AGENDA OF THE SPECIAL
HAILEY CITY COUNCIL MEETING
Wednesday September 9, 2015 * Hailey City Hall Meeting Room

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

CONSENT AGENDA:
CA 360 Motion to approve minutes of August 31, 2015 special meeting and to suspend reading of them ............................ 1
CA 361 Motion to approve claims for expenses incurred during the month of August 2015, and claims for expenses due by contract in September, 2015 ................................................................................................................................ 9

PROCLAMATIONS & PRESENTATIONS:
PP 362 Thank a Hailey Police Officer Proclamation ................................................................................................................ 12

APPOINTMENTS & AWARDS

NEW BUSINESS:
NB 363 Consideration and Approval of Health Insurance Program for City of Hailey employees, comprised of Blue Shield Employee Choice Plans and re-establishment of HRA-VEBA benefit consisting of $1,500 contribution on behalf of each employee for FY 2016, with Resolution 2015-77 authorizing city officials to sign pertinent enrollment documents ........................................................................................................................................ 15
NB 364 Consideration of Resolution 2015-78; Amendments to Personnel Handbook, Benefits Section on HRA-VEBA, to address the reactivation of this program ................................................................................................................................................................. 33

OLD BUSINESS:
OB 365 3rd Reading Ordinance No. 1184 FY 2016 Budget ........................................................................................................ 37
OB 366 3rd Reading Ordinance No. 1185 Urban Agriculture for Schools .................................................................................. 42
OB 367 3rd Reading Ordinance No. 1186 Design Review clarification and Summary .................................................................................. 47
OB 368 3rd Reading Ordinance No. 1187 Amending Title 18 Standard Drawings for water and wastewater and Summary... 56
OB 369 2nd Reading Ordinance No. 1188 amending multiple sections of Title 13, Water and Wastewater ...................... 69

STAFF REPORTS: Staff Reports Council Reports Mayor’s Reports
SR 370 Draft Agenda for next council meeting .......................................................................................................................... 80

EXECUTIVE SESSION:
Matters & Motions from Executive Session

Next Ordinance Number - 1189 Next Resolution Number- 2015-79
AGENDA ITEM SUMMARY

DATE: 09/09/15 DEPARTMENT: Clerk's Office DEPT. HEAD SIGNATURE M. Cone

SUBJECT

Approval of Minutes from the meeting of the Hailey City Council on August 31, 2015 and to suspend reading of them.

AUTHORITY: □ ID Code 67-2344 □ 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 SPECIAL MEETING OF THE
HAILEY CITY COUNCIL
HELD AUGUST 31, 2015
IN THE HAILEY TOWN CENTER MEETING ROOM

The Meeting of the Hailey City Council was called to order at 5:36:38 PM P.M. by Mayor Fritz Haemmerle. Present were Council members Carol Brown, Don Keirn, Pat Cooley, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, Public Works Director Mariel Miller, Community Development Director Lisa Horowitz, Treasurer Becky Stokes, Fire Chief Craig Aberbach and Community Development Coordinator Kristine Hilt.

PUBLIC COMMENT:
5:36:49 PM Bob McLeod stood and thanked the Council members and staff for attending the HFD benefit at the Wicked Spud.

CONSENT AGENDA:

CA 334 Motion to authorize submission of Seagraves Family Foundation grant application for park improvements.
CA 335 Motion to approve Grant Agreement with Idaho Department of Health & Welfare for $4000 grant for Hailey Fire Department EMS Equipment
CA 336 Motion to authorize city officials to sign L-2 form certifying Hailey’s property tax levy to Blaine County and the Idaho State Tax Commission
CA 337 Motion to approve Resolution 2015-72 authorizing an agreement with Imperial Asphalt to seal coat the separated pathways and bike paths in the amount of $7,900.
CA 338 Motion to ratify Resolution 2015-73, authorizing an agreement with Knife River to chip seal areas around Woodside Blvd. that were not included in the Settlement Agreement for Woodside Blvd. chip seal work in the amount of $1,500
CA 339 Motion to approve Resolution 2015-74, authorizing contract with Alpine Tree Service for arborist services
CA 340 Motion to approve special event being Wood River High School Homecoming Parade to be held on Main Street in Hailey on Friday, September 25th from 3:00 pm to 4:00 pm
CA 341 Motion to approve special event being Wood River Harvest Fest to be held at the WR Sustainability Center and various Hailey restaurants on Saturday, September 19th from 4:00 pm to 9:00 pm
CA 342 Motion to approve alcohol license renewals for Hailey businesses
CA 343 Motion to approve minutes of August 17, 2015 and to suspend reading of them
CA 344 Motion to approve claims for expenses incurred during the month of August 2015, and claims for expenses due by contract in September, 2015

5:38:26 PM Burke noted that a Motion to amend the agenda to include PH 359 is needed.

Mariel Platt moved to pull CA339 and notified the Council that additional information needed to be added to the contract. 5:39:10 PM Burke moved to approve Consent Agenda less CA339. Don Keirn seconded and the motion passed unanimously.

MAYOR’S REMARKS:

MR 5:39:40 PM Mayor noted that the WRHS homecoming parade was approved. Mayor encouraged public and staff to support event.

HAILEY CITY COUNCIL MINUTES
August 31, 2015
PUBLIC HEARINGS:

PH 345  Airport Discussion of Chapter D proposed by FMAA for Master Plan Update (meeting will be on 9/8/15)
5:40:56 PM Mayor Haemmerle summarized Chapter D and noted the source of the writings and proposals. Mayor Haemmerle summarized Alternative 7. Discussion between Council members and staff included various proposed assumptions and goals. Mayor noted that the goals were very well written and presented. Mayor noted that the placement of a tower on the East side of Hwy 75 was unwelcomed as proposed in the summary. Mayor also commented that he enjoyed reading that expansion would only commence if absolutely necessary. He read from the end of the Master Plan Update report.
5:47:21 PM Don Keim commented that he supported a dual path approach. Don also commented that he agreed with the Mayor’s observations.
5:49:45 PM The Council discussed FMAA expansion, parking, future options and alternatives presented. Pat Cooley commented that safety was of upmost importance. Don Keim noted that rental car LOT tax was important to Hailey but that offsite parking was an approved method for storage of the vehicles. Discussion continued to include expansion and the involvement with the City of Bellevue.
5:55:54 PM Mayor opened the item up for public comment. Donna Serrano made various comments on the master plan. 5:57:25 PM Peter Lobb inquired about take offs and landings from the North and he noted that the noise has increased and that safety should be considered. Peter Lobb asked about pressure that could be allowed to encourage pilots to take off and land from the South. Mayor commented that the Council had two meetings about flight paths. He informed the public that they were told that there are no means to enforce specific flight paths. Peter commented that public pressure and other means should be considered.
6:00:10 PM Martha Burke commented that from her personal experience, it was not hopeful to enforce specific flight paths. Peter Lobb commented that he experienced public protest and had personally seen results. He encouraged the Mayor and Council to push harder.
6:02:01 PM Mayor Haemmerle asked Rick Baird, FMAA, if specific flight plans could be enforced. Rick answered that only a “Runway in Use” plan could be used to enforce such a request and that this required a study. He noted that noise would be considered and that the current noise levels are acceptable to the FAA. Discussion between the Mayor and Baird continued to include probable situations and programs in regards to pilots cooperation with take offs and landings. Ned Williamson inquired about guidelines for a Runway in Use program. Rick Baird replied that with some research, he may be able to provide them.
6:06:39 PM Mayor commented that the public does not show up to the discussions about the FMAA and that attendance would help in addressing Lobb’s concerns. Mayor also noted that Bellevue’s attendance was consistent and well attended. Bob Macleod commented that additional parking may reduce air traffic. Mayor noted that alternatives for parking were addressed in the Master Plan.
6:09:30 PM Mayor closed public comment.
Council discussed the upcoming FMAA meeting and encouraged the public to attend.

PH 359  Consideration of Resolution 2015____________ relating to shipment of spent nuclear fuel to Idaho National Laboratory

HAILEY CITY COUNCIL MINUTES
August 31, 2015
Mayor Haemmerle summarized the reasoning for moving forward with a resolution. He included details about a previous agreement on file and summarized events leading up to the current status of spent nuclear fuel. Mayor commented that Hailey supported the Attorney General and that a resolution would solidify Hailey’s position on the subject. Ned Williamson updated the Council on recent activity on the matter and suggested that the Council send the resolution to the Senator’s office soon. The Mayor and Council discussed presenting the resolution to neighboring jurisdictions as well as several Idaho State officials.

Martha Burked proposed that the Hailey City Council move to adopt Hailey Resolution 2015-75 and authorized that the Mayor sign the resolution. Don Keirn seconded and the motion passed unanimously.

Mayor opened for public comment. Bob Macleod commented in support.

Mayor closed public comment.

PH 346 Consideration of Findings of Fact and Conclusions of Law and Decision for the Final Plat for a Subdivision of Lot 20A, Block 8, Hailey Townsite, by creating two townhouse sublots to be known as Chestnut Street Townhomes. Sublot 1 consists of .05 acre and Sublot 2 consists of .10 acre and the total development comprises .15 acre. Current zoning of the property is General Residential (GR) with the Townsite Overlay (TO) district. The existing structure houses two townhome units. Planning and Zoning preliminary plat approval was held on November 10, 2014.

Lisa Horowitz summarized the staff report and noted that all conditions of approval have been met. Bruce Smith, Alpine Enterprises, confirmed that the project conditions have been met. Mayor opened for public comment. Peter Lobb commented in support of the project.

Don Keirn motioned to approve the findings of fact and conclusions of law for the Final Plat for a Subdivision of Lot 20A, Block 8, Hailey Townsite, by creating two townhouse sublots to be known as Chestnut Street Townhomes. Sublot 1 consists of .05 acre and Sublot 2 consists of .10 acre and the total development comprises .15 acre. Martha Burke seconded and motion carried unanimously.

PH 347 Consideration of proposed Ordinance amending multiple sections of Title 13, Water and Wastewater that include, but are not limited to wastewater connections to the mainline, connection fee calculations, requirements for inspections for private water and wastewater systems, a limitation on the number of utility bill adjustments given for leaks and requirements for Idaho DEQ to review and approve main line construction plans prior to city approval.

Mariel Miller summarized the amendments and detailed each of the proposed changes for the Mayor and Council.

Don Keirn inquired about which requirements were being discussed. Mariel clarified that the requirements were those of DEQ. Mariel summarized how wastewater rate utility bill adjustments were figured. Discussion between staff and Council included various scenarios for leaks and rates. Mariel continued to summarize each section of the proposed ordinance.

Mayor inquired about what would happen if someone other than the homeowner damaged a private service line. Mariel noted that the responsibility would not lie with the homeowner. Ned Williamson and the Council agreed that it was discussed in the ordinance.

Mayor opened for public comment. None was given.

HAILEY CITY COUNCIL MINUTES
August 31, 2015
6:38:16 PM Martha Burke moved to adopt Ordinance 1188 13.04.110 noting the title should read “Water and Wastewater Main Construction”. Don Keirn seconded and the motion passed unanimously. Mayor read the Ordinance 1188 by title only.

**PH 348 Resolution 2015-___, to create Private Water and Wastewater System Permit Fees (continued from August 17th Council meeting)**

6:40:44 PM Mariel Miller noted that she was not proposing any recent changes. Mariel summarized details of the resolution for the permit fees and noted that the fees have never been established. Ned Williamson notified the Council that the said system is very rare. 6:42:58 PM Mayor opened for public comment. None was given. **6:43:11 PM Carol Brown motioned to adopt resolution 2015-76 approving fees in the amount of $100 for a private water system permit and $100 for a private wastewater system permit and to authorize the Mayor to sign. Pat Cooley seconded and the motion carried unanimously.**

**NEW BUSINESS:**

**NB 349 Consideration of quotes and health benefit design for City of Hailey employees for FY 2016, with action to enter into contract with either Blue Cross of Idaho or Regence Blue Shield**

6:44:20 PM Mayor summarized the item.

6:45:12 PM Heather Dawson presented a memo and summarized the details in regards to the proposal. Mayor noted that the overall goal was to provide City employees equivalent if not better coverage of the IIA. Heather Dawson summarized the coverage details for the proposed plans and included information about deductibles, out of pocket maximums, and premium expenses.

6:49:25 PM Mayor interjected to summarize scenarios. Heather Dawson continued to include information about savings for the City of Hailey and for individual employees and those with families.

6:51:01 PM Mayor Haemmerle clarified and inquired about proposed expenses and changes from the IIA. Heather Dawson responded with clarification.

6:52:34 PM Candice Ireland also provided clarification for the Mayor and Council with regards to insuring children and family with the proposed plans.

6:53:56 PM Ned Williamson inquired about group plans and standards for providing insurance. Candice Ireland responded with information about what paths and options could be taken to insure additional family members. Discussion between staff, Mayor, Council and Candice Ireland included options for insuring family members, single parents and their dependents, and total affordability of insurance for employees in general.

7:04:30 PM Discussion included calling a special meeting. Mayor Haemmerle suggest September 9th at 5:30 pm for a special meeting on the topic.

**7:05:45 PM Pat Cooley motioned to schedule a special meeting for September 9th at 5:30 pm to discuss employee healthcare and insurance. Martha Burke seconded and the motion carried unanimously.**

**NB 350 Notice of a decision by the Planning and Zoning Commission to recommend denial of a rezone request by Scott Miley to amend the Zoning District Map by changing the zoning for Lots 1-10, Block 45, Townsite Overlay from General Residential (GR) to Limited Business (LB), and direct...**

HAILEY CITY COUNCIL MINUTES
August 31, 2015
staff to notice said item for a Public Hearing before the City Council on Monday, September 21, 2015

7:06:45 PM Lisa Horowitz noted that the Council would have to receive the recommendation from the Hailey P&Z Commission so that notice could be given for the September 21 meeting. 7:07:26 PM Martha Burke motioned to acknowledge receipt and move forward with noticing the item. Pat Coolcy seconded and the motion carried unanimously.

NB 351 Woodside Boulevard Reconstruction Project Contract Closeout: Consideration of Pay Estimate Nos. 12, 13 and 14, Final Acceptance Letter and release of retainage to Knife River

7:08:00 PM Ned Williamson summarized the status of the project and noted that the contract should now be closed out. Ned Williamson directed the Council to see the motion language on page 153. 7:10:30 PM Don Keirn motioned to authorize the Mayor to a) sign pay Estimates Nos. 12, 13 and 14, b) sign the final acceptance letter and c) authorize the payment of $50,000 as release of the retainage provided Hailey receives i) a consent of the surety to final payment, ii) list of all claims against Hailey that Knife River believes are unsettled, and iii) release or waivers from Knife River regarding any claim or lien against Hailey. Martha Burke seconded. The motion carried unanimously.

7:11:46 PM Mayor and Council members complimented City staff on a job well done.

OLD BUSINESS:

OB 352 2nd Reading Ordinance No. 1184 FY 2016 Budget

7:12:21 PM Mayor Haemmerle read Ordinance 1184.

OB 353 2nd Reading Ordinance No. 1185 Urban Agriculture for Schools

7:13:33 PM Mayor Haemmerle read Ordinance 1185.

OB 354 2nd Reading Ordinance No. 1186 Design Review clarification

7:14:37 PM Mayor Haemmerle read Ordinance 1186.

OB 355 2nd Reading Ordinance No. 1187 Amending Title 18 Standard Drawings for water and wastewater

7:17:18 PM Mayor Haemmerle read Ordinance 1187.

STAFF REPORTS:

7:17:58 PM Craig Aberbach thanked the City Council and Mayor for their support for a grant for EMS equipment. Chief Aberbach updated the Mayor and Council on the status of City employees and the various conditions and fires that those employees have been assigned to.

7:21:28 PM Mariel Miller updated the Council on cross connection inspections. She noted that the businesses that were inspected have one year to comply with City requirements.

HAILEY CITY COUNCIL MINUTES
August 31, 2015

--6--
7:23:24 PM Lisa Horowitz updated the Council on building and planning and zoning activity.  
7:24:11 PM Chief Aberbach noted that he recently applied for an opportunity to get a  
certification that was offered at a national level. He was rewarded acceptance. 

**EXECUTIVE SESSION:** Real Property Acquisition (IC 67-2345(1)(c)), and Pending &  
Imminently Likely Litigation (IC 67-2345(1)(f)) 

7:27:58 PM Martha Burke moved to enter into exec. Session to discuss Real Property  
Acquisition (IC 67-2345(1)(c)), and Pending & Imminently Likely Litigation (IC 67-2345(1)(f)), seconded by Pat motion passed with roll call vote at 7:27 pm. 

Mayor Haemmerle and council came out of Executive Session at 7:44 pm. 

Motion to adjourn made by Pat Cooley, seconded by Martha Burke, motion passed  
unanimously.
Return to Agenda
AGENDA ITEM SUMMARY

DATE 09/09/2015 DEPARTMENT: Finance & Records DEPT. HEAD SIGNATURE: MHC

SUBJECT

Council Approval of Claims costs incurred during the month of August 2015 that are set to be paid by contract for September 2015.

________________________________________________________

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:

________________________________________________________
Report Criteria:
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Total 6204 KNIFE RIVER INC:
50,000.00 50,000.00

Total:
50,000.00 50,000.00

Grand Totals:
50,000.00 50,000.00

Summary by General Ledger Account Number

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Grand Totals:
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Summary by General Ledger Posting Period

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Grand Totals:
50,000.00 .00 50,000.00
Return to Agenda
Proclamation

City of Hailey

Thank a Police Officer on September 19, 2015

WHEREAS, the Hailey Police Department (“HPD”) realizes its basic function of “Protecting” and “Serving” the citizens of Hailey;

WHEREAS, the HPD serves the public at all hours of the day and night, every day of the week, and even more rigorously on holidays;

WHEREAS, the vigilance, care and selfless dedication of HPD prevents and suppresses crime within our community by protecting our lives, homes and businesses;

WHEREAS, Hailey’s crime statistics show a reduction in violent crimes over the past 2 years within Hailey;

WHEREAS, each member of the HPD honors their oath by serving with valor and distinction and with success and each HPD officer recognizes the Constitutional rights of our citizens, and knows the importance of protecting the life, liberty and pursuit of happiness of our people;

WHEREAS, every time Hailey Police Officers approach a crime or suspected crime, they face the potential of life-threatening danger;

WHEREAS, we as a community depend upon the skill, wisdom, expertise, courage, commitment, compassion and countless acts of public service performed by Hailey Police Officers to enforce our laws, maintain order, keep our neighborhoods safe and respond in times of crisis; and

WHEREAS, every citizen within the community of Hailey can make a difference to these public servants by showing their gratitude toward Hailey Police Officers, and specifically thanking them.
NOW, THEREFORE BE IT RESOLVED, I, Fritz X. Haemmerle, Mayor of City of Hailey, Idaho, do hereby proclaim September 19, 2015 as Thank a Police Officer Day in Hailey, Idaho, and furthermore declare September 7 through September 12, 2015, as Thank A Police Officer Awareness Week, during which all libraries and customer counters within local governments are urged to display materials to inform the public of the upcoming Thank a Police Officer Day.

Dated this day 9th of September, 2015 and approved by the Hailey City Council.

______________________________________________
Fritz X. Haemmerle, Mayor

ATTEST:______________________________________
Mary Cone, City Clerk
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 09/09/2015 DEPARTMENT: Admin DEPT. HEAD SIGNATURE: HD

SUBJECT: Approval of Health Benefits for City of Hailey Employees

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

At the last city council meeting, the council was presented with a Blue Shield Employee Choice Health Plan which allowed employees to choose from three options. The City has budgeted and will continue to pay 100% of the premium on the Gold plan on behalf of its employees.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

These Blue Shield plans are within the budget established by the City Council for FY 2016.

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

City Attorney    X    Treasurer    X    Clerk
X    Administrator    X    Community Development    □    Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve Health Insurance Program for City of Hailey employees, comprised of Blue Shield Employee Choice Plans which offer Blue Shield Gold, Silver, and Bronze options for City Employees, with 100% of the Gold plan employee premium to be paid by the employer, and authorizing city officials to sign pertinent enrollment documents.

Motion to approve Resolution 2015-77, authorizing Hailey’s HRA-VEBA Adoption Agreement, through which employees will each receive $1,500 in health benefit within FY 2016.

ACTION OF THE CITY COUNCIL:

Date ______________________

City Clerk ______________________

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record
Copies (all info.): ______________________

*Additional/Exceptional Originals to: ______________________
Copies (AIS only): ______________________
**Group Master Application - For Group Size 2-99**

Please complete and submit this application to our office no later than **15 days prior to the effective date** or there may be delays to the processing and activation of your group. If additional space is needed, please attach a separate sheet of paper.

**Requested Effective Date  October 1, 2015**

### SECTION A - GROUP INFORMATION

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<tr>
<td>Fritz X. Hammerle, Mayor</td>
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<th>Physical Business Address Required (No PO Box or PMB)</th>
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<tbody>
<tr>
<td>115 South Main Street, Hailey, ID 83333</td>
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<th>Fax Number</th>
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<td>(208) 788-4221</td>
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### GROUP ADMINISTRATOR

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<tr>
<td>Becky Stokes</td>
<td>City Treasurer</td>
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<th>Phone Number</th>
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<th>E-mail Address</th>
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<tr>
<td>(208) 788-4221</td>
<td>(208) 788-2924</td>
<td><a href="mailto:becky.stokes@hailey.cityhall.org">becky.stokes@hailey.cityhall.org</a></td>
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**SECTION A - GROUP INFORMATION (continued)**

**BILLING**

Do you require separate billing invoices?  □ No □ Yes  *(If yes, please complete Additional Billing section below)*

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Billing Address (Include Attention line if applicable)

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Payment Type

□ Pay by Check  □ Surepay (EFT)  *Please submit Surepay document*

**Additional Billing Name to be used by Regence**

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<th>Contact and Title (if different than group administrator)</th>
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Billing Address (Include Attention line if applicable)

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<tr>
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Payment Type

□ Pay by Check  □ Surepay (EFT)  *Please submit Surepay document*

**ENROLLMENT METHOD AND EMPLOYER CENTER**

**Enrollment Method**

Please indicate your enrollment method by checking the desired option from the listing below.

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<thead>
<tr>
<th>Initial Enrollment with Regence</th>
<th>Ongoing Enrollment with Regence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spreadsheet</td>
<td></td>
</tr>
<tr>
<td>Regence Online Enrollment</td>
<td></td>
</tr>
<tr>
<td><em>(NOTE: Not available for Initial Enrollment for groups 51 - 99)</em></td>
<td></td>
</tr>
<tr>
<td>When selecting Regence Online Enrollment, would you like to allow your employees to enroll themselves?  □ No □ Yes</td>
<td></td>
</tr>
<tr>
<td>ANSI 834</td>
<td></td>
</tr>
<tr>
<td>Paper Enrollment Forms</td>
<td></td>
</tr>
</tbody>
</table>

**Employer Center**

Employer Center Primary Group Administrator:

<table>
<thead>
<tr>
<th>Name (First, Ml, Last)</th>
<th>E-mail Address</th>
<th>Phone Number ( )</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If more than two Employer Center Secondary Group Administrators are required, indicate the number desired.

**SECTION B - PRODUCER (AGENT) INFORMATION**

Agency Name

<table>
<thead>
<tr>
<th>Producer's E-mail Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

Producer's Name

<table>
<thead>
<tr>
<th>Producer's Phone Number ( )</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

Secondary Producer's Name

<table>
<thead>
<tr>
<th>Secondary Producer's Phone Number ( )</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Commission Split:**  Producer #1 _____ %  Producer #2 _____ %

Additional Information:
SECTION C - FEDERAL MANDATES

COBRA:
Group subject to COBRA? ☐ No ☒ Yes**

COBRA applies to employer groups that have employed 20 or more employees for 50% or more of the typical business days in the preceding calendar year (January - December), with the exception of federal government plans and church plans. To the degree permitted by those laws, part-time employees may be counted as a fraction of a full-time employee.

**If you are subject to COBRA, do you utilize a COBRA third party administrator (TPA)? ☐ No ☒ Yes

If yes, who is your COBRA administrator ____________________________

Please indicate if your COBRA TPA is providing any of these services by checking the appropriate box(es).

☐ Regence billing sent directly to the TPA for COBRA participants. (Be sure to complete the additional billing information above in Section A for this TPA.)
☐ TPA submits COBRA Enrollment and Dis-Enrollment directly to Regence.

OBRA:
Group subject to OBRA? ☐ No ☒ Yes

If you employed 100 or more full-time and/or part-time employees for at least 50% of the workdays of the preceding calendar year (January - December) you are subject to federal OBRA 1989/OBRA 1993 laws.

TEFRA/DEFRA:
Group subject to TEFRA/DEFRA? ☐ No ☒ Yes

If the TEFRA/DEFRA status has changed within the past year, please indicate the Date of Change __________

If you employed 20 or more full-time and/or part-time employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year (January - December) you are subject to federal TEFRA/DEFRA laws.

ERISA:
Group subject to ERISA? ☐ No ☒ Yes

If yes, is your plan year different than your renewal date? ☐ No ☐ Yes, list date ____________________________

Virtually all health plans of employers of any size (except church entities and government entities) are subject to the federal Employee Retirement Income Security Act of 1974 (ERISA). This federal law sets minimum standards for the protection of individuals covered by a health plan subject to ERISA, as well as most voluntarily established pension plans.

ERISA Plan Note: If you use the benefit booklet as a component of the summary plan description and want to investigate meeting your distribution requirement electronically, see 29 CFR §2520.104b-1(c) for the U.S. Department of Labor's electronic distribution safe harbor.

Schedule A / 5500:
Per section 104 of ERISA, your group may be required to file IRS Form 5500 (Schedule A).

Do you require information from us to help you complete your Schedule A / Form 5500? ☐ No ☒ Yes

If yes, this information will be provided based on your insurance contract period.

New Groups Only - Affordable Care Act Required Information:

In the previous calendar year (January - December) the average number of employees was _______. This employee count represents the calendar year of ________ (YYYY).

This count should include: full-time, part-time, seasonal and union employees that work inside or outside the state of Idaho and employees worldwide from any affiliated company. Remember to include business owners, corporate officers, and partners if they are also employees. Your employee count should not include contracted 1099 individuals.

SECTION D - OTHER CARRIER INFORMATION

1. Does your group have current medical/dental/pharmacy benefits?
   Medical: ☐ No ☒ Yes  ☐ If yes, name of carrier ____________________________  End date ________
   Dental: ☐ No ☒ Yes  ☐ If yes, name of carrier ____________________________  End date ________
   Pharmacy: ☐ No ☒ Yes  ☐ If yes, name of carrier ____________________________  End date ________

2. Will you be offering more than one medical/dental carrier to your employees?
   Medical: ☐ No ☒ Yes* If so and if any of your plan is insured, name of carrier(s) ____________________________
   Dental: ☐ No ☒ Yes* If so and if any of your plan is insured, name of carrier(s) ____________________________

   *This option is not allowed in all instances.

3. Does your group have Workers' Compensation coverage?
   ☐ No ☒ Yes  ☐ If yes, name of carrier ____________________________

*F5200.XID0EN01150307*

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SECTION E - GROUP ELIGIBILITY (for purposes of determining group classification)

Note: An "eligible employee" is defined as an employee who on a full-time basis worked 30 or more hours/week in the preceding calendar year. The employer may specify the minimum of 20 to 30 hours per week.

1. Number of eligible employees in the preceding calendar year ________

2. Is the group affiliated with any other company (parent, subsidiary or other entity)? □ No □ Yes
   If yes, please explain ____________________________

   Note: The Health Insurance Portability and Accountability Act of 1996 may require that all persons and/or entities treated as a controlled group or affiliated service group under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 be treated as a single employer.

3. Do you have eligible employees employed outside the State? □ No □ Yes If yes, please indicate below.

   Note: Employees who reside in the state of Hawaii are not eligible for coverage.

<table>
<thead>
<tr>
<th>Number of Employees</th>
<th>State 1</th>
<th>State 2</th>
<th>State 3</th>
<th>State 4</th>
<th>State 5</th>
<th>State 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Out of State</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Count</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

SECTION F - EMPLOYEE AND DEPENDENT ELIGIBILITY (for determining who is eligible for group benefits)

Note: The maximum number of hours worked for eligibility is 30 hours in a normal work week.

1. This plan covers employees working the minimum number of hours required for coverage. The minimum number of hours to be eligible for coverage are ____ 30 ____ /wk.

2. This plan covers the following options: (check all that apply)

   Note: Dental coverage for Groups Size 2-50 is only available as Employee and Dependent.

   □ Eligible spouses include only opposite sex spouses - Groups Size 51-99 Only
   □ Domestic Partner - available when Employee and Dependent coverage is offered. Groups of 51-99 Note: If purchasing a Revive product, domestic partner coverage is not available.

   Employee Only (No dependent coverage) Dental Employee only is for Groups Size 51-99 Only

   Employee and Children Only (No Spouse or Domestic Partner)

3. Probationary Periods:

   Groups may list employees in different classifications (e.g. hourly, salaried) for the purpose of offering different probationary periods to each employee classification. If you have chosen to do this, describe each job classification below.

   All employees must be accounted for. (If there are no classes, please enter all information in space provided for Class 1).

Please place an X in the appropriate box below

<table>
<thead>
<tr>
<th>(Group Size 51 - 99 Only) Coverage is effective on the actual Date of Hire</th>
<th>(All Group Sizes) Coverage is effective on the first Date of Hire (see 3A below)* of the month following 30 Days 60 Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>90th Day</td>
<td>30 Days 60 Days</td>
</tr>
</tbody>
</table>

Class 1:

Class 2:

Class 3:

3A. If Date of Hire (DOH) option is selected above, choose how Probationary Period will be administered:

   □ Effective date will always be 1st of the month following DOH, even if DOH is the 1st of the month.
   □ Effective date will be 1st of the month following DOH, with the exception of when the DOH is the 1st of the month.

3B. Is probationary period waived on group's initial enrollment: □ No □ Yes

3C. For employees transferring from part-time to full-time status, the probationary period specified above should apply:

   □ Beginning on the date transferred to full-time status □ Retroactive to the original date of hire

Note: Effective September 23, 2010, federal health reform prohibited employers from discriminating in favor of highly compensated individuals set forth in Internal Revenue Code section 105(h). Enforcement of this provision has been delayed until associated regulations or other guidance has been issued and it is unclear when that may occur. Regence is unable to determine whether a plan discriminates in a way that violates the federal reform provisions, both because guidance has not been issued and because it does not have access to information necessary to identify highly compensated individuals. Because this element of federal reform is intended to fine employers with discriminatory plans, Regence recommends that employers obtain tax and/or legal advice associated with maintaining any plan provision that may prove discriminatory.
SECTION G - EMPLOYER CONTRIBUTION:

The employer will pay the following percentages toward the monthly rate. If different classes are chosen, please indicate contribution for each class.

**Note:** The minimum employer contribution percentage is 50% towards the employee medical coverage. There is no minimum employer contribution percentage for dependents.

2-50 Eligible Employees
Please see “Special Annual Enrollment” information at the end of Section H.

51-99 Eligible Employees
New groups may enroll without meeting a minimum employer contribution or group participation percentages. **Please note, however, that groups may not be renewed if they fail to meet either (or both) of the Employer Contribution or Group Participation standards at the time of their renewal.**

<table>
<thead>
<tr>
<th>Class 1</th>
<th>Class 2</th>
<th>Class 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical/Pharmacy/Vision</td>
<td>Dental</td>
<td>Medical/Pharmacy/Vision</td>
</tr>
<tr>
<td>Employee</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>Dependent</td>
<td>%</td>
<td>%</td>
</tr>
</tbody>
</table>

SECTION H - GROUP PARTICIPATION:

Participation Requirements: 2 to 50 eligible employees - There is a minimum participation requirement of 65% of eligible employees for groups with 2 to 19 eligible employees and 75% for groups with 20 to 50 eligible employees. Employees who are waiving for other qualifying coverage (line 4 below) or serving a new hire probationary period (line 5 below) are not included in the participation calculation (line 9 below).

51 to 99 eligible employees - There is a minimum participation requirement of 75% and at least 50% of the total eligible employees (line 3 below) must participate. Employees who are waiving for other qualifying coverage (line 4 below) or serving a new hire probationary period (line 5 below) are not included in the participation calculation (line 9 below).

1. Total number of employees on payroll regardless of hours worked (Do not include individuals participating on COBRA). 

2. Less individuals not eligible for coverage on this plan (account for each of these individuals in one of the following that best applies):

   a) Number of employees working fewer than the minimum hours (as selected in Section F - Employee Eligibility). 

   b) Number of employees who are seasonal, substitute or temporary. 

   c) Number of individuals who are paid solely via IRS Form 1099 (for groups of 51-99). 

   d) Number of employees whose class is ineligible for coverage under this plan (applies to 51-99 Plan carve out groups).

3. Equals sub-total number of employees that are eligible to enroll. 

   Using the number of employees eligible to enroll (from line 3 above), complete the following:

4. Less number of employees submitting a Waiver form for other qualifying coverage.

5. Less number of employees who are fulfilling their New Hire Probationary Period (as selected in Section F - Employee Eligibility).

6. Equals total number of employees eligible to enroll.

7. Less number of employees submitting a Waiver form because they are declining coverage. 

   (No other qualifying coverage).

8. Equals number of employee applications submitted (new groups) / number of employees on coverage on the effective date (renewing groups).

9. Employee participation percentage (line 8 divided by line 8). 

10. Number of subscribers and/or their dependents covered by your group under COBRA. 

11. Number of former and current employees and/or their dependents who are currently eligible for COBRA but have not yet applied.

**Special Annual Enrollment for Groups 2-50**

A special small group annual enrollment period will be offered November 15th through December 15th for a January 1st effective date to groups who do not meet the minimum contribution and/or participation rules. Minimum contribution and participation rules must be met for renewing groups.

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F5200.XID0EN01155007*
SECTION I - ACKNOWLEDGMENTS AND CERTIFICATIONS

If you have any questions about the benefits and services that are covered, provided, limited or excluded under the group coverage(s) to which this application applies, please contact your Sales Representative before signing this application.

Note: The Company as used here means the group applying for coverage as indicated in Section A of this application.

I certify that I am an officer or employee of the Company, that I am duly authorized to execute this application on behalf of the Company, and that the Company:

a) Applies for the group coverage(s) selected in the signed rate and benefits page(s) which form a part of the group contract(s) issued by Regence BlueShield of Idaho (Regence).

b) Authorizes any person or other entity to release to Regence any information requested by Regence in connection with this application's processing.

c) Acknowledges, where permitted by law, that Regence may choose not to approve this application and any premium deposit will be returned if the application for group coverage(s) is not approved.

d) Acknowledges that coverage is not in effect until Regence accepts this application, establishes an effective date of coverage and issues the group contract(s) to the Company.

e) Acknowledges that, if it is approved by Regence, this application will form a part of the group contract(s) issued by Regence and agrees that the Company will be bound by the terms and conditions of the entire group contract(s).

f) Acknowledges that eligibility standards (e.g., waiting period, minimum hours, etc.) must be established at the time of initial application, may be changed only at contract renewal, and must be adhered to for all employees and dependents.

g) Acknowledges that it has selected the group coverage(s) to be offered to its employees, that its selection of this group coverage(s) was based upon written information provided by Regence, and that no broker, producer, or consultant was or is authorized to modify the terms of the offer or to agree to changes. All material terms of coverage are set forth in the group contract(s), of which this application, if accepted, is but one part.

h) Agrees to make payroll and other records directly related to employee participation levels or to employees' coverage, premiums, or contributions under the group contract(s) available to Regence for inspection. This provision shall survive the termination of the group contract(s). Upon renewal or at any time throughout the contract period, the Company agrees to provide Regence, upon its request verifications of employee participation levels.

i) Agrees that, except with regard to a statutory continuation of coverage or unless the change is approved in writing by an authorized representative of Regence, at no time shall any employee be permitted or required to make contributions for coverage at a rate higher than the employee contribution rate represented herein.

j) Agrees the group contract(s) will determine the contractual provisions, including procedures, exclusions, and limitations, relating to the coverage and will govern in the event of conflict with any benefits comparison, summary, or other description of the coverage.

k) Agrees to deliver, or otherwise make available to enrollees, all Regence paper or online member documents and other coverage-related materials upon request by Regence.

l) Agrees to make all coverage options available to all eligible employees and dependents who satisfy eligibility requirements.

m) Acknowledges that benefits may be added or deleted only at the time of initial application, at contract renewal, or as mutually agreed between the Company and Regence in accordance with the group contract(s).

n) Acknowledges that Regence must be notified (in the manner described in the group contract(s)) when there is a change to Company information (e.g., name, address, phone number, contact person, ownership status, etc).
SECTION I - ACKNOWLEDGMENTS AND CERTIFICATIONS (continued)

o) Acknowledges that contracting physicians, hospitals, and other health care providers are independent contractors and are neither producers nor employees of Regence, that Regence does not provide health care services, and that Regence cannot guarantee any results or outcomes of care. Regence is responsible for the quality of health care you receive only as provided by law.

p) Certifies under penalty of perjury that all statements made and information provided in this application are accurate and complete to the best of its knowledge or belief and acknowledges that Regence will rely in part on the information in this application as the basis for Regence's decision on whether to approve this application and issue any group contract(s). For the protection of all of Regence's members, fraud or misrepresentation of material fact by the Company for the purposes of defrauding Regence may result in Regence taking any action allowed by law or contract, including termination or rescission of coverage, denial of benefits, and/or pursuit of criminal charges and penalties. In addition, Regence will have the right to collect any claims payments or other damages. If Regence continues a group contract with the Company after untrue, incorrect, or incomplete information is found to have been provided, and if as a result of correcting false information the Company no longer qualifies for the rate quoted, I understand that Regence will have the right to adjust the rates to the appropriate level retroactive to the date the misrepresentation occurred, and the Company will be required to pay the rate adjustment within 30 days of the date of notice by Regence.

q) Agrees that any controversy or claim between the Company and Regence arising out of or relating to the group contract(s), or the breach thereof, whether involving a claim in tort, contract, or otherwise, shall be subject to final resolution through binding arbitration. The Company and Regence agree that the arbitrator's award shall be binding, may include an apportionment of attorney fees and other fees and costs, and may be enforced in any court with the requisite jurisdiction. Any such arbitration shall be conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association and in Ada County, Idaho (ID), unless mutually agreed otherwise by the parties. If any enrollee or former enrollee (or person claiming to be an enrollee or former enrollee) makes any claim or brings any action or proceeding arising out of or relating to the group contract(s) to which Regence or the Company becomes a party, Regence and the Company agree to cooperate in the defense of such claim, action, or proceeding and to resolve any controversy or claim between Regence and the Company through arbitration under this paragraph only after the resolution of the enrollee's (or alleged enrollee's) claim.

r) Appoints the producer of record indicated in Section B - Producer (Agent) Information (if any) to represent it in matters of group coverage benefits provided by Regence. This appointment is in effect on the same day as the group coverage(s) and remains in force until rescinded in writing.

s) Acknowledges that if the Company has a producer, that producer may receive bonuses, commissions, administrative services fees, or other compensation, including non-cash compensation from Regence. Incentives may be based on any of several factors, including the size of the Company's business, the products the Company purchases, the producer's volume of business with Regence, and other services the producer provides to the Company. These incentives may have an indirect impact on the Company's rates. For more information please contact the producer for the Company.

WE'VE GONE GREEN! To be more environmentally conscious and in response to employer requests, we will attach one paper copy of the booklet (unless another quantity has been previously arranged) describing your plans benefits to your contract. Inform your plan participants that they can access the booklet electronically at Regence.com. Or, if preferred, you can contact your sales representative to order additional paper copies for distribution or can have any requesting plan participant request a paper copy by contacting customer service.

SIGNATURE

Group Authorized Signature  

Print Authorized Name  Fritz X. Haemmerley

Official Title  Mayor

Signature Date  September 9, 2015
CITY OF HAILEY
RESOLUTION NO. 2015-77

A RESOLUTION OF THE CITY OF HAILEY AUTHORIZING THE ESTABLISHMENT
OF THE HEALTH REIMBURSEMENT ARRANGEMENT/VOLUNTARY EMPLOYEES’
BENEFICIARY ASSOCIATION (“HRA VEBA”) PLANS

WHEREAS, the Internal Revenue Code Section 501(c)(9) allows for the creation of a voluntary
employees’ beneficiary association which is a tax-exempt health and welfare trust; and

WHEREAS, IRS regulations and guidelines allow an employer to offer health reimbursement arrangement
(HRA) plans; and

WHEREAS, such HRA plans are available to governmental employers in the Northwest; and

WHEREAS, the Voluntary Employees’ Beneficiary Association Trust for Public Employees in the
Northwest (“Trust”) offers and will administer two HRA VEBA plans (collectively the “Plans”) as amended and
restated: the Standard HRA Plan, which shall be integrated with the Employer’s or another qualified group
health plan and which shall accept Employer contributions on behalf of eligible employees who are enrolled in or
covered by such qualified group health plan and any other contributions that may be permitted under applicable
law from time to time; and the Post-separation HRA Plan, which shall accept contributions on behalf of eligible
employees, including eligible employees who are not enrolled in or covered by the Employer’s or another qualified
group health plan, and which shall provide benefits only after a participant separates from service or retires.

WHEREAS, City of Hailey (“Employer”) has determined that it is in the best interest of the Employer and
its employees to establish the Plans, which provide tax-free, defined contribution accounts for employees to
reimburse qualified medical, dental, vision and tax qualified long-term care premiums and non-covered healthcare
expenses of the employees and their qualified dependents; and

WHEREAS, the Employer desires to establish the Plans for its employees; and

WHEREAS, the Employer desires to use the services of the Trust to administer such Plans; and

WHEREAS, the Plans will be administered in accordance with the Plan documents provided by the Trust
on file in the Employer’s main office.

NOW, THEREFORE, the Board of Directors hereby resolves as follows:

Section 1. Effective October 1, 2015, the Employer hereby elects to participate in the Plans and
Trust as presently constituted or hereafter amended using the Trust as its plan administrator for the benefit of
eligible employees as defined by Employer policies or collective bargaining agreements.

Section 2. The Plans will be funded with Employer contributions in amounts determined from time to
time pursuant to Employer policies and collective bargaining agreements.

Section 3. The Mayor of the City of Hailey and/or his appointed Administrator is authorized to
execute documents and establish procedures consistent with Plan and Trust provisions and applicable Employer
policies and collective bargaining agreements necessary to effect the adoption and administration of the Plans.

ADOPTED this 9th day of September, 2015.

Fritz X. Haemmerle, Mayor, City of Hailey

Mary Cone, City Clerk
HRA VEBA Employer Adoption Agreement

Employer Data Page

Employer contact information will be kept on file by VSG and the Plan TPA. This will help these primary service providers communicate with the appropriate individual(s) when questions or issues arise. **Please immediately notify your VSG client consultant if your primary contact information changes.**

<table>
<thead>
<tr>
<th>SECTION 1: EMPLOYER INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer Name: City of Hailey</td>
</tr>
<tr>
<td>Employer Address: 115 South Main Street</td>
</tr>
<tr>
<td>Street Address</td>
</tr>
<tr>
<td>Employer Phone: 208-788-4221</td>
</tr>
<tr>
<td>Estimated number of newly-enrolling employees within the next 12 months: 30</td>
</tr>
<tr>
<td>Plan Effective Date: October 1, 2015</td>
</tr>
<tr>
<td>Employer Tax Identification Number: 82-6000201</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION 2: CONTACT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>a) Contact for General Plan Communications:</strong></td>
</tr>
<tr>
<td>Please identify the primary business or administrative contact who should receive official Plan communications (such as amendments) and other time-sensitive administrative and operational communications and information. This person will receive your counter-signed Adoption Agreement and Employer Welcome kit.</td>
</tr>
<tr>
<td>Contact Name: Heather Dawson</td>
</tr>
<tr>
<td>Mailing Address (if different than above):</td>
</tr>
<tr>
<td>Telephone: 208-788-4221 ext 18</td>
</tr>
</tbody>
</table>

| **b) Contact for Enrollment/Payroll Contribution Matters:** |
| Please identify the person who is generally responsible for facilitating participant enrollment and Employer contribution remittance. |
| Contact Name: Becky Stokes | Contact Title: City Treasurer |
| Mailing Address (if different than above): | |
| Telephone: 208-788-4221 ext 28 | E-mail: becky.stokes@haileycityhall.org |

<table>
<thead>
<tr>
<th>SECTION 3: FOR INTERNAL USE ONLY – To be completed by VSG</th>
</tr>
</thead>
<tbody>
<tr>
<td>VSG Client Consultant:</td>
</tr>
<tr>
<td>E-mail:</td>
</tr>
</tbody>
</table>
HRA VEBA
EMPLOYER ADOPTION AGREEMENT

VEBA TRUST FOR PUBLIC EMPLOYEES IN THE NORTHWEST

Provisions:

1. **Participation.** [check one only]

   (a) [ ] New Employer. Employer is a newly-adopting Employer, with a plan effective date of [enter intended plan effective date]. This Employer Adoption Agreement may be amended only in writing as executed by authorized officers of all parties hereto.

   or

   (b) [ ] Renewing Employer. Employer is a currently-participating Employer and wants to renew and ratify or amend its participation in the Plans and the Trust (as defined below). This Employer Adoption Agreement supersedes all prior Employer Adoption Agreements, if any, and may be amended only in writing as executed by authorized officers of all parties hereto.

2. **Formal Authorization of Employer.** The Employer, by formal action of its governing body or other authorized action, has formally established an employee benefit plan or arrangement pursuant to which it desires to make one or more contributions to the following health reimbursement arrangement ("HRA") plans (as each may be amended, restated, or offered under one or more alternative plan document versions from time to time and referred to herein as a "Plan" or an "HRA VEBA Plan") offered by the Voluntary Employees' Benefit Association Trust for Public Employees in the Northwest (as the same may be amended or restated from time to time, the "Trust"):  

   (a) VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION STANDARD HEALTH CARE REIMBURSEMENT PLAN FOR PUBLIC EMPLOYEES IN THE NORTHWEST (also referred to as the "HRA VEBA Standard HRA Plan"), which is designed to be exempt from the annual limits restrictions under the Public Health and Safety Act ("PHSA 2711"), as amended by the Patient Protection, Affordability, and Care Act of 2012 ("PPACA"), based upon integration with another group health plan in accordance with PHSA 2711 and applicable PPACA regulatory guidance. The HRA VEBA Standard HRA Plan may accept only contributions (i) made on behalf of participants who are enrolled in the Employer’s group health plan or another group health plan that provides minimum value, as defined by applicable PPACA regulatory guidance (a "Qualified Group Health Plan") or (ii) made after December 31, 2012 but before January 1, 2014 that are approved by the Trust as permitted or "grandfathered" contributions under PPACA and applicable PPACA regulations and regulatory guidance.

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1 For a description of the types of plans that can be considered to be Qualified Group Health Plans, refer to “What is a Qualified Group Health Plan?” enclosed or available online at www.hraveba.org.
Employer Adoption Agreement—continued

(b) VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION POST-SEPARATION HEALTH CARE REIMBURSEMENT PLAN FOR PUBLIC EMPLOYEES IN THE NORTHWEST (also referred to as the “HRA Veba Post-separation HRA Plan”), for which payment or reimbursement of benefits are available only after an eligible participant has retired from employment or otherwise separated from service with his or her Employer. The HRA Veba Post-separation HRA Plan may accept contributions on behalf of all participants, including participants who are not enrolled in a Qualified Group Health Plan, as directed by the Employer pursuant to (i) this Employer Adoption Agreement, (ii) a Plan Design Change Form, (iii) contribution reports for the Post-separation HRA Plan submitted with participant contributions, or (iv) other written instructions from the Employer. **Contributions on behalf of participants who are not enrolled in a Qualified Group Health Plan must be submitted by the Employer into the Post-separation HRA Plan and included only in the Employer's contribution report for the Post-separation HRA plan.**

Through this Employer Adoption Agreement the Employer applies for participation in each Plan and the Trust, to be effective with respect to any Plan only when both of the following have occurred with respect to such Plan: (i) the Trust has accepted this Employer Adoption Agreement and (ii) the Employer has made a contribution or transfer into such Plan on behalf of one or more participants. With respect to each Plan, the Employer shall be considered to be a sponsor of such Plan with respect to its employees and shall have adopted and become subject to the provisions of such Plan and the Trust only upon acceptance by the Trust and the funding by the Employer of any contributions or transfer of assets into such Plan. The Employer acknowledges that it understands and agrees that: (a) neither the Plans, the Trust, nor the Plans/Trust’s auditor performs audit work or otherwise examines to assure that any contribution from the Employer to the Trust is in accordance with the Employer’s plan or arrangement and that this determination is the sole responsibility of the Employer; and (b) in the event the Employer’s plan or arrangement for contributions is determined by the IRS to permit individual employee elections and thereby results in taxable income to affected employees, the Employer shall hold harmless and indemnify each Plan, Trust, and their agents for liability which may result therefrom.

3. **HRA Veba Standard HRA Plan - Plan Design Selections.** Pursuant to collective bargaining agreements, other written agreements, or Employer benefits policies, whichever is applicable, the Employer hereby elects the following options under the Plan:

(a) **Participant Accounts.** [check one only, unless Employer is establishing more than one type of Participant Account;\(1\) **If no option is selected, the default election will be 3(a)(i) – In-service and post-separation coverage; 100% vested**]

---

\(1\) In almost all cases, Employer will select only one Participant Account option. However, more than one option may be selected if an Employer wants to (1) establish more than one type of Participant Account per Employee or (2) establish different types of Participant Accounts across multiple Employee groups. Example 1—Employer wants to establish two types of Participant Accounts per employee within the Standard HRA plan: one that permits in-service and post-separation benefits and is 100% vested, and one that permits post-separation benefits only subject to vesting. Example 2—Employer wants to establish different types of Participant Accounts for certain Employee groups. For Employee group A, Employer wants to establish Participant Accounts that are subject to vesting. For Employee group B, Employer wants to establish Participant Accounts that are 100% vested.

If Employer selects more than one Participant Account option, language must be attached that clearly describes, by Employee group, which type(s) of Participant Account(s) are to be established for each eligible Participant.
Employer Adoption Agreement—continued

Commencement of Benefits shall be as directed below by Employer or, for Employees whose assets have been transferred by Employer from a prior plan, Employer may additionally direct in writing that the commencement of Benefits shall coincide with the Employee’s benefits eligibility date under the prior plan, provided the Employee becomes a Participant as defined by the Plan.

(i) [x] In-service and post-separation coverage; 100% vested. Participants shall immediately be eligible to file claims for qualified expenses and premiums incurred any time after a Participant Account is established with respect to such Employee.

or

(ii) [ ] Post-separation coverage only; 100% vested. Participants shall be eligible to file claims for qualified expenses and premiums incurred after separation from service. Employer must notify the Third-party Administrator of such Employees’ separation dates by submitting a completed Participant Status Change Form.

or

(iii) [ ] In-service and post-separation coverage; subject to vesting. Participants shall be eligible to file claims for qualified expenses and premiums incurred while in-service and post-separation after having met any vesting requirements. Employer must notify the Third-party Administrator of such Employees’ claims eligibility dates, separation dates, and/or vested account percentages by submitting a completed Participant Status Change Form.

or

(iv) [ ] Post-separation coverage only; subject to vesting. Participants shall be eligible to file claims for qualified expenses and premiums incurred post-separation and after having met any vesting requirements. Employer must notify the Third-party Administrator of such Employees’ separation dates and vested account percentages by submitting a completed Participant Status Change Form.

4. **HRA VEBA Post-separation HRA Plan — Plan Design Selections.** Pursuant to collective bargaining agreements, other written agreements, or Employer benefits policies, whichever is applicable, the Employer hereby elects the following options under the Plan:

(a) **Participant Accounts.** [check one only, unless Employer is establishing more than one type of Participant Account; (1) If no option is selected, the default election will be 4(a)(i) – Post-separation coverage; 100% vested]

Commencement of Benefits shall be as directed below by Employer or, for Employees whose assets have been transferred by Employer from a prior plan, Employer may additionally direct in writing that the commencement of Benefits shall coincide with the Employee’s benefits eligibility date under the prior plan, provided the Employee becomes a Participant as defined by the Plan.

---
Employer Adoption Agreement—continued

(i) [x] Post-separation coverage: 100% vested. Participants shall be eligible to file claims for qualified expenses and premiums incurred after separation from service. Employer must notify the Third-party Administrator of such Employees’ separation dates by submitting a completed Participant Status Change Form.

or

(ii) [ ] Post-separation coverage: subject to vesting. Participants shall be eligible to file claims for qualified expenses and premiums incurred post-separation and after having met any vesting requirements. Employer must notify the Third-party Administrator of such Employees’ separation dates and vested account percentages by submitting a completed Participant Status Change Form.

5. **Forfeitures.** In the event any funds within a Participant Account are forfeited in accordance with the terms of the Plan documents, such forfeited funds will be transferred to a general forfeiture account held within the Trust on behalf of the deceased or forfeiting Participant’s Employer to be re-contributed as future contributions or otherwise applied for the benefit of all Participants of the Employer within the Trust, as directed by the Employer, but in all cases subject to applicable law, the terms of the Plan document, and the rules, policies and procedures established by the Administrator.

6. **Employer Account.** [check one only]

An Employer Account can be used to hold assets to offset other post-employment benefits, such as OPEB liabilities as defined by Governmental Accounting Standards Board Statement No. 45 (GASB 45) accounting rules. An Employer Account can also be established for the purpose of accepting Participant Account forfeitures due to a Participant’s death or failure to meet vesting requirements, if any. An Employer Account is not required in order to receive forfeitures as described in paragraph 5. All forfeitures will be deposited into a general forfeiture account but may be subsequently transferred from the general forfeiture account into an Employer Account at the direction of the Employer.

(a) [x] Employer is not establishing any Employer Account.

or

(b) [ ] Employer is establishing one or more Employer Accounts.

7. **Annual Compliance Certification.** The Employer acknowledges that the qualification of the HRA VEBA Standard HRA Plan as an integrated HRA Plan depends in part upon the Employer’s compliance with the contribution restrictions under the Standard HRA Plan and described in paragraph 2(a) above. The Employer hereby agrees to execute and deliver herewith, and agrees to execute and deliver to the Trust annually, a certificate substantially in the form of Exhibit A hereto, as the same may be revised from time to time as required by law in order to maintain the qualification of the HRA VEBA Standard Plan as an integrated HRA Plan.
Employer Adoption Agreement—continued

IN WITNESS WHEREOF, the Employer has approved this Employer Adoption Agreement, as evidenced by the signature below of its authorized officer, to be effective when accepted by signature below on behalf of HRA VEBA Trust.

Employer
Name: City of Hailey

By: Fritz X. Haemmerle
Authorized signature
Printed name

Mayor
Title
September 9, 2015
Date

Accepted by HRA VEBA Trust:

VEBA Service Group, a Division of Gallagher Benefit Services, Inc. on behalf of the Voluntary Employees' Beneficiary Association Trust for Public Employees in the Northwest.

By: Mark Wilkerson, Area President

Authorized signature
Date
EXHIBIT A
ANNUAL EMPLOYER CERTIFICATION REGARDING
HRA INTEGRATION WITH A QUALIFIED GROUP PLAN

The undersigned, a duly authorized officer of the Employer named below, hereby certifies the following on behalf of such Employer:

(a) The Employer has previously adopted and made contributions into the Voluntary Employees' Beneficiary Association Standard Health Care Reimbursement Plan For Public Employees in the Northwest (also referred to as the "HRA VEBA Standard HRA Plan") offered by the Voluntary Employees' Beneficiary Association Trust for Public Employees in the Northwest (as the same may be amended or restated from time to time, the "Trust")

(b) The Employer will make contributions into the HRA VEBA Standard HRA Plan only (i) on behalf of participants who are enrolled in the Employer's group health plan or another Qualified Group Health Plan that provides Minimum Value (as described in "What is a Qualified Group Health Plan?" attached hereto) or (ii) during the period after December 31, 2012 but before January 1, 2014 if such contributions are approved by the Trust (or its designee) as permitted or "grandfathered" contributions under PPACA and applicable PPACA regulations and regulatory guidance; and

(c) To the extent Employer makes contributions into the HRA VEBA Standard HRA Plan on behalf of any participants, the Employer will, at least annually, either (i) confirm that such participants are enrolled in the Employer’s group health plan or (ii) require such participants to certify to the Employer that they are enrolled in a Qualified Group Health Plan for the applicable HRA Plan year; and

(d) The Employer will use its best efforts to assist the Trust and the Third-party Administrator to correct or reverse any contributions made into the HRA VEBA Standard HRA Plan that are not permitted under the Standard HRA Plan document.

IN WITNESS WHEREOF, the Employer has caused this Annual Certification to be executed and delivered, as evidenced by the signature below of its authorized officer.

Employer Name: City of Hailey

By: ____________________________  ____________________________
    Authorized signature                  Printed name

   Mayor, City of Hailey       September 9, 2015
   Title                        Date
What is a Qualified Group Health Plan?

In September 2013, the IRS issued guidance under the Affordable Care Act (ACA) in the form of Notice 2013-54 that expanded the types of health plan coverage employers may consider when determining an employee’s eligibility for contributions to the Standard HRA Plan versus the Post-separation HRA Plan. Under the new guidance, an employee may receive contributions to the Standard HRA Plan if they are (1) eligible to enroll in the employer’s group health plan and (2) actually enrolled in or covered by the employer’s group health plan or any other qualified group health plan (QGHP) as defined below. Employers should make contributions to the Post-separation HRA Plan for any eligible employees who do not meet both of these requirements.

In order for a plan to be considered a QGHP, it must meet the following criteria:

1. The plan must be a group health plan as defined by the ACA and related regulations. Individual plans, including those accessed through a marketplace exchange, are not considered group health plans.
2. The plan must meet minimum value requirements set forth under the ACA. This information can typically be found in the plan’s Summary of Benefits and Coverage available from the plan’s insurance carrier.

Based upon current regulatory guidance, the following types of plans can generally be considered QGHPs, assuming they meet the minimum value requirements, when determining which employees are eligible for contributions to the Standard HRA Plan:

1. Plans sponsored by an employer or group of employers, including group health plans available to participants through their employer;
2. Plans sponsored by employee groups or labor unions;
3. Association plans;
4. Coverage through a former employer, including state-sponsored retiree coverage;
5. Taft-Hartley plans; and
6. Group plans available to small businesses through the SHOP Marketplace.

The types of plans listed below are likely not QGHPs, and based upon current regulatory guidance, should not be accepted when determining which employees are eligible for contributions to the Standard HRA Plan:

1. Individual plans (purchased through the Health Insurance Marketplace (exchange) or otherwise);
2. Medicare;
3. Medicaid;
4. VA coverage;
5. CHIP;
6. TRICARE;
7. Indian Health Services coverage; and
8. Indemnity coverage.

Notice 2013-54 permits employers to rely upon written certification (attestation) from employees as to whether they are enrolled in a QGHP and indicates that certification at the time of enrollment and annually thereafter would be permissible in order to confirm integration and eligibility for contributions to the Standard HRA Plan.

Employers should consult with their own counsel before making contributions to the Standard HRA Plan for eligible employees who have other coverage that may not technically meet the definition of QGHP. HRA VEBA Trust and its advisors do not provide tax or legal advice.

We will update this informational handout as further guidance is issued regarding the types of plans that can be considered QGHPs.

(9-14) PRC
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 09/09/2015    DEPARTMENT: Admin    DEPT. HEAD SIGNATURE: HD

SUBJECT: Consideration of amendment to Hailey’s Personnel Handbook which reinstitutes the HRA-VEBA benefit for City Employees and defines the parameters of the program.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Hailey Personnel Handbook Section IV. C defines Hailey’s HRA-VEBA benefit. Amendments have been drafted to the handbook section to define the program.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

This program is within the budget established by the City Council for FY 2016.

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (If Applicable)

- City Attorney    X    Treasurer    X    Clerk
- Administrator    X    Community Development    ___    Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve Resolution 2015-78, authorizing an amendment to Hailey’s Personnel Handbook Section IV.C, to define the City’s HRA-VEBA program.

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)
CITY OF HAILEY
RESOLUTION NO. 2015—78

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY
AUTHORIZING THE REVISION OF THE PERSONNEL HANDBOOK TO RE-INSTITUTE
AN EMPLOYEE HEALTH BENEFIT THROUGH EMPLOYEE-OWNED HEALTH
REIMBURSEMENT ACCOUNTS (HRA-VEBA)

WHEREAS, the City of Hailey desires to amend sections of the City of Hailey Personnel
Handbook ("Handbook") to re-institute its HRA-VEBA program, through which employees receive
health benefits through individually owned Health Reimbursement Accounts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
HAILEY, IDAHO, that the City of Hailey amends Sections IV(C) of the Handbook by the deletion of
the stricken language and by the addition of the underlined language, as follows:

IV. Benefits Policy

C. HRA/VEBA Benefit. The City of Hailey provided a Health Reimbursement Account (HRA) for
eligible employees hired prior to February 1, 2012. The City contributed an equal amount for each
then-eligible employee to a Volunteer Employment Benefit Account (VEBA). The accounts are
intended for use by employees under IRS 231 regulations, and remain the employee’s property even
after the individual is no longer employed with the City of Hailey. This program may have been
suspended due to budgetary constraints since 2012 at any time by Resolution of the Hailey City Council.
When the benefit is or becomes active, contributions for eligible employees are made during the last
week of January and July the first and seventh month of the plan year. Eligible employees must have
completed five or more consecutive months of employment as full-time, part-time, seasonal, or
contracted agent prior to the month in which the benefit is paid, and must also, on the first of the month
during which the benefit is paid, be members of eligible for the city’s comprehensive health insurance
group.

Employees may choose to be covered by a Medical Group Plan Option offered by the City of Hailey
with a less expensive premium than is paid on behalf of other employees. The City may make the
savings in premium available to the employee in each plan that is paid by the employee’s HRA-
VEBA account on a regular basis, or a contribution to the employee’s dependent premiums when the
dependent is also on the City’s group plan.

IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAILEY,
IDAHO, that this Resolution No. 2015—____ is effective on October 1, 2015.

Passed this _____ day of September, 2015.

City of Hailey
ATTEST:

Fritz X. Haemmerle, Mayor

Mary Cone, City Clerk
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 08/17/2015   DEPARTMENT: Admin   DEPT. HEAD SIGNATURE: HD

SUBJECT: Public Hearing on proposed FY 2016 Budget in the amount of $13,402,653.
1. Public Hearing and City Council Discussion
2. Public Hearing on Water and Wastewater fees for FY 2016
3. Consideration of Annual Appropriation Ordinance
4. Authorization to approve and sign L-2 Form, certifying property tax levy to Blaine County Board of County Commissioners

AUTHORITY: □ ID Code _50-________ □ IAR ___________ □ City Ordinance/Code ________
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

On July 6, 2015 Mayor Haemmerle presented a preliminary budget for council discussion. A not-to-exceed budget was adopted by the Hailey City Council on July 20, 2015, and has been published twice as prescribed by law. Information about the budget was distributed to all of Hailey through Our Town. The information stated:

Message from the Mayor

Public Invited to Budget Hearing

Hailey’s public hearing on the FY2016 proposed budget is scheduled for Monday, August 17, 2015 at 5:30 p.m. Adoption of a city budget is one of the most important pieces of work done by your city government. I will highlight here some primary elements of the budget I proposed to the City Council.

Revenues remain mostly flat, with a few exceptions:

· a 3% property tax increase as allowed by law for an increase of $80,000.

· an increase in revenue for roads of $75,000, due to a change in the State Fuel Tax formula. We have correspondingly increased the street department maintenance by over $75,000.

Expenses are targeted to meet the following goals:

· We will buy less expensive health insurance, and use that savings for salary increases and an improved benefits package for our employees. Mayor and Council salaries are proposed to increase to $24,000 for Mayor and $10,200 for City Council. These salaries were last increased by 3% in 2007, prior to which modest biannual increases were applied.

· The Hailey Public Library will implement electronic book monitoring equipment costing $25,000, which will reduce the loss of materials and allow library staff time to be more focused on community services, such as “Book a Librarian” or the popular adult and children’s programs.

· We will maintain the integrity of our public buildings. Fox Building maintenance will be increased by $60,000 for radon mitigation and window repairs.

· Hailey Police Department will continue to implement community policing through a new School Resource Officer positioned within Wood River Middle School. This position is contracted by Blaine County School District to work under HPD authority.

· The Water Master Plan will begin to be implemented with the purchase of a back-up generator for our wells. A $20,000 card read system to meter and bill from the fill-spout will pay for itself. A new pick-up is warranted within our aging fleet.

· The Wastewater Master Plan priorities will be launched with $100,000 for ultra-violet equipment at the treatment plant.

· A $300,000 VaCom Jet Truck is budgeted for sewer line maintenance. Our 2007 truck will need to be replaced in the foreseeable future.

· $375,000 has been reserved from our remaining capital fund for the replacement of two fire trucks. Our plan is
to purchase one new truck on a multi-year lease and refurbish one of the trucks to extend its useful life another five to ten years. Another $150,000 is reserved for essential breathing apparatus for fire-fighters known as SCBA gear.

- Our $82,000 contract with Wood River Rural Fire District is budgeted for fire department salaries and equipment maintenance. This contract dramatically increased the workload of Hailey's Fire Chief, who now acts also as the WRFD Assistant Chief. Both departments benefit by shared use of fire-fighters and equipment through this contract.

- We will assess and design our current 3rd Avenue Fire Station site for a combined police and fire station. At that location where two fire stations sit side by side, we may have the potential of teaming with WRFD to design a facility across both lots.

- Two part-time employees will be added to our Parks Department. With increased staff and maintenance dollars in parks, our Street Department will focus primarily on street care. We will continue to make gains in the quality of our parks, streets, and alleys.

- We are holding the last $100,000 in the capital fund for Street projects, including safety features on Cobblestone where middle school pedestrian traffic conflicts with cars. The project is partly grant-funded.

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**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:**

Attached are the line-item details for the proposed budget. Also attached is information pertaining to the water and wastewater rates required to support the proposed budget. An appropriation ordinance and the L2 form certifying the tax levy to the Blaine County Board of County Commissioners has been prepared.

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**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (If Applicable)

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

---

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

1. Public Hearing and City Council Discussion – Consider public comments regarding overall budget.
2. Public Hearing on Water and Wastewater fees for FY 2016 – consider public comments regarding proposed water and wastewater user fees, and water and wastewater connection fees. Discuss and direct staff to bring back Resolution adopting fees at next meeting.
3. Consideration of Annual Appropriation Ordinance – If budget is satisfactory, make a motion to proceed with first reading of Ordinance # 1184, read by title only.
4. Authorization to approve and sign L-2 Form, certifying property tax levy to Blaine County Board of County Commissioners – Motion to authorize the mayor and city clerk to sign and L-2 form certifying Hailey's increased (3%) levy to the Blaine County Board of County Commissioners and the Idaho State Tax Commission.

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**ACTION OF THE CITY COUNCIL:**

Date 8/11/15 - Council approved Ord. No. 1184, conducted 1st Reading by title only 9/1/15 - 2nd Reading

City Clerk

**FOLLOW-UP:**

*Ord./Res./Agmt./Order Originals: Record Copies (all info.): *Additional/Exceptional Originals to: 

*Copies (AIS only)
HAILEY ORDINANCE NO. 1184

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016, APPROPRIATING THE SUM OF $13,402,653.00 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF HAILEY FOR SAID FISCAL YEAR; AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY WITHIN THE CITY OF HAILEY; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

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

SECTION 1. The sum of $13,402,653.00 shall be, and the same is hereby, appropriated to defray the necessary expenses and liabilities of the City of Hailey, Idaho, for the fiscal year beginning October 1, 2015 and ending September 30, 2016.

SECTION 2. The objects and purposes for which such appropriation is made, and the amount of each object and purpose, are as follows:

GENERAL FUND EXPENDITURES

<table>
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<tr>
<th>Expenditure</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislative</td>
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<td>Administrative</td>
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<td>Community Development Dept.</td>
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<td>Fire Dept.</td>
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<td>Police Dept.</td>
<td>1,473,454.00</td>
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<td>Library</td>
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<td>Public Works and Engineering</td>
<td>125,372.00</td>
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<td>Street Dept.</td>
<td>987,181.00</td>
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<td>Parks &amp; Recreation Dept.</td>
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<td>Grant Fund</td>
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<td>Capital Improvement Fund</td>
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<td><strong>Total Expenditures</strong></td>
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WATER & SEWER EXPENDITURES

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<th>Amount</th>
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</thead>
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<td>Water Fund Expenditures</td>
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<tr>
<td>Water Bond Expenditures</td>
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<tr>
<td>Sewer Fund Expenditures</td>
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<td>Sewer Bond Expenditures</td>
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<td>Water Replacement Expenditures</td>
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<td>Sewer Replacement Expenditures</td>
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<tr>
<td>Wastewater Biosolids Construction</td>
<td>3,000,000.00</td>
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<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>7,257,900.00</strong></td>
</tr>
</tbody>
</table>

TOTAL EXPENDITURES ALL FUNDS $13,402,653.00
SECTION 3. A general tax levy on all taxable property within the City of Hailey shall be levied in an amount allowed by law for the general purposes of said City for the fiscal year beginning October 1, 2015 and ending September 30, 2016.

SECTION 4. All ordinances and/or portions or parts of ordinances in any way inconsistent with or in conflict with this Ordinance are hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS 31st DAY OF AUGUST, 2015.

Fritz Haemmerle, Mayor, City of Hailey

ATTEST:

Mary Cone, City Clerk

Return to Agenda
AGENDA ITEM SUMMARY

DATE: 9/09/2015   DEPARTMENT: Legal   DEPT. HEAD SIGNATURE: 

SUBJECT:

Summary of Hailey Ordinance No. 1185 (Urban Agriculture Ordinance Amendment)

______________________________________________________________________________

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

______________________________________________________________________________

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

I am enclosing a summary of Hailey Ordinance No. 1185 which amends the district use matrix to allow urban agriculture if it is accessory to a school in the Business (B) and Service Commercial Industrial (Sales and Office Sub-District) (SCI-SO) zoning districts.

Ned

______________________________________________________________________________

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle #

Budget Line Item # __________________________ YTD Line Item Balance $__________

Estimated Hours Spent to 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:

Make a motion to approve the summary of Hailey Ordinance No. 1185 and authorize Mayor to Conduct 3rd Reading of Ordinance No. 1185 & sign.

______________________________________________________________________________

FOLLOW-UP REMARKS:
HAILEY ORDINANCE NO. 1185

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING ARTICLE V OF HAILEY'S ZONING ORDINANCE NO. 532, BY AMENDING SECTION 5.4, DISTRICT USE MATRIX, TO ALLOW URBAN AGRICULTURE AS AN ACCESSORY USE TO SCHOOLS IN ALL ZONING DISTRICTS WHERE SCHOOLS ARE PERMITTED; 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, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance conforms to the Hailey Comprehensive Plan;

WHEREAS, schools have a variety of accessory activities to assist in the learning process, and urban agriculture is one such activity;

WHEREAS, schools are permitted conditionally in the GR, LB, B and SCI-SO Zones;

WHEREAS, Urban Agriculture is not permitted in two of the zones that allow schools (B and SCI-SO), creating a hardship for schools in those zones with regards to Urban Agriculture;

WHEREAS, urban agricultural uses, so long as accessory and subordinate, are compatible with the uses in B and SCI-SO zone districts; and

WHEREAS, the amendment 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. Portions of the District Use Matrix found in Section 5.4 of the Hailey Zoning Ordinance No. 532 are hereby amended by addition of the underlined language and by deletion of the stricken language, as follows:

Section 5.4 District Use Matrix

<table>
<thead>
<tr>
<th>Agriculture</th>
<th>N</th>
<th>C</th>
<th>C</th>
<th>C</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horses, a maximum of two (2) horses per acre on lots of one (1) acre minimum size</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Urban Agriculture (see definition)</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>A</td>
<td>N</td>
<td>N</td>
<td>A</td>
</tr>
</tbody>
</table>

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 SEPTEMBER, 2015.

Fritz X. Haemmerle, Mayor, City of Hailey

Attest:

____________________________
Mary Cone, City Clerk
Published: Idaho Mountain Express ____, 2015
SUMMARY OF HAILEY ORDINANCE NO. 1185

The following is a summary of the principal provisions of Ordinance No. 1185 of the City of Hailey, Idaho, duly passed and adopted September 21, 2015, by the City Council and Mayor of the City of Hailey:

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING ARTICLE V OF HAILEY’S ZONING ORDINANCE NO. 532, BY AMENDING SECTION 5.4, DISTRICT USE MATRIX, TO ALLOW URBAN AGRICULTURE AS AN ACCESSORY USE TO SCHOOLS IN ALL ZONE DISTRICTS WHERE SCHOOLS ARE PERMITTED; 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.

Hailey Ordinance No. 1185 amends Article V of the Hailey Zoning Ordinance, as follows:

Section 1 amends portions of District Use Matrix found Section 5.04 of the Hailey Zoning Ordinance by making Urban Agriculture a permitted use in the Business (B) and Service Commercial Industrial District (Sales and Office Sub-District) (SCI-SO) Zoning Districts provided the Urban Agriculture use is accessory to schools.

Section 2 provides for a severability clause.

Section 3 provides for a repealer clause.

Section 4 provides for an effective date of the ordinance.

The full text of Ordinance No. 1185 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. 1185 of the City of Hailey, that I have compared it to the full text of Ordinance No. 1185, 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 September, 2015.

_________________________________________________________________
Ned Williamson, Hailey City Attorney

Publish: Idaho Mountain Express, September ____, 2015.

-1-

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Return to Agenda
AGENDA ITEM SUMMARY

DATE: 9/09/2015  DEPARTMENT: Legal  DEPT. HEAD SIGNATURE: 

SUBJECT:

Summary of Hailey Ordinance No. 1186 (Design Review Ordinance Amendment)

AUTHORITY:  □ ID Code  □ IAR  □ City Ordinance/Code

(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

I am enclosing a summary of Hailey Ordinance No. 1186 which amends the procedure for design review.

Ned

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle #

Budget Line Item #  YTD Line Item Balance $

Estimated Hours Spent to Date:  Estimated Completion Date:

Staff Contact:  Phone #

Comments:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

___ 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:

Make a motion to approve the summary of Hailey Ordinance No. 1186 and authorize Mayor to Conduct 3rd Reading of Ordinance No. 1186 & sign.

FOLLOW-UP REMARKS:

--47--
HAILEY ORDINANCE NO. 1186

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING ARTICLE VIA OF HAILEY’S ZONING ORDINANCE NO. 532, BY ADDING A NEW SECTION 6A.05 TO CREATE A PURPOSE SECTION; BY AMENDING SECTION 6A.1 TO SPECIFY WHETHER A PROJECT IS SUBJECT TO OR EXEMPT FROM DESIGN REVIEW REQUIREMENTS; BY AMENDING SECTION 6A.2 TO CREATE PROCEDURES FOR AN EXEMPTION FROM DESIGN REVIEW; 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, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance conform to the Hailey Comprehensive Plan;

WHEREAS, the Title does not contain a Purposes Section, which is desirable to give context to the regulations; and

WHEREAS, Sections 17.06.010, Design Review Applicability and 17.06.020, Authority of the Administrator, do not provide clarity as to projects requiring design review and projects exempt from design review; and

WHEREAS, the following amendments clarify the design review process, but do not make substantial changes to the design review thresholds; and

WHEREAS, the amendments 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. Article VIA of Hailey’s Zoning Ordinance No. 532 is hereby amended to add a new section, Section 6A.05, as follows:

Section 6A.05. Purpose of Hailey Design Review

The following purposes describe the broad goals of Design Review. They are not intended to be prescriptive or regulatory.

A. To ensure that the general appearance and function of building design and construction is compatible with character of the City of Hailey and its neighborhoods;
B. To promote original and high quality design;
C. To reinforce the historic and cultural character of the Hailey community;
D. To encourage revitalization of downtown Hailey;
E. To promote building and site design that fits into the context of established neighborhoods, and reinforces a “sense of place”;
F. To promote sustainable design principles;
G. To promote walkable development and enhance the character and function of Hailey streets;
H. To coordinate on site vehicular and non-vehicular traffic circulation patterns with adjacent transportation systems, and to manage the impact of the vehicular traffic on adjacent streets;
I. To ensure efficient arrangement of on-site parking with regard to building location, safe access points, non-motorized travel, utilities and public services and adjacent land uses;  
J. To prevent unnecessary excavation or fill for building foundations, access roads, driveways and similar improvements including prevention soil erosion and flood damage;  
K. To ensure appropriate and adequate landscaping, with an emphasis on sustainable, low-water use landscaping and;  
L. To protect and conserve the economic base of Hailey including property values.

Section 2. Section 6A.1 of Hailey’s Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and the deletion of the stricken language, as follows:

Section 6A.1. Applicability.

A. No person shall build, develop, or substantially remodel or alter the exterior of the following Buildings without receiving design review approval or exemption pursuant to this Article, as outlined in the matrix below:

B. 1. A building for a non-residential Principal or Conditional Use within any zoning district.

2. A building for a Public or Semi-Public Use within any zoning district.

3. A Multi-Family Dwelling of three or more units within any zoning district.

4. A Single Family Dwelling, Duplex or Accessory Structure within the Townsite Overlay (TO) District.

5. A Historic Structure.

B. Exemptions.

1. Murals and public art

2. Applications for non-emergency temporary structures are not subject to Design Review, but are subject to the Conditional Use Permit process as set forth in Article XI of the Zoning Ordinance.

3. Projects which qualify under Section 6A.2(A)(2) of this Article.

(Ord. 1097, §1, 2012, Ord. 1062, §1, 2010)

Table 1: Project Types

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Exempt (PZ Chair and Administrator)</th>
<th>Hearings Examiner</th>
<th>Full PZ Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>NEW CONSTRUCTION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Zones: Non-residential Buildings</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Zones: Residential of three (3) or more units</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Townsite Overlay District: New Single Family or Duplex</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Townsite Overlay District: Accessory Structures</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>ADDITIONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial: Additions under 500 square feet which are not prominently visible from a public street</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Townsite Overlay: Single Family, Duplex or Accessory Structure that adds floor area equal to or greater than 50% of the original structure</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Townsite Overlay: Additions that adds floor area less than 50% of the original structure, and complies with Section 6.A.2.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MODIFICATIONS THAT DO NOT ADD SQUARE FOOTAGE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Façade Changes, alterations to parking and other site elements</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial: Major deck additions; changes to architectural elements which alter the overall style of the building; addition of window(s) or door(s); or changes to existing windows or doors that result in major stylistic changes; changes to architectural elements which alter the overall style of the building.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial: Minor deck additions, changes to siding and/or materials, changes to window(s) or door(s) that do not result in major stylistic changes, landscape and/or parking changes that do not materially alter the flow of circulation.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murals and Public Art</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporary Structures</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Projects which qualify under Section 6.A.2 (A) (3) of this Article.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section 3. Section 6.A.2 of Hailey’s Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and the deletion of the stricken language, as follows:

6A.2. Authority of the Administrator.

The Administrator has the authority to review and make, or recommend, decisions as follows:

A. The Administrator has the authority to recommend for approval or denial certain applications for Design Review that the Administrator determines to have no substantial impact on
adjacent properties or on the community at large, subject to final approval or denial by the Commission on its consent agenda. Such recommendation for approval or denial shall specify the standards used in evaluating the application, the reasons for the approval or denial, and conditions of approval, if any. Applications that have no substantial impact may include, but are not limited to: additions under five-hundred (500) square feet or which are not prominently visible from a public street, façade changes and alterations to parking or other site elements.

**A.B.** Emergency Applications: Those applications for projects of an emergency nature, necessary to guard against imminent peril, regardless of zoning district, shall receive administrative review and approval, denial, or conditional approval, subject to criteria set forth in subsection 17.06.060B of this Chapter. The Administrator may, upon the request of the applicant or the direction of any City official, forward the application to the Commission for review.

**B.C.** Exemptions: The Administrator, with concurrence from the Chair or the Chair’s Designee, has the authority to recommend exemption of certain projects from the design review requirements, upon finding; the project is minor, will not conflict with the design review standards of this Chapter and will not adversely impact any adjacent properties. Examples include, but are not limited to: applications that have no substantial impact, may include, but are not limited to: minor deck additions, changes to siding materials, changes to an existing window(s) or door(s), an addition of a window or door, and minor landscape changes. Such recommendation for exemption shall be documented in writing on file with the Community Development Department drafted in the form of Findings of Fact and Conclusions of Law, subject to final decision by the Commission on its consent agenda prior to issuance of a building permit. Should the Commission deny the Administrator’s recommendation or Administrator and Chair determine that the proposal does not meet all of the above evaluation criteria, the project shall be subject to the provisions of this chapter prior to issuance of a building permit. Exemptions shall be included in the Commissioners packet at regular meetings for informational purposes.

**C.D.** Minor Modifications: The Administrator has the authority to approve minor modifications to projects that have received design review approval by the Commission prior to, and for the duration of a valid Building Permit. The Administrator shall make the determination as to what constitutes minor modifications and may include, but are not limited to: changes to approved colors and/or siding materials, changes to site plans that do not significantly increase building footprints or significantly change driveway or road alignment, changes to landscape plans that do not decrease the amount of landscaping, changes to dumpster enclosures, changes to exterior lighting fixtures and location, or changes to windows that do not significantly affect project design, appearance or function. All approved modifications must be documented in a memo to the project file and on the approved set of plans on file with the city. For modifications to design review approval that are determined by the Administrator not to be minor, the Administrator has the authority to recommend approval or denial of such modifications, subject to final decision by the Commission on its consent agenda. Such recommendation for approval or denial shall be drafted in the form of Findings of Fact and Conclusions of Law.

**Section 4. 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 5. Repealer Clause.** All City of Hailey ordinances or parts thereof, which are in conflict herewith, are hereby repealed.
Section 6. **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 SEPTEMBER, 2015.

______________________________
Fritz X. Haemmerle, Mayor, City of Hailey

Attest:

______________________________
Mary Cone, City Clerk
Published: Idaho Mountain Express ___
SUMMARY OF HAILEY ORDINANCE NO. 1186

The following is a summary of the principal provisions of Ordinance No. 1186 of the City of Hailey, Idaho, duly passed and adopted September 21, 2015, by the City Council and Mayor of the City of Hailey:

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING ARTICLE VIA OF HAILEY’S ZONING ORDINANCE NO. 532, BY ADDING A NEW SECTION 6A.05 TO CREATE A PURPOSE SECTION; BY AMENDING SECTION 6A.1 TO SPECIFY WHETHER A PROJECT IS SUBJECT TO OR EXEMPT FROM DESIGN REVIEW REQUIREMENTS; BY AMENDING SECTION 6A.2 TO CREATE PROCEDURES FOR AN EXEMPTION FROM DESIGN REVIEW; 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.

Hailey Ordinance No. 1186 amends Article VIA of the Hailey Zoning Ordinance, as follows:

Section 1 amends Article VIA of the Hailey Zoning Ordinance by adding a new Section 6A.05 to create a purpose section of Hailey’s design review.

Section 2 amends Section 6A.1 of the Hailey Zoning Ordinance by specifying whether a project is subject or exempt from the design review process as set forth in a matrix.

Section 3 amends Section 6A.2 of the Hailey Zoning Ordinance by deleting the procedure for design review which allowed the Administrator the authority to recommend approval or denial of an application for design review but authorizes the Administrator along with the concurrence of the Planning and Zoning Chair or the Chair’s designee to exempt a project from design review requirements upon finding a project is minor, will not conflict with the design review standards and will not adversely impact any adjacent properties.

Section 4 provides for a severability clause.

Section 5 provides for a repealer clause.

Section 6 provides for an effective date of the ordinance.

The full text of Ordinance No. 1186 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. 1186 of the City of Hailey, that I have compared it to the full text of Ordinance No. 1186, 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 September, 2015.

___________________________
Ned Williamson, Hailey City Attorney

Publish: Idaho Mountain Express, September ___, 2015.
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 9/9/2015 DEPARTMENT: Legal DEPT. HEAD SIGNATURE:

SUBJECT:
Summary of Hailey Ordinance No. 1187 (Standard Drawings Amendment)

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
I am enclosing a summary of Hailey Ordinance No. 1187 which amends the standard drawings for double check valves, residential water service connection and sewer service connections and adds new backflow prevention devices and irrigation connection drawings.

Ned

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

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

___ 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:
Make a motion to approve the summary of Hailey Ordinance No. 1187.

FOLLOW-UP REMARKS:
HAILEY ORDINANCE NO. 1187

AN ORDINANCE OF THE CITY OF HAILEY AMENDING, SECTION 18.14 OF THE
HAILEY MUNICIPAL CODE, TO CREATE NEW BACKFLOW PREVENTION DEVICE
AND IRRIGATION LAYOUT DRAWINGS; TO AMEND EXISTING DOUBLE CHECK
VALVE, RESIDENTIAL WATER SERVICE CONNECTION AND SEWER SERVICE
CONNECTION STANDARD DRAWINGS; BY PROVIDING FOR A REPEALER CLAUSE;
BY PROVIDING FOR A SEVERABILITY CLAUSE AND BY PROVIDING AN EFFECTIVE
DATE AFTER PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and the City Council of the City of Hailey wish to amend the
Hailey Municipal Code to ensure the safety of the City of Hailey water supply, to comply with
state mandated water regulations, provide clarification, reflect approved and current
manufacturer and parts and ensure proper installation of all allowed devices; and

WHEREAS, the Mayor and City Council find that the amendments to the Chapter will
further the public health, safety and general welfare.

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

Section 1. Section 18.14 of the Hailey Municipal Code is hereby amended by repealing
and replacing them with the attached Standard Drawings dated 2015:
NOTES

1. Sewer taps shall not enter at manholes.

2. An approved tapping saddle shall be required at all new taps to existing sewer laterals. Saddle to be approved by the City Engineer.

3. An owner constructing a new public sewer system in a subdivision or development shall construct a sewer tap and service for each potential user and extend it into the property.

4. When Sewer and Water lines or services cross refer to the current edition of ISPMC Standard Drawing 407-68.01.08.342.07.0 and 68.01.08.342.07.6 which address the requirements for separation distances between potable water lines (including mains and service lines) with non-potable lines.
TYPICAL WATER SERVICE AND METER CONNECTION

NOTES
1. Water Services shall be installed in accordance with the current edition of the ISPMIC—Section 406—Water Service Line and Meters.
2. Water Service Line shall be installed a minimum of 6 feet below the level of the wet ground line.
3. Water service lines shall be Mueller 25052172F08SN or an equivalent product.
4. Service Line shall be 3/4" diameter Type K copper unless otherwise specified. Copper service pipe shall be encased with plastic pipe sleeving material from corporation stop to vault with both ends wrapped with PASCO 0.5" 0.952 pipe tape.
5. CAUTION: OPEN CORPORATION VALVE BEFORE BACKFILL.
6. Water services shall be backfill with clean crushed stone aggregate per ISPMIC Section 305—Pipes Backfilling.
7. All copper service shall be wrapped with 36 gauge copper wire thermally insulted to 6" in a 6" wide bow board. Insulation shall be installed from the wet main to the vault.
8. Water service lines which cross the street shall be insulated with 2" thick by 2" wide bow board. Insulation shall be installed from the wet main to the vault.
9. Water service lines shall be backfilled with Type I Pipe Bedding per the current edition of ISPMIC Section 305 -Pipe Bedding.
10. Connection to the meter box or curb stop shall be Mueller 110 Compression H-154S1 for 3/4" Copper, Mueller HS451 CTS x F.I.P.; or Ford C44-33-Q-NL.
11. No service or irrigation connections within 6 feet of the meter vault.
12. Separate service connections to main by a minimum of 2 feet and stagger multiple connections made on the pipes along the circumference.
13. Materials used shall be compliant with ANSI/NSF 60/81.
14. All services shall conform to the vertical and horizontal separation requirements per DEQ.
15. All parts must be brass and compliant with the low lead rule (≤0.25% Pb by weight).
16. All brands and model numbers specified herein, or an approved equal, shall be required. Approved vendors shall be determined by the City.
NOTES

1. All backflow devices must be certified by USC Engineering Center and on the Approved List.

2. Proposed devices must be tested prior to and after installation by an Idaho certified backflow device tester or suitable fire system professional.

3. All services shall conform to the vertical and horizontal separation requirements per OEO.


5. Blow-Off must be downstream of backflow device.

FOR LOW HAZARD CONDITIONS

2015 CITY OF HAILEY STANDARD DRAWINGS

IRRIGATION SYSTEM
DOUBLE CHECK VALVE
LOW HAZARD ONLY
Section 2. Section 18.14 of the Hailey Municipal Code is hereby amended by creating the following new Standard Drawing Numbers:

18.14.010.B.9
18.14.010.B.10
18.14.010.B.11
NOTES

1. All backflow devices must be certified by USC Engineering Center and on the Approved List.

2. Proposed devices must be tested prior to and after installation by an Idaho certified backflow device tester or suitable fire system professional.

3. All services shall conform to the vertical and horizontal aspiration requirements per IEC.


5. Blow-off must be downstream of backflow device.

6. This device is only for protection for backflow appliances in both low health and high health hazard conditions.

7. This device must be installed 12" above any down stream pressurized component in the system.


FOR HIGH HAZARD CONDITIONS
NOTES
1. All Backflow devices must be certified by USC Engineering Center and on the Approved List.
2. Proposed devices must be tested prior to and after installation by an Idaho certified backflow device tester or suitable fire system professional.
3. All services shall conform to the vertical and horizontal separation requirements per DEQ.
5. Blow-Off must be downstream of backflow device.
6. This device is for backspin and backpressure applications in both low and high hazard conditions.
7. This device must be installed 12" above all adjacent ground elevations, and cannot be located in crawl space that is below ground.

FOR HIGH HAZARD CONDITIONS

2015 CITY OF HAILEY STANDARD DRAWINGS
REDUCED-PRESSURE PRINCIPLE BACKFLOW ASSEMBLY (RPBA)

REVISIONS

DRAWING NO.

16.14.010.B.10
NOTES

1. This plan is the desired typical layout for new & old development. New Water shall conform to this general conceptual layout except as otherwise specified and approved by the City.

2. The Owner/Developer shall show all Water service locations on design plans as approved by City.

3. No service or irrigation connections within 6 feet of meter vault.

4. Blow-Off must be downstream of backflow device.

PLAN VIEW

TYPICAL WATER IRRIGATION LAYOUT

2015 CITY OF HALEY
STANDARD DRAWINGS

TYPICAL WATER
IRRIGATION LAYOUT

18.14.010.B.11
DRAWING NO.
Section 3. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 4. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 5. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this ___ day of ______, 2015.

Fritz X. Haemmerle, Mayor  
City of Hailey

ATTEST:

Mary Cone, City Clerk
SUMMARY OF HAILEY ORDINANCE NO. 1187

The following is a summary of the principal provisions of Ordinance No. 1187 of the City of Hailey, Idaho, duly passed and adopted September 21, 2015, by the City Council and Mayor of the City of Hailey:

AN ORDINANCE OF THE CITY OF HAILEY AMENDING, SECTION 18.14 OF THE HAILEY MUNICIPAL CODE, TO CREATE NEW BACKFLOW PREVENTION DEVICE AND IRRIGATION LAYOUT DRAWINGS; TO AMEND EXISTING DOUBLE CHECK VALVE, RESIDENTIAL WATER SERVICE CONNECTION AND SEWER SERVICE CONNECTION STANDARD DRAWINGS; BY PROVIDING FOR A REPEALER CLAUSE; BY PROVIDING FOR A SEVERABILITY CLAUSE AND BY PROVIDING AN EFFECTIVE DATE AFTER PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Hailey Ordinance No. 1187 amends Title 18 of the Hailey Municipal Code, as follows:

Section 1 amends Section 18.14 by repealing ____________ and by replacing them with Standard Drawing Nos. 18.14.010.B.3 and 18.14.010.B.8, to amend existing double check valve, residential water service connection and sewer service connection standards.


Section 3 provides for a repealer clause.

Section 3 provides for a severability clause.

Section 4 provides for an effective date of the ordinance.

The full text of Ordinance No. 1187 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. 1187 of the City of Hailey, that I have compared it to the full text of Ordinance No. 1187, 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 September, 2015.

Ned Williamson, Hailey City Attorney
Publish: Idaho Mountain Express, September __, 2015.
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 08/31/15
DEPARTMENT: PW
DEPT. HEAD SIGNATURE: MP

SUBJECT: Ordinance No. 13-8, amendments to various sections of the Hailey Municipal Code, Title 13 – Water and Wastewater.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
Over the last few months a number of water and wastewater code updates have been identified. The majority of the proposed updates would provide better clarification on requirements and would be for consistency with State requirements and best practices. The proposed updates, in order of section number within the attached Ordinance, would result in the following:

1. Specifying that the wastewater service line (maintained by the private property owner) extends not only to the wastewater mainline, but includes the connection to the mainline as well. If the connection was damaged it would be the responsibility of the private property owner to repair.
2. Requiring inspections on mainline work, not just on connections to the mainline.
3. Requiring Idaho DEQ to review all water and wastewater mainline construction plans submitted by a private party in association with a development or other work that requires the relocation, reconstruction, or construction of new mainlines, prior to the city’s review and approval. The city’s engineer would no longer review Idaho DEQ standards, for the State, which shortens the review time for the private party, but opens the city up to liabilities and is not typically considered best practice.
4. Allowing water and wastewater credits made under our current leak policy to be limited to only two in a 12 month period and to allow wastewater fee credits to extend beyond the 60-90 day policy when they occur during the winter months and affect the wastewater rate for the entire year. It would also require credits to be requested within a 3 month timeframe. Three months after the repair, a user would no longer be eligible for a credit.
5. Requiring unfunded depreciation to be included in the calculation for water and wastewater connection fees.
6. Requiring private wastewater systems to be inspected every two years by a licensed installer or pumper. The individual must be on the list furnished by DEQ.
7. Removing drip irrigation systems from the exception list and allowing these systems as exemptions to the water conservation policy. Currently those with drip systems must submit a new request for exemption from the odd/even and hours each year. These systems are more efficient, less subject to evaporation loss and are not enforceable due to limited visibility of watering activity.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

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
□ Fire Dept. □ P & Z Commission
RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion to approve Ordinance No. 1188, amending Title 13 and to conduct the first reading by title only.

ACTION OF THE CITY COUNCIL:
Date: 8/31 - 1st Reading  Ord. No. 1188
7/9 - 2nd Reading
City Clerk

FOLLOW-UP:

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

*Additional/Exceptional Originals to:
Copies (AIS only)
HAILEY ORDINANCE NO. 1188

AN ORDINANCE OF THE CITY OF HAILEY AMENDING CHAPTERS 13.04 AND 13.08 OF THE HAILEY MUNICIPAL CODE, BY AMENDING SECTION 13.04.010(C) TO AMEND THE DEFINITIONS OF PRIVATE WASTEWATER SERVICE LINE AND WASTEWATER SERVICE CONNECTION; AMENDING SECTION 13.04.08 TO CLARIFY THAT MAINLINE EXTENSIONS NEED TO BE INSPECTED; AMENDING SECTION 13.04.110 TO REQUIRE REVIEW AND APPROVAL BY DEQ OF ALL MAINLINE CONSTRUCTION PLANS; AMENDING SECTION 13.04.130(D) TO CLARIFY WASTEWATER USER FEE CREDITS; AMENDING SECTION 13.04.140(A), (B) AND (C) TO INCLUDE UNFUNDED DEPRECIATION IN THE CALCULATION OF WATER AND WASTEWATER CONNECTION FEES; AMENDING SECTION 13.04.160 TO REQUIRE PRIVATE WASTEWATER SYSTEMS TO BE INSPECTED EVERY TWO (2) YEARS; AMENDING SECTION 13.08.010 TO LISTING DRIP IRRIGATION AND BUBBLER SYSTEMS AS EXEMPTIONS FROM THE WATER CONSERVATION REQUIREMENTS; BY PROVIDING FOR A REPEALER CLAUSE; BY PROVIDING FOR A SEVERABILITY CLAUSE AND BY PROVIDING AN EFFECTIVE DATE AFTER PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and the City Council of the City of Hailey wish to amend the Hailey Municipal Code to ensure the safety of the City of Hailey wastewater and water system and ensure revenue from the users is credited and collected consistently and equitably; and

WHEREAS, the Mayor and City Council find that the amendments to the Chapter will further the public health, safety and general welfare.

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

Section 1. Section 13.02.010(C) of the Hailey Municipal Code is hereby amended by the addition of the underlined language in the definitions of Private Wastewater Service Line and Wastewater Service Connection, as follows:

PRIVATE WASTEWATER SERVICE LINE: The extension from the building drain to the service connection, including the point of connection, with the wastewater main or other place of disposal. The private wastewater service line is the responsibility of the owner.

WASTEWATER SERVICE CONNECTION: The point at which the private wastewater service line connects to the wastewater main. The service connection point is the responsibility of the owner.

Section 2. Section 13.04.080 of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:
13.04.080: INSPECTIONS:

A. Water: All connections or extensions of the private service line, shall be made in accordance with the requirements of the state plumbing code for such an installation. The connection to and extensions of the municipal water service line shall be inspected by the city before the installation is backfilled and at all other inspection times specified by the city before the water is turned on for use at the property.

B. Wastewater: All connections or extensions of the private wastewater service line shall be made in accordance with the requirements of the state plumbing code for such an installation. The connection to and extensions of the wastewater main shall be inspected by the city before the installation is backfilled and at all other inspection times specified by the city before wastewater is allowed to pass through.

Section 3. Section 13.04.110 of the Hailey Municipal Code is hereby amended by the addition of the underlined and deletion of the stricken language, as follows:

13.04.110: WATER AND WASTEWATER MAIN EXTENSIONS CONSTRUCTION:

Any Owner may request the city council to extend the municipal water and/or wastewater system(s) to serve undeveloped areas within the existing corporate city limits, newly annexed areas or areas outside the corporate limits.

A. Responsibility of the Owner. Unless otherwise allowed by the city council, the Owner shall pay all costs and expenses associated with the extension of the municipal water and/or wastewater systems or with the installation of any oversized water and/or wastewater lines. It shall also be the responsibility of the owner or agent therefore to install all necessary fire hydrants and the municipal water service line, the private service line, the wastewater main and the building wastewater system for all extensions of the municipal water and wastewater systems at no expense to the city. Unless a special permit is granted by the city, all municipal water and wastewater system extensions, including the municipal water service line and building wastewater system into newly developed areas, shall be installed prior to the construction of any new streets. All design and construction of any extensions, expansions, or significant changes to the municipal water and wastewater systems shall comply with applicable standards and required inspections. The plans for all extensions to the municipal water and wastewater systems shall be prepared and signed by a registered professional engineer with three (3) copies of such plans filed with the city.

B. Plan Approval Process. In approving a plan for the extension to the municipal water and/or wastewater systems, the city reserves the right to stipulate other requirements such as inspections, inspection fees, a special permit fee, rights of way limits, sequence of construction, time limits for having existing service disrupted, the filing of a performance bond or other security and other similar measures as may be required to protect the public. The city, at its discretion, request Owner shall submit plans to DEQ for review of any extension, expansion, or other significant change to the municipal water and wastewater systems. Approval by DEQ is required prior to approval of the plans by the city. The DEQ approved plans for all extensions to the municipal water and wastewater systems shall be prepared and signed by a
registered professional engineer with three (3) copies of such plans filed with the city. Any changes to the plans prior to completion shall be documented and resubmitted before or immediately following completion of the installation.

C. Construction Approval Process. During construction all city inspections and testing requirements shall be satisfactorily completed. After the construction of the municipal water and/or wastewater system extensions, it shall be the obligation of the Owner or his agent to have a registered professional engineer certify to the city that the system extensions were installed according to the approved plans and specifications on file in the office of the city clerk. Following certification by the registered professional engineer and acceptance by the city, the entire extension of the water and/or wastewater main, including the municipal water service lines, shall become the property of the city.

Section 4. Section 13.04.130(D) of the Hailey Municipal Code is hereby amended by the addition of the underlined and deletion of the stricken language, as follows:

D. Reduction In Metered Water And Wastewater Fees:

1. Leak In Private Water Service Line Or Within Building:

a. Notice Of Leak: In the event a leak is discovered in a private water service line or in a private water service line in a building and the city is notified of the leak or the city notifies the water user of the leak, the metered water fee and the metered wastewater fee shall be eligible for a credit for a period beginning thirty (30) days before the city is notified or the city sends notification, until sixty (60) days following notification (the "credit period"), provided the leak is repaired during the sixty (60) day period following notification, except as otherwise provided herein. If the leak is repaired during the sixty (60) day period following notification, the water user shall not be entitled to any reduction in the metered water fee and the metered wastewater fee, and the water and wastewater metered fee shall be calculated as set forth in subsections A2 and B2 of this section, except as otherwise provided herein. If the leak is repaired during the first thirty (30) days following notification, the metered water fee and the metered wastewater fee during the credit period shall be calculated based on the water user's water usage during the same period of the previous year, or the actual metered quantity, whichever is less. If the leak is repaired between thirty (30) days and sixty (60) days following notification, the metered water fee and metered wastewater fee during the credit period shall be based on the following:

\[ \text{[(the actual metered usage) - (the water user's water usage during the same period of the previous year)]} \times 50\% \], or the actual metered quantity, whichever is less.

b. Notice of Repair: No credit will be issued for notification of leak repairs or requests for fee adjustments that are submitted to the city after ninety (90) days from the date that the leak was repaired. The water user has the burden to notify the city when the leak is repaired.
c. Exceptions:

(1) If a leak is discovered in a private water service line between December 1 and April 15 of the following year, the thirty (30) and sixty (60) day periods described above to repair a leak shall begin on April 15 and the credit period, as defined above, shall be modified so that the credit period begins thirty (30) days before the city is notified or the city sends notification, until June 14.

(2) If a leak is discovered in a private water service line and if the water user is unable to repair the leak because a private contractor did not perform the repair within sixty (60) days following notification, the credit period shall be extended for an additional maximum period of thirty (30) days, provided the private contractor was contacted by the water user and the private contractor agreed to perform the repair services within ten (10) days of the notification.

(3) If a leak is discovered in a private water service line between November 1 and March 31 the wastewater fee will be adjusted to reflect the metered water fee adjustment. The adjusted water fee shall be calculated as set forth in subsections B1 and B2. The water user shall receive a wastewater fee credit for the months following March 31 that the unadjusted wastewater rate was charged.

d. Limitations: A maximum of two (2) water or wastewater fee credits shall be issued within a twelve (12) month period.

2. Provision Of Water To Neighboring Water User: In the event water service is disrupted to a water user based on a frozen private water service line between December 1 and April 15 of the following year, and a water user provides water from the municipal water system to the water user whose water service was disrupted following notification to the city, the metered water fee and metered wastewater fee to be charged to the water user who provides water for the period of time between the date of notification and the date water is no longer provided to the water user whose water service was disrupted (which shall not extend beyond April 15) shall be based on the water usage by the water user whose water service was disrupted during same period of the previous year, or a water usage of six thousand (6,000) gallons per month, whichever is less. In such a case, the metered water fee and the metered wastewater fee to be charged to the water user whose water service was disrupted shall be based on the water user's water usage during the same period of the previous year or on a water usage of six thousand (6,000) gallons per month, whichever is less.

3. Freeze Protection: Subject to the requirements set forth herein, in the event water is required to continually or intermittently run to prevent frozen pipes in a private water service line between November 1 and March 31 of the following year and if the city is notified in advance of the continual or intermittent use of water, the metered wastewater fee for the period of time between the date of notification and date water was not continually or intermittently run shall be based on the water user's water usage as metered or six thousand (6,000) gallons per month, whichever is less. A Request for Water Service Freeze Protection form must be submitted to the city as notification each year. A prior year's approval does not constitute as an approval or adequate notification for any subsequent year. The owner shall not run the freeze protection water into the
wastewater system and shall provide proof satisfactory to the city that water is not run into the wastewater system. If the owner does not provide notification of the need to run water for freeze protection and proof that the water, which is continually or intermittently run, is not discharged into the wastewater system, then there shall be no adjustment of the metered wastewater fee. The provisions allowing for a reduction of wastewater fees for freeze protection do not relieve an owner from paying for the water used for freeze protection.

Section 5. Section 13.04.140(A), (B) and (C) of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

A. The owner or agent of any property connected to the municipal water or wastewater system shall pay a water connection fee for the value of water service and a wastewater connection fee for the value of wastewater service. Connection fees shall be paid to the city on or before the issuance of a building permit, except as provided in subsection 15.08.020E of this code. The basis for the connection fee for those persons or entities connecting to the municipal water and wastewater systems is to charge the value of the system capacity that the new user will absorb utilize at that point in time. The value of the system is determined each year by updating the original construction cost of each major capital improvement to the system to determine the cost to replace that improvement in that particular year. This is accomplished by determining the annual average engineering news record (ENR) construction costs index ("ENR (CCI)") in the year that the improvements were made and the year that the connection fee is being determined. The ENR (CCI) for the year calculated is divided by the ENR (CCI) for the year in which the improvements were made. The value is then multiplied by the original cost for the improvements. The value obtained is the estimated cost to replace the improvements at the time the connection fee is calculated ("Gross System Value"). The gross value Gross System Value to replace the system must be adjusted by subtracting the remaining bond principal to be retired and the unfunded depreciation to obtain the "Net System Value" net-value. The remaining bond principal to be paid for bond retirement is determined from the bond retirement schedule each year. The remaining bond interest is not subtracted from gross system value.

B. The following is the equation for determining the Net System Value of the water and wastewater systems:

\[ \text{Net System Value} = \text{Gross System Value} - \text{remaining bond principal} - \text{unfunded depreciation} \]

C. All three-fourths inch (¾") water services shall be treated as one City standard base connection. The base connection fee, as determined for a standard three-fourths inch (¾") residential connection, is then determined by dividing the Net System Value by the design capacity of the system component expressed in city standard three-fourths inch (¾") residential connections. All other size connections shall pay a connection fee based upon the size of the water service using the multiplication factors set forth in subsection D of this section. The size of the water service shall be used as the determination of the wastewater connection fee using the multiplication factors set forth in subsection D of this section.
Section 6. Section 13.04.160 of the Hailey Municipal Code is hereby amended by the addition of the underlined and deletion of the stricken language, as follows:

13.04.160: UNAVAILABILITY OF MUNICIPAL WATER AND WASTEWATER SYSTEMS:

Where the municipal water and/or wastewater system(s) are not available under the provisions of this chapter, a private water system or a private wastewater system may be installed; provided, that the system(s) comply with all the provisions of this chapter.

A. Before the commencement of construction of a private water system or a private wastewater system, the owner shall first obtain a written permit from the city. The application for said permit shall be made on a form furnished by the city, which the applicant shall supplement by plans, specifications and other information as may be deemed necessary by the city. A permit and inspection fee established by resolution shall be paid to the city at the time the application is filed.

B. A permit for a private water system or a private wastewater system shall not permit the use of the system until the installation is completed to the satisfaction of the city. The city shall be allowed to inspect the work at any stage of construction, and the applicant for the permit shall notify the city when the work is ready for various inspections, and before any underground works are covered. The applicant shall request an inspection by the city two (2) business days in advance of the need.

C. The type, capacities, location and layout of a private water system or a private wastewater system shall comply with all of the rules and regulations and recommendations of all applicable federal, state and local authorities.

D. Every two (2) years a private wastewater system shall be inspected and maintained by a licensed subsurface sewage installer or pumper, who is recognized on list furnished by DEQ. This inspection shall be conducted at the Owner’s expense. Documentation of the inspection shall be submitted to the city and shall include a report detailing the condition of the system and maintenance that was conducted.

DE. At such times as the municipal water system becomes available to the property served by the private water system, and the owner or tenant avails himself of the municipal service, it is mandatory that the private water supply is not connected or cross connected in any way to the water lines served by the municipal water system and shall properly abandon the well in the private water system. At such times as the municipal wastewater system becomes available to the property served by the private wastewater system, the owner or agent shall connect to the municipal wastewater system and properly abandon the private wastewater system, including the removal of any septic tank and leach field.

EE. The owners shall operate and maintain the private water and wastewater system in a sanitary manner at all times, without any contamination to the municipal water and wastewater systems, and at no expense to the city.
FG. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by applicable federal or state authorities, such as the Idaho department of health and welfare or the Idaho department of water resources.

Section 7. Section 13.08.010 of the Hailey Municipal Code is hereby amended by the addition of the underlined and deletion of the stricken language, as follows:

13.08.010: IMPLEMENTATION OF MUNICIPAL WATER USAGE CONSERVATION MEASURES:

A. Prohibition And Restriction Of Municipal Water Usage: The sprinkling or watering of outdoor plantings such as grass, lawns, gardens, ground cover, shrubbery, trees or other landscaping with water owned by the city shall be restricted upon all properties with even numbered street addresses to even numbered calendar days and upon all properties with odd numbered street addresses to odd numbered calendar days, and shall be prohibited between the hours of ten o’clock (10:00) A.M. and six o’clock (6:00) P.M. daily, except as provided below:

1. Upon written request made by a water user, the city’s authorized agent water superintendent may grant an exception to the prohibition and restriction of municipal water usage if the water user’s water usage will be for the purpose of sprinkling or watering new plantings for a specified time period. The exception will only apply to the newly planted area. The water user’s water usage will be for the purpose of sprinkling or watering new plantings for a specified time period, one or more of the following conditions are met:

   a. The water user is now using, or will use as condition of the granting of the exception, water conservation irrigation devices such as drip or bubbler style irrigation systems that minimize water evaporation losses; or

   b. The water user’s water usage will be for the purpose of sprinkling or watering new plantings for a specified time period.

B. Exclusions:

1. Sprinkling or watering by commercial nurseries on their own sites is specifically excluded from the prohibitions and restrictions of this chapter.

2. The use of water conservation irrigation devices such as drip or bubbler style irrigation systems that minimize water evaporation losses.

C. Emergency Powers: The mayor may, upon notification by the Idaho department of water resources of curtailment of city of Hailey water rights, declare an emergency and restrict water use to domestic purposes only.

Section 8. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.
Section 9. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 10. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this ____ day of ____________________, 2015.

______________________________
Fritz X. Haemmerle, Mayor
City of Hailey

ATTEST:

______________________________
Mary Cone, City Clerk
Return to Agenda
AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday September 21, 2015 * 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 Contracts & Bids
CA 000 Special Events
CA 000 Motion approve Resolution 2015-____, authorizing Memorandum of Understanding with Balmoral Apartments for irrigation maintenance and costs .................................................................
CA 000 Findings of Fact and Ordinance Summaries
CA 000 Surplus equipment Resolution - library shelving ........................................
CA 000 Motion to approve minutes of August 31, 2015 special meeting and to suspend reading of them ..........................................................
CA 000 Motion to approve claims for expenses incurred during the month of August 2015, and claims for expenses due by contract in September, 2015 ..........................................................

MAYOR'S REMARKS:
MR 000

PROCLAMATIONS & PRESENTATIONS:
PP 000

APPOINTMENTS & AWARDS
AA 000 Library Board re-appointment of April MacLeod (term expires Sept 2015) ..........................................................

PUBLIC HEARING:
PH 000 Airport Discussion ..........................................................
PH 000 Consideration of an application for a Subdivision submitted by ARCH Community Housing, of Lots 3 & 4, of Block 66, Hailey Townsite, by creating four residential condominium units and accompanying common spaces. The new subdivision is proposed to be 521 River Street Condominiums consisting of a total condominium area of 2,851.2 square feet. Current property is within the Business (B) and Townsite Overlay (TO) zoning districts. The existing structure houses four apartment units and no new construction is necessary for the condominium conversion ..........................................................
PH 000 Consideration of Resolution 2015-____, setting rates for water and wastewater use, bonds and connection fees..........
PH 000 Consideration of a Zone Change application by Scott Miley, represented by Galena Engineering, for an amendment to the City of Hailey Zoning District Map. Proposed changes would rezone the Hailey Townsite, Lots 1-10, Block 43 (17 East Carbonate Street, 209, 211, 215 and 219 N. 1st Ave.) from General Residential (GR) to Limited Business (LB) thereby allowing additional commercial uses on each lot. NOTE: THIS ITEM HAS BEEN WITHDRAWN BY THE APPLICANT.

NEW BUSINESS:
NB 000

OLD BUSINESS:
OB 000 3rd Reading Ordinance No. 1188 amending multiple sections of Title 13, Water and Wastewater and Summary ..........................................................

STAFF REPORTS: Staff Reports Council Reports Mayor's Reports
SR 000 Draft Agenda for next council meeting..........................................................
EXECUTIVE SESSION:  Pending & Imminently Likely Litigation (IC 67-2345(1)(f))
Matters & Motions from Executive Session

Next Ordinance Number -  Next Resolution Number - 2015-01.
Return to Agenda