more than once, whatever may be the origin thereof, or synthetic ethyl alcohol;

B. "Spirits", which means any beverage containing alcohol obtained by distillation mixed with drinkable water and other substances in solution, including, among other things, brandy, rum, whiskey and gin; and

C. Any liquid or solid, patented or not, containing alcohol, spirits and susceptible of being consumed by a human being, for beverage purposes, and containing more than four percent (4%) of alcohol by weight.

RAILROAD RIGHT-OF-WAY: That certain real property lying within the legal City limits of the City, legally described in section 12.12.090, "Exhibit A", of this chapter.

ROLLER SKATES: Footwear containing two (2) axles with two (2) wheels attached to each axle.

SALES EVENT: Sales Events are defined in three categories:

A. “Single-retailer sales event” that is typically designed for large outdoor commercial spaces with the objective of selling a retailer’s products, such as auto sales or spa sales.

B. “Multi-retailer sales event” that is designed to bring five or more small retailers together to offer products in a community or educational environment, such as Farmers Markets, Antique Fairs, Art Shows, Home and Garden Shows, Business Expos.

C. “Community event sales” that are designed to support a community event with food and refreshment sales, and related retail products associated with the event, such as the sale of cd’s and t-shirts at concerts, or products related to festivals such as Trailing of the Sheep, or holiday gift sales during a holiday event.

SCOOTER: A short boardlike object that has two (2) axles attached to the bottom of the boardlike object, with wheels attached to each axle and the user rides or stands upon the boardlike object with the use of handle(s).

SEASONAL EVENT: An event held at regular intervals within a specified time period, typically an organized recreational league, and scheduled in advanced.
SKATEBOARD: A short boardlike object that has two (2) axles attached to the bottom of the boardlike object with two (2) wheels attached to each axle and the user rides or stands upon the boardlike object, without the use of handle(s).

SKATEPARK FACILITY: That City park located adjacent to the intersection of Airport Way and Highway 75, Hailey, Idaho, and used for skateboarding, rollerskating and in-line skating.

TOBACCO PRODUCT: Any substance that contains tobacco, including, but not limited to, cigarettes, cigars, pipes, snuff, smoking tobacco, tobacco papers or smokeless tobacco.

WINE: Any alcoholic beverage containing not more than sixteen percent (16%) alcohol by volume obtained by the fermentation of the natural sugar content of fruits or other agricultural products containing sugar, whether or not other ingredients are added, and those beverages that are designated or labeled, pursuant to the Federal Alcohol Administration Act, as "sherry", "madeira" or "port", which contain more than sixteen percent (16%) alcohol by volume, but do not exceed twenty one percent (21%) alcohol by volume. (Ord. 1216, 2017; Ord. 1171, 2015; Ord. 1156, 2014; Ord. 1100, 2012; Ord. 1083 § 1 - 6, 2011; Ord. 1030 § 1, 2009)

**Section 2.** Section 12.12.040 of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

12.12.040: RESERVATION OF CITY PARKS:

A. Applicability: Reservation for the exclusive use of a portion of a City park, for gatherings of less than two hundred fifty (250) people shall require the prior issuance of a park reservation. For gatherings that are reasonably expected to attract two hundred fifty (250) or more people, or require the exclusive use of the entire park, or involve a Sales Event as defined in 12.12.010.B Multi-Retailer Sales Event and 12.12.010.C Community Event Sales, the procedures and requirements of chapter 12.14 of this title shall apply instead. Sales Events as defined in 12.12.010.A - Single Retailer Sales Event shall not be allowed in city parks.

1. Hop Porter and McKercher Parks shall be kept available for special events, defined and administered pursuant to chapter 12.14 of this title, on the Friday, Saturday and Sunday of the following weekends of each year:

   a. Memorial Day;

   b. The weekend closest to July 4. If July 4 is on a Tuesday, the weekend before is reserved. If July 4 is on a Wednesday or Thursday, then the weekend after is reserved;

   c. The first weekend of August for the Northern Rockies Folk Festival;

   d. Labor Day;

   e. The second weekend in October for the Trailing of the Sheep Festival;
2. Deerfield, Curtis, the skatepark, Balmoral and Echo Hill Parks are neighborhood parks that should remain available for use by the general public and shall not be reserved for exclusive use, except with an approved special events application pursuant to chapter 12.14 of this title.

3. Jimmy's Garden and E.W. Fox Demonstration Garden shall not be reserved for exclusive use.

4. Sports fields at Cutters, Foxmoor, Balmoral, Keefer and McRkercher Parks shall be available for recreational league use through a seasonal event permit, limited to four (4) days per week.

5. Reservation of Deerfield Park for seasonal events shall be prohibited due to the limited parking available.

6. Keefer Park has three (3) playing fields and one (1) baseball/softball field. One (1) reservation and applicable fees shall be required and apply for each individual playing field.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS 2nd DAY OF APRIL, 2018.

_________________________________________
Fritz X. Haemmerle, Mayor

Attest:

_________________________________________
Mary Cone, City Clerk

Publish: Idaho Mountain Express______________, 2018
SUMMARY OF HAILEY ORDINANCE NO. 1230

The Following is a summary of the principal provisions of Ordinance No. 1230 of the City of Hailey, Idaho, duly passed and adopted ________________, _____, 2018, by the City Council and Mayor of the City of Hailey:

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO AMENDING CHAPTERS 12.12.010 AND 12.12.040 OF THE HAILEY MUNICIPAL CODE BY ADDING DEFINITIONS OF “SINGLE-RETAILER EVENT,” “MULTI-RETAILER EVENT” AND “COMMUNITY EVENT SALES” AND AMENDING APPLICABILITY OF RESERVATION OF CITY PARKS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Hailey Ordinance No. 1230 Amends Hailey Municipal Code as follows:

Section 1 adds definitions of “single-retailer sales event,” “multi-retailer sales event,” and “community event sales.”

Section 2 clarifies the reservation process applicability of city parks, disallowing single-retailer sales events.

The full text of Ordinance No. 1230 is available at Hailey City Hall at 115 South Main Street, Suite H, Hailey, Idaho 83333 and will be provided to any citizen upon request during regular business hours.

CERTIFICATION OF CITY ATTORNEY

I, the undersigned Attorney at Law, as attorney for the City of Hailey, Idaho, hereby certify that I have read the foregoing summary of Ordinance No 1230 of the City of Hailey, that I have compared it to the full text of Ordinance No 1230, and that in my opinion, the above summary is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated this _____ day of ________________, 2018.

__________________________
Christopher P. Simms, Hailey City Attorney

Return to Agenda
AGENDA ITEM SUMMARY

DATE: 4-02-18  DEPARTMENTS: Community Development  DEPT. HEAD SIGNATURE:  LH

SUBJECT: Definition of “Dwelling Unit”, Second Reading

AUTHORITY: □ ID Code □ IAR □ City Ordinance/Code Title 17
(IFAPPLICABLE)

BACKGROUND:
Second reading of Ordinance on Dwelling Unit. After extensive discussion and remand, the Council on a vote of 3-yes, 1-no, conducted a first reading of the attached Ordinance

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Caselle #

Budget Line Item #

YTD Line Item Balance $

Estimated Hours Spent to Date:

Estimated Completion Date:

Staff Contact: Lisa Horowitz

Phone # 788-9815 #13

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

___ City Attorney  ___ City Administrator  ___ Engineer  ___ Building

___ Library  _x_ planning  ___ Fire Dept.  ___

___ Safety Committee  ___ P & Z Commission  ___ Police  ___ Mayor

_x_ Streets  _x_ Public Works, Parks  ___

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Conduct a second reading of Ordinance No. [123] an Ordinance amending Title 17 Section 17.02, Definition, definition of “Dwelling Unit”, and read by title only.

ADMINISTRATIVE COMMENTS/APPROVAL:

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

ACTION OF THE CITY COUNCIL:

Date  4-02-18  2nd Reading Ord. No. 1237

City Clerk

FOLLOW-UP:

*Ord./Res./Agmt./Order Originals: *Additional/Exceptional Originals to: 
Copies (all info.): Copies
Instrument #
HAILEY ORDINANCE NO. 1231

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 17 OF THE HAILEY MUNICIPAL CODE, BY AMENDING SECTION 17.02.020, DEFINITIONS TO MODIFY THE MINIMUM DWELLING UNIT SIZE FOR DWELLINGS IN HAILEY; 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, Zoning Code Chapter 17.02 contains a definition of “Dwelling Unit”;

WHEREAS, the Council has determined that the current minimum dwelling unit size of 120 square feet is too small to allow for adequate light and air, and may be incompatible with Hailey neighborhoods;

WHEREAS, the Hailey Planning and Zoning Commission has conducted three (3) public hearings on this matter and makes the recommendations noted in their Findings of Fact, Conclusions of Law and Decision dated January 29, 2018;

WHEREAS, the amendments set forth in this ordinance is in accordance with Hailey’s Comprehensive Plan;

WHEREAS, essential public facilities and services are not affected by this amendment;

WHEREAS, the proposed amendment will help ensure that design review projects are compatible with the surrounding area; and

WHEREAS, the zoning text amendment set forth in this ordinance will promote the public health, safety and general welfare.

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

Section 1. Section 17.06.02.020 of the Hailey Municipal Code is hereby amended by the addition of the underlined language and by the deletion of the stricken language, as follows:

**DWELLING UNIT: A building or separate portion thereof having a single kitchen and providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, designed to be occupied exclusively as a residence. Every dwelling unit shall have shall have a total gross floor area of not less than 200 gross square feet, at least one habitable room that shall have not less than one twenty (120) square feet of gross floor area, or other area and shall include other requirements as specified in the IBC or IRC.**

Section 2. **Severability Clause.** Should any section or provision of this Ordinance be declared by the
courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3. Repealer Clause. All City of Hailey ordinances or parts thereof, which are in conflict herewith, are hereby repealed.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ___ DAY OF _______________, 2018.

Fritz X. Haemmerle, Mayor, City of Hailey

Attest

Mary Cone, City Clerk

Publish: Idaho Mountain Express _______________, 2018
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 3/05/18 DEPARTMENT: Community Development DEPT. HEAD SIGNATURE: LH

SUBJECT: Ordinance approving an amendment to Zoning District Map – change from Technological Industry (TI) to SCI- Sales and Offices (SCI-SO)

AUTHORITY: □ ID Code __________ □ IAR _________ □ City Ordinance/Code Title 17
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
At the February 26, 2018 meeting, the Council approved a request by Bill Gooding, on behalf of the 15-unit owners in the Hailey Business Park South Condominium complex to change the zoning for Units 1-15, located at 1120 Broadford Road from Technological Industry (TI) to SCI- Sales and Offices (SCI-SO). An ordinance is required to implement the rezone and officially change the zoning map.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle #
Budget Line Item # ____________________________ YTD Line Item Balance $ ____________________________
Estimated Hours Spent to Date: ____________________________ Estimated Completion Date: ____________________________
Staff Contact: Lisa Horowitz Phone # 788-9815 #13

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)
___ City Attorney □ City Administrator □ Engineer □ Building
___ Library □ Planning □ Fire Dept. ___
___ Safety Committee □ P & Z Commission □ Police ___
___ Streets □ Public Works, Parks □ Mayor ___

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion to conduct a public hearing and first reading on Ordinance ___, and read by title only.

ADMINISTRATIVE COMMENTS/APPROVAL:
City Administrator ___________ Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:
Date 4/12- _______ approved ord no. 1233 - 1st Reading
City Clerk 4/2- _______ ____________

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: Copies (all info.):
Instrument # Additional/Exceptional Originals to: Copies

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HAILEY ORDINANCE NO. 1233

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 17 OF THE HAILEY MUNICIPAL CODE, BY AMENDING SECTION 17.05.010, OFFICIAL ZONING MAP; 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, on January 16, 2018, the Hailey Planning & Zoning Commission considered an Amendment to Zoning District Map from the 15-unit owners in the Hailey Business Park South Condominium complex to change the zoning for Units 1-15, located at 1120 Broadway Road from Technological Industry (TI) to SCI-Sales and Offices (SCI-SO).

WHEREAS, the Hailey Planning and Zoning Commission has recommended approval of the requested zone change; and,

WHEREAS, the Council finds that the zone change is in accordance with the Hailey Comprehensive Plan; and,

WHEREAS, essential public facilities and services are available to the permitted and conditional uses in the Limited Business Zone District without excessive public cost; and,

WHEREAS, the permitted and conditional uses in the SCI-SO zoning district are compatible with the surrounding area; and,

WHEREAS, the Zoning map amendment set forth in this ordinance will promote the public health, safety and general welfare; and,

WHEREAS, the Hailey City Council conducted a public hearing on February 28, 2018 regarding the requested zone change; and notice is adequate pursuant to Hailey Municipal Code Section 17.14.

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

Section 1. Section 17.05.010 of the Hailey Municipal Code is hereby amended by the adoption of Attachment A, changing the zoning on the Official Zoning Map for 1120 Broadway Road from Technological Industry (TI) to SCI-Sales and Offices (SCI-SO).

Section 2. Severability Clause. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3. Repealer Clause. All City of Hailey ordinances or parts thereof, which are in conflict herewith, are hereby repealed.
Section 4. Effective Date. This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS __ DAY OF ________________, 2018.

Fritz X. Haemmerle, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk
Return to Agenda
AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, April 16, 2018
Hailey City Hall
5:30 p.m.

Call to Order

Public Comment for items not on the agenda

Consent Agenda
CA 1 Adoption of the Meeting Minutes of March 19, 2018 and March 22, 2018

CA 2 Adoption of the Findings of Fact, Conclusions of Law of a Design Review Application by ARCH Community Housing Trust, for four new units consisting of two 3,896 square foot buildings, to be located at 3920 Woodside Boulevard (Lot 14, Block 46, Woodside Subdivision No. 11) in the General Residential (GR) Zoning District.

Public Hearings
PH 1 Consideration of a Design Review Application by L.L. Green Hardware, for a new 17,549 square foot commercial building, to be located at 21 East McKercher (Lot 1, Block 2, Northridge Subdivision X). The new commercial space will include office space, retail and warehouse space. The project is located within the Limited Business (LB) and Townsite Overlay (TO) Zoning Districts.

PH 2 Consideration of a Final Plat Application for Lupine Subdivision, represented by Galena Engineering, where Lots 21A and 21B, Block 49, Woodside Subdivision No. 12 (3140 and 3144 Snow Bank Drive), are resubdivided into six (6) lots, ranging in size from 6,026 square feet to 16,034 square feet. A private access road off of Snow Bank Drive was approved as part of the preliminary plat. The project is located in the General Residential (GR) Zoning District.

PH 3 Consideration of a Text Amendment to Title 18, Mobility Design, Section 18.14, Standard Drawings, to modify the Standard Drawings to reflect updated materials and infrastructure goals. Proposed modifications include: revision of the water division drawings to allow for polyethylene water service lines in lieu of copper lines, transitions on the street division drawings to start working toward utilization of the “Idaho Standards of Public Works Construct” (ISPCW), which is a master document containing specifications and standard drawings for numerous infrastructure needs. Additional drawings have also been proposed by the street division for items such as: additional dry well and catch basin details, street tree planter details, and others.

Staff Reports and Discussion
SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
(no documents)

SR 2 Discussion of the next Planning and Zoning meeting: Monday April 30, 2018
(no documents)

Adjourn

For further information regarding this agenda, or for special accommodations to participate in the public meeting, please contact planning@haileycityhall.org or (208) 788-9815.
Return to Agenda
AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday April 9, 2018 * Hailey City Hall Meeting Room

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

CONSENT AGENDA:
CA 000 Grant Applications
CA 000 Grant Agreements
CA 000 Motion to approve Resolution 2018-______ authorizing the Mayor to sign an agreement with Galena Engineering to design the Myrtle Street Connector
CA 000 Contracts & Bids
CA 000 Special Events
CA 000 Findings of Fact and Ordinance Summaries
CA 000 Motion to approve minutes of February 26, 2018 and to suspend reading of them .....................................................
CA 000 Motion to approve claims for expenses incurred during the month of February, 2018, and claims for expenses due by contract in March, 2018 ................................................................

MAYOR’S REMARKS:
MR 000

PROCLAMATIONS & PRESENTATIONS:
PP 000 Presentation by Hailey/Wood River Fire Board Chair on directions of the Joint Powers Authority

APPOINTMENTS & AWARDS
AA 000

PUBLIC HEARING:
PH 000 Consideration of a City-initiated Text Amendment to Title 17, Section 17.04J, Flood Hazard Overlay Zoning District (FH), to update the existing code to meet current standards and recommendations from the State of Idaho Floodplain Coordinator and the National Flood Insurance Program (NFIP) and to reflect lessons learned in 2017 flooding. The existing code section will be repealed and replaced in its entirety. Proposed changes include new definitions, permit exemptions, limitations on fill and edits intended to streamline administration of the code (continued from March 12, 2018) .........................................................................................

PH 000

NEW BUSINESS:

OLD BUSINESS:
OB 000 Consideration of Resolution adopting the Hailey Greenway Master Plan
OB 000 3rd Reading of Ordinance No. 1231 Amending Title 17, Section 17.02, Definitions, to clarify and amend the definition of: Dwelling Unit. The amendment would include changes to the minimum gross floor area in that every dwelling unit shall not have less than two hundred (200) square feet of gross floor area, instead of one hundred twenty (120) square feet of gross floor area, and to reconsider changes that ensure the primary residential unit on a lot shall not be smaller than the accessory unit.
OB 000 3rd Reading of No. 1233 amending 1 Municipal Code Section § 17.05.010 the City of Hailey Zoning District Map. Proposed changes would rezone Hailey Business Park South Condominiums, Units 1-15 located at 1120 Broadford Road from Technological Industry (TI) to SCI-Sales and Offices (SCI-SO).

STAFF REPORTS: Staff Reports Council Reports Mayor’s Reports
SR 000

EXECUTIVE SESSION: Real Property Acquisition under IC 74-206 (1)(c)

Matters & Motions from Executive Session or Workshop

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