AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday October 5, 2015 * Hailey City Hall Meeting Room

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

CONSENT AGENDA:
CA 399 Motion to ratify the Mayor’s signature and submission of a revised grant application for improvements to Balmoral Park ................................................................. 1
CA 400 Motion to ratify Resolution 2015-87, authorizing the Mayor’s signature on an application to lease City of Hailey water right #37-906, irrigation for Friedman Memorial Airport landing strip, to the Water Bank ................................. 12
CA 401 Motion to ratify Resolution 2015-88, authorizing the Mayor to sign and authorize the purchase of two storage sheds with Old Hickory Sheds, LLC in the amount of $6,090.00 each ........................................................................ 25
CA 402 Motion to approve Resolution 2015-89, authorizing the Mayor to sign and authorize the use of iWorQ for Public Works Department and Street/Park Division citizen inquiry feature on the city’s website for the annual fee of $500.00 .................................................................................................................. 34
CA 403 Motion to approve Special Event, the event being CrosstoberFest to be held on October 16th and 17th, 2015 at the Cutters Park ....................................................................................................................................... 42
CA 404 Motion to approve Resolution 2015-90, declaring surplus property and authorizing the proper sale or destruction as appropriate .............................................................................................................. 49
CA 405 Motion to approve minutes of September 21, 2015 and to suspend reading of them ....................................................................................................................................................... 55
CA 406 Motion to approve claims for expenses incurred during the month of September 2015, and claims for expenses due by contract in October, 2015 .................................................................................................................. 65

MAYOR’S REMARKS:
MR 000

APPOINTMENTS & AWARDS
AA 407 Library Board re-appointment of April MacLeod (term expires Sept. 2015) .......................................................................................................................... 81

PROCLAMATIONS & PRESENTATIONS:
PP 408 Water Rights Presentation ......................................................................................................................................................................................... 89

PUBLIC HEARING:
PH 409 Consideration of Resolution 2015-85, setting user and connection fees for water and wastewater (cont’d from 9/21/15 meeting and will be continued to the October 19, 2015 meeting) no documents
PH 410 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 (cont’d from 9/21/15 meeting) ........................................................................................................... 106
PH 411 Consideration of a request by Leadership Circle, LLC on behalf of Natural Grocer for a new Private Road connecting Main Street and First Avenue in conjunction with a new specialty retail store, Natural Grocer .......................................................................................................................... 117
PH 412 Consideration of Ordinance - amendments to Title 13, Water and Wastewater, to establish a circuit breaker fee reduction for wastewater based on the meter and bond fee, to establish authority for other administrative fees and fee waivers and to modify water and wastewater fees for multiple family dwellings ........................................................................................................................................ 120

NEW BUSINESS:
NB 413 Consideration of Resolution 2015-91 authorizing the Mayor to sign and adopting the Water Delivery System Maintenance and Cost Sharing Agreement with Old Cutters Homeowner’s Association .................................................................................................................. 130

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EXECUTIVE SESSION: Matters & Motions from Executive Session
Next Ordinance Number - 1189 Next Resolution Number - 2015-92
AGENDA ITEM SUMMARY

DATE: 10/5/2015  DEPARTMENT: Public Works  DEPT. HEAD SIGNATURE: MP

SUBJECT: Motion to ratify submission of Seagraves Family Foundation grant application for improvements at Balmoral Park.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
Staff has prepared the attached grant application to the Seagraves Family Foundation for improvements at Balmoral Park. The improvements include purchase and installation of a pre-fabricated steel picnic pavilion and picnic tables. The city originally submitted an application for multiple park improvement projects, and the foundation requested a revised application focusing on one project. In November, the city will discuss the project with the Seagraves Family Foundation board.

The grant request is $22,500. The city’s match is $10,200, which includes city labor, materials and picnic tables. The total estimated project cost is $32,700. The project would be completed in 2016.

At this time, staff requests ratification of the grant submission.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)
☐ City Administrator  ☐ Library
☐ City Attorney  ☐ Mayor
☐ City Clerk  ☐ Planning
☐ Building  ☐ Police
☐ Engineer  ☐ Public Works, Parks
☐ Fire Dept.  ☐ P & Z Commission
☐ Benefits Committee
☐ Streets
☐ Treasurer

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion to ratify the mayor’s signature on the Seagraves Family Foundation grant application for improvements at Balmoral Park.

ACTION OF THE CITY COUNCIL:
Date:

City Clerk

FOLLOW-UP:

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

*Additional/Exceptional Originals to: ____________________________
Copies (AIS only)
September 25, 2015

Seagraves Family Foundation, Inc.
320 Main Avenue North
Twin Falls, ID 83301

Subject: City of Hailey
Revised Grant Application

Dear Seagraves Family Foundation:

Please accept the City of Hailey's revised grant application. We originally submitted a grant request for $392,626 for multiple parks projects. As requested by the Seagraves Family Foundation, the attached revised application focuses on one project: the Balmoral Park Picnic Pavilion and Picnic Tables.

We have also attached a revised project budget sheet. All other required attachments were submitted with our original grant request, and remain unchanged, so we have not included them here. Please let us know if this presents any issues; we can send the attachments again if necessary.

Thank you for your continued support of Hailey's families and children. We look forward to the November 23, 2015 grant meeting.

Sincerely,

Fritz X. Haemmerle
Mayor
Seagraves Family Foundation, Inc.
320 Main Avenue North
Twin Falls, Idaho 83301
(208) 735-8812

Grant Application

To be considered for a grant from the Seagraves Family Foundation, Inc., you must complete the following application and attach the required documents. Once you finish the application, please return it to the Foundation at the address listed above, so the review process may begin. Once the Board completes its review, it will notify the contact person of its decision. Grant requests made by organizations that are not recognized by the IRS as a 501(c)(3), or are not a school, religious organization, or a governmental entity will not receive grants. Please understand that funds are limited and if your project proposal does not fall within the scope of the Foundation's focus, the proposal will not receive grant money. To inform potential grantees, the Foundation's Mission Statement has been affixed below. Thank you for your interest.

Mission Statement

The Seagraves Family Foundation, Inc., will grant funds to nonprofit organizations along the Hwy 93, Hwy 75 Corridor between the Nevada border and to the Custer County, Idaho border, which:

- Provide financial assistance and/or scholarships for education, or education related activities
- Provide funding assistance to nonprofit organizations benefiting families and/or children
- Further humanitarian principles by the provision of grants and scholarships
- Provide funding assistance to non-profit organizations specifically organized to provide for the humane treatment of animals
NAME: City of Hailey  
ADDRESS: (include street address if different)  
City of Hailey  
115 Main St. S. Suite H  
Hailey, ID 83333

Year organization incorporated: 1905

Is the name at left the same as it appears on the IRS Letter of Determination? Yes ☐ No ☐

If not, explain: ________________________________

CHIEF EXECUTIVE'S NAME & TITLE: Fritz Haemmerle, Mayor  
CONTACT'S NAME & TITLE (if different): Mariel Miller, Public Works Director  
TELEPHONE NUMBER: (208) 788-9830, ext. 24  
FAX NUMBER: (208) 788-2924  
EMAIL: mariel.miller@haileycityhall.org

ORGANIZATIONAL DEMOGRAPHICS:  
Number of full time staff: 50  
Number of part time staff: 4  
Number of volunteers: 23

GEOGRAPHIC AREA: Within the city limits of Hailey, Idaho

OPERATING BUDGET TOTAL FOR CURRENT FISCAL YEAR: $10,762,339

Fiscal Year:  
10/1/2014  
From  
2/30/2015  
To

SOURCES OF INCOME:

Government  
Federal   %  
State    8%  
County   20%  
City   %

Fees/Earned Income   70.25%  
Individual Contributions   5%  
United Way   %  
Workplace Campaigns   %  
(not United Way)

Grant Application - 2
Corporate and/or Foundation Grants  75%
Special Events  5%
Memberships  
Other  

PROPOSAL

AMOUNT OF THIS REQUEST: $22,500.00  FUNDS NEEDED BY: Early Spring 2016
TIME FRAME IN WHICH FUNDS WILL BE USED:  May 1, 2016 - October 15, 2016
From  To

Check one of the following:

GENERAL OPERATING SUPPORT  PROJECT SUPPORT

If for project support, complete the following:

PROJECT NAME: Balmore Park Picnic Pavilion and Picnic Tables

TOTAL PROJECT COST: $22,700.00

PERCENT THIS REQUEST IS OF PROJECT TOTAL: 69%

PROJECT TYPE:
- Capital:
  - construction
  - renovation
  - equipment
- Endowment
- Specific Program
- Other (describe)
1. **WHO WILL PROJECT SERVE:**
The project will serve the needs of The Hunger Coalition for its Lunch in the Park program, which provides free sack lunches to food insecure children and families during the summer months. The program is located in Balmoral Park, which currently has no picnic facilities. The project will also be used by many other citizens, families and children of Hailey, as well as people from throughout the Wood River Valley who use Hailey’s park pavilions.

2. **HOW MANY WILL PROJECT SERVE:**
The project will serve hundreds of people every year. Hailey’s park pavilions are used extensively by Hailey’s population of more than 8,000. Blaine County’s population is more than 21,000. And since the park pavilion will be a permanent public asset, more people will be served with each passing year.

3. **WHAT GEOGRAPHIC AREA WILL PROJECT SERVE:**
The project is entirely located within the city limits of Hailey. The geographic area served by the project is Hailey and the Wood River Valley.
THE FOUNDATION REQUESTS THAT YOU LIMIT THE LENGTH OF YOUR ANSWERS FOR THE FOLLOWING QUESTIONS TO NO MORE THAN A TOTAL OF FOUR PAGES.

1. APPLICANT ORGANIZATIONAL BACKGROUND

   Include organizational mission statement and purpose, organizational qualifications, history of accomplishments, governance, area and population served, role or volunteers. (If this is collaboration, describe the lead agency and its relation to others involved.)

   The City of Hailey is a municipal government responsible for guiding the town’s development, providing required utility services and related infrastructure, providing fire and police services, providing parks, trails and public spaces, and providing other services usual and customary to municipalities.

   The mission of the Hailey Parks & Lands Board — a city-appointed advisory board — is to provide diverse recreation opportunities within walking distance for the greatest number of Hailey residents; provide 10 acres of park space per 1000 residents; and provide a trail network that connects and encircles our community. The City of Hailey considers parks and trails to be such a vibrant and essential component of our community that we require them of new development.

   While the City of Hailey serves the citizens within its boundaries, its services also have a broader geographic reach. Within Blaine County, Hailey parks are the destination of choice for many family and special events. Our parks are the most sought after in the county for birthday parties, weddings and baptisms; family and school reunions; athletics; and holiday celebrations and concerts. And our parks are used on a daily basis by individual Hailey citizens from all walks of life. In a rural area such as ours, parks are prized by Hailey citizens and by others throughout the region.

   Since 1997, the city has made significant strides in park development throughout the city. The accomplishments include: 10 new neighborhood parks; 41 developed park acres; 2 miles separated 10’ wide asphalt bike paths; 2.8 mile community trail; and an outdoor arena and expanded skateboard park. Most of these accomplishments were achieved prior to 2008. A strong commitment to city parks, and the requirement of new developments to provide parks or in-lieu fees, played a large role in the city’s accomplishments (development activity came to a near standstill in 2008). Grants also played a significant role, though there are fewer grant opportunities available in the current economic climate. The city also contributed significantly to these accomplishments, but no longer has the budgetary capability to do so. The improvements were paid for by $455,000 in grants and gifts; $611,000 in developer contributions; $434,000 in city contributions; and a $3.5 million general obligation bond (for the new outdoor arena, the only significant park development since 2008).

2. NEEDS STATEMENT

   Identify the needs your agency or this proposal will address. Acknowledge similar existing projects or agencies, if any, and explain how your agency or proposal differs, and what effort will be made to work cooperatively.

   There is a need to install a picnic shelter and tables at Balmoral Park for use by The Hunger Coalition and all community members.
The Hunger Coalition partners with the Blaine County School District (BCSD) to offer free meals to children through the Summer Food Program. This team expanded the program in 2014 by adding a pilot program called Lunch in the Park, which provided free sack lunches to food insecure children and families at Balmoral Park. More than 1,450 sack lunches were served at Balmoral Park in 2014. The Hunger Coalition noticed a significant drop in the number of children and families that accessed the sack lunch services when it was raining, windy and/or a lower-temperature day. The only option on hot, sunny days was to gather under three small trees that provide limited shade. There is an essential need for a picnic shelter to provide shade and protection.

A picnic shelter at Balmoral Park also serves the entire community. Hailey has four parks with picnic shelters. From May to October, existing shelters do not meet the demand. Balmoral Park is located in the Woodside Subdivision, the largest subdivision in Blaine County. The city recently installed a restroom at the park. The picnic shelter increases the park system capacity, provides a place for family gatherings, and supports The Hunger Coalition’s program.

3. PROPOSAL

A. How will your proposal address identified needs?
The proposed project will meet the needs of The Hunger Coalition’s program and improve park system capacity citywide. The project will improve the park experience not only for those in the Lunch in the Park program, but for all children and families by providing a sheltered, appealing gathering place.

B. Projected goals, objectives, timeline, anticipated impact.

<table>
<thead>
<tr>
<th>Balmoral Park Pavilion / Tables</th>
<th>Goals</th>
<th>Objectives</th>
<th>Timeline</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Provide shelter and picnic tables for the Hunger Coalition’s Lunch in the Park program and increase park system pavilion capacity for families in Hailey and throughout the Wood River Valley</td>
<td>Prep site and pour concrete slab; assemble and install 24’ x 24’ prefabricated steel picnic pavilion, assemble and install six 8’ picnic tables</td>
<td>May 2016</td>
<td>Supports social service program for children and families; improves park system pavilion capacity</td>
</tr>
</tbody>
</table>

C. Expected role of volunteers.
No volunteer work is anticipated.

D. Number and types of people who will benefit from your proposal.
Hundreds of people a year will benefit from the proposed project. The Hunger Coalition’s Lunch in the Park program will see an immediate and large benefit. Hailey’s population of more than 8,000 and Blaine County’s population of more than 21,000 are the most frequent park pavilion users. Families, children, and individuals from all walks of life use Hailey
parks and would benefit from this improvement. And because the improvement is a permanent asset, the number of people who enjoy it will increase with each passing year.

E. How will you monitor your work and how will you measure success or effectiveness? Hailey is skilled in project work, either through the contracting process or with its own crews. Projects are successfully completed every year under both of these scenarios. A project manager will be assigned to the project, and that project manager is responsible for the budget, schedule and quality of the outcome.

F. What are your other potential and actual sources of support for this proposal? Where do you expect to find future support?
As shown on the attached detailed budget, the city will contribute $10,200 in match to the project, via a combination of cash and city crew project work (in kind match). Sources of funding for the proposed work include park in-lieu fees and development impact fees. In addition, Hailey has two pending grant proposals for this project: one with the Idaho Community Foundation and one with the Heart of Gold Foundation. The outcome of the grant proposals will not be known until the end of 2015. Support for future projects includes park in-lieu fees, development impact fees, bonds, levies, grants, donations and gifts. Maintenance of parks and park playground equipment is paid for through the parks operating budget.

4. APPROPRIATENESS TO FOUNDATION’S MISSION
Explain how your project or program furthers the goals of the Seagraves Family Foundation.* The project has outcomes that strongly and clearly benefit families and children, one of the Seagraves Family Foundation’s stated goals.

5. ADDITIONAL INFORMATION
Please address here anything else about your organization or project you think is relevant to this proposal.

The families and children of our community go to Hailey’s parks to have fun, celebrate, play sports, attend events and spend time together. Parks should be a positive experience for all who use them.

In 2014, Hailey spent approximately $350,000 on parks, including both direct expenses and city labor. The vast majority of this spending was for maintenance and repair of the 14 parks in our park system, leaving virtually no funding for new amenities.

With competing (and large), fiscal needs in every city department, the parks budget priority must remain maintenance and repair. Any assistance received through gifts, donations and grants is greatly appreciated, and in most cases is the only avenue for adding amenities in the parks.

*Please see the Mission Statement at the beginning of the application.
Park System Development and Improvements
Project Budget

Balmoral Park Picnic Pavilion and Tables
  24' x 24' Prefab Steel
    Shelter  22,500.00
    Install, Foundations, Roofing  7,500.00
    Picnic Tables  2,700.00

  22,500.00  10,200.00

  Grant    Match
Total Grant and Match  $22,500.00 $10,200.00

  Grant    Match
Grand Total  $32,700.00

Costs are estimates, based on previous similar projects.
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10/5/15  DEPARTMENT: PW  DEPT. HEAD SIGNATURE: ___MM

SUBJECT: Resolution 2015-___ to ratify the Mayor's signature and enter into an agreement with the State of Idaho to lease city water rights and submit Water Right No. 37-906, with a point of use at the Friedman Memorial Airport, Water Right Supply Bank Lease Application.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
Included is one application for the 1940 surface right with a use for "the municipal purpose of irrigation of the grass landing strip at Friedman Memorial Airport."

This water is not currently being used and has no record of recent use. It received a partial decree in 2011.

The terms proposed are a 5 year lease, which we can withdraw prior to April 15th of any year. After April 15th the right may be leased by another entity, which would deem it used and unavailable to the city until the following year.

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

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

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Make a motion to ratify Resolution 2015-___ and authorize the Mayor to sign the Agreement, allowing for the city to lease water rights with the Idaho Water Resource Board’s Water Supply Bank.

ACTION OF THE CITY COUNCIL:
Date _______________________

City Clerk _______________________

FOLLOW-UP:
*Ord./Res./Agrmt./Order Originals: Record Copies (all info.): Instrument 
*Additional/Exceptional Originals to: __________________________
     Copies (ALS only)
CITY OF HAILEY
RESOLUTION NO. 2015-87

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY TO RATIFY THE AUTHORIZATION OF AN APPLICATION WITH IDAHO WATER RESOURCE BOARD TO LEASE CITY WATER RIGHTS, WITH A POINT OF USE AT THE FRIEDMAN MEMORIAL AIRPORT, TO THE IDAHO WATER BANK.

WHEREAS, the City of Hailey desires to lease Water Right No. 37-906 to the Idaho Water Bank. The total cost of one application is $250.

WHEREAS, the City of Hailey agrees to the terms and conditions of the water supply lease application, copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, that the City of Hailey approves the water supply lease application and authorizes the Mayor to execute the attached Application,

Passed this 5th day of October, 2015.

City of Hailey

Fritz X. Haeemmerle, Mayor

ATTEST:

Mary Cone, City Clerk
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

An application to lease or sell a water right into the Water Supply Bank must be prepared in accordance with the
minimum requirements listed below to be acceptable for processing by the Department. Use this checklist to ensure all
necessary documentation has been provided. This checklist is part of the lease application and must be included with the
lease application. Incomplete applications will be returned to applicants for completion.

Designated Applicant  City of Hailey  Water Right No. 37-906
(Select one owner – see item 1A on the application)  (One water right per application)

<table>
<thead>
<tr>
<th>All items must be checked as either Attached (Yes) or Not Applicable (N/A)</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
</tr>
<tr>
<td></td>
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</table>
|       | Application filing fee of $250.00 per water right. If you are submitting more than one lease
application and the water rights have an overlapping, common place of use, or a common diversion
rate or volume, the total fee for all water rights is $500.00. For places of use, multiple water rights
must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees
are required for water rights that share a common permissible place of use but which cover separate
acres within the permissible place of use. |

<table>
<thead>
<tr>
<th>Attachment</th>
<th>N/A</th>
<th>YES</th>
</tr>
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<tbody>
<tr>
<td>1A</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>1B</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>1C</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>1D</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>1E</td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

Contact information for all owners of the water right that is being leased or sold on this application.

An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.


Written consent from irrigation district or water delivery company.

Contact information for an authorized representative and documentary proof they are authorized to
represent the Designated Applicant on this application. If the Designated Applicant is a business,
partnership, municipality, organization or association, include documents identifying officers
authorized to sign or act on behalf of the entity.

Description of a water right portion offered to the Water Supply Bank.

Evidence demonstrating that a water right has not been lost through abandonment or forfeiture
pursuant to Section 42-222(2), Idaho Code. 

A map that clearly outlines the specific location where irrigated acres will be dried up, or where a
beneficial use of water will be suspended. You have the option of printing a map using the map tool
on IDWR’s website at: www.idwr.idaho.gov.

<table>
<thead>
<tr>
<th>Department Use Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee Amount $</td>
</tr>
<tr>
<td>W-9 received? Yes</td>
</tr>
</tbody>
</table>
APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

1. CONTACT INFORMATION

A. An application to sell or lease a water right to the Water Supply Bank must be completed by a Designated Applicant who is a recognized owner of the water right being sold or leased to the Water Supply Bank. If there are additional owners recorded for the property to which the water right is appurtenant, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant City of Hailey
Email Address
Mailing Address 115 Main St. South, Hailey, ID 83333
Phone Number

☑ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

B. Has the designated applicant completed an IRS Form W-9 (Attachment 1B)?

Yes ☑ No ☐

C. Are all applicants on this form listed in IDWR’s records as the current owners of the water right?

Yes ☑ No ☐

If no, attach a Notice of Change in Water Right Ownership form along with the required documentation and fee (Attachment 1C).

D. Is the diversion works or system owned or managed by an irrigation district or water delivery company?

Yes ☐ No ☑

If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 1D).

E. Is this application being completed by an authorized representative of the Designated Applicant?

Yes ☑ No ☐

If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1B).

Name of Representative Mariel Miller
Professional Title Public Works Director
Organization City of Hailey
Email Address mariel.miller@haileycityhall.org
Mailing Address 115 Main St. South, Hailey, ID 83333
Phone Number 208-788-9815, ext 24

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☑ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

Water Right Number 37-906 ☑ The full water right is being offered to the Bank.

OR

☐ A part of the water right is being offered to the Bank.
(If a portion of a water right is being offered, complete Attachment 2)

3. GENERAL INFORMATION

A. Please provide a description of the current water diversion system.

Original place of use is irrigation for landscaping at the Friedman Memorial Airport in Hailey, ID.

B. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank.

C. Are any of the water rights identified in question 3B stacked with the water right proposed for lease?

Yes ☐ No ☑

Stacked water rights are water rights that are utilized together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of $500.
D. Will the present place of use continue to receive water from any other source? Yes [ ] No [x]
If yes, describe ________________________________

E. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes [x] No [ ]
If yes, describe and attach Watermaster records or other evidence to demonstrate that the water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code.
The city received a partial July 29, 2011, preventing it from forfeiture.

F. Is this water right involved in any other IDWR process such as an application for transfer or a mitigation plan? Yes [ ] No [x]
If yes, describe ________________________________

4. MAP
Plat map, survey map, or aerial photograph clearly showing the specific acres proposed to be idled by this lease application.

5. SALE/LEASE AGREEMENT
A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale [ ] or lease [x]?
If lease, specify the years when the use of water will be suspended: 2015 (Year) to 2020 (Year) (maximum lease period 5 years).

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:
1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture provisions are stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any elements of the water right.

[Signature of Designated Applicant]
[Name]

[Signature of Authorized Representative]
[Name]

Date: 9/24/15
Date: 9/21/15

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Form W-9
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification
Give Form to the requestor. Do not send to the IRS.

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
City of Hailey

2. Business name/described entity name, if different from above.
City of Hailey

3. Check applicable box for federal tax classification; check only one of the following seven boxes:
   - Individual/corporate proprietor or
   - C Corporation
   - S Corporation
   - Partnership
   - Trust/estate
   - Single-member LLC
   - Limited liability company. Enter the tax classification (C or S corporation, S or S corporation, or partnership). Note: For a single-member LLC that is disregarded, do not check LLC.
   - Check the appropriate box in the line above for the tax classification of the single-member owner.

4. Exemption code (if any)
   - Exemption from FATCA reporting (if any)
     - Applies to accounts maintained outside the U.S.

Part I Taxpayer Identification Number (TIN)
Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a
resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other
entities, it is your employer identification number (EIN). If you do not have a number, see How to get a
TIN on page 3.

Note: If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for
guidelines on whose number to enter.

Social security number

or

Employer identification number
82-60000201

Part II Certification
Under penalties of perjury, I certify that:
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Signature of U.S. person

Date

General Instructions
Section references are to the Internal Revenue Code unless otherwise noted.
Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/w9.

Purpose of Form
An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:
- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1098-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:
1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that you are a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See What is FATCA reporting? on page 2 for further information.
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/11/2015

WATER RIGHT NO. 37-906

<table>
<thead>
<tr>
<th>Owner Type</th>
<th>Name and Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Owner</td>
<td>CITY OF HAILEY</td>
</tr>
<tr>
<td></td>
<td>115 S MAIN ST #H</td>
</tr>
<tr>
<td></td>
<td>HAILEY, ID 83333</td>
</tr>
<tr>
<td></td>
<td>(208)788-4221</td>
</tr>
<tr>
<td>Attorney</td>
<td>MICHAEL C CREAMER</td>
</tr>
<tr>
<td></td>
<td>GIVENS PURSLEY LLP</td>
</tr>
<tr>
<td></td>
<td>277 N 6TH ST STE 200</td>
</tr>
<tr>
<td></td>
<td>PO BOX 2720</td>
</tr>
<tr>
<td></td>
<td>BOISE, ID 83701-2720</td>
</tr>
<tr>
<td></td>
<td>(208)388-1200</td>
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</table>

Priority Date: 04/01/1940
Basis: Decreed
Status: Active

<table>
<thead>
<tr>
<th>Source</th>
<th>Tributary</th>
</tr>
</thead>
<tbody>
<tr>
<td>BIG WOOD RIVER</td>
<td>MALAD RIVER</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Beneficial Use</th>
<th>From</th>
<th>To</th>
<th>Diversion Rate</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>MUNICIPAL</td>
<td>04/15</td>
<td>10/31</td>
<td>1.039 CFS</td>
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<tr>
<td>Total Diversion</td>
<td></td>
<td></td>
<td></td>
<td>1.039 CFS</td>
</tr>
</tbody>
</table>

Location of Point(s) of Diversion:

BIG WOOD RIVER|SWNW|Sec. 20|Township 03N|Range 18E|BLAINE County

--18--
Place(s) of use:

Place of Use Legal Description: MUNICIPAL BLAINE County

<table>
<thead>
<tr>
<th>Township</th>
<th>Range</th>
<th>Section</th>
<th>Lot</th>
<th>Tract</th>
<th>Acres</th>
<th>Lot</th>
<th>Tract</th>
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<td>02N</td>
<td>18E</td>
<td>15</td>
<td></td>
<td>NENW</td>
<td>6.4</td>
<td>NWNW</td>
<td>20</td>
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<td>SWNW</td>
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<td>NESW</td>
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<td></td>
<td></td>
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<td>SENW</td>
<td>31</td>
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<td></td>
<td></td>
<td></td>
<td>SESE</td>
<td>8.3</td>
</tr>
</tbody>
</table>

Total Acres: 158.7

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

2. The municipal purpose of use is for the irrigation of the grass landing strip at Friedman Memorial Airport.

3. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

Dates:
Licensed Date:
Decreed Date: 07/29/2011
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector:
Water District Number: 37
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA  
Case No. 39576  
Subcase No. 37-00906  
(City of Hailey)

ORDER OF PARTIAL DECREE

On June 7, 2011, a Special Master’s Report and Recommendation was filed for the above-captioned water right. No Challenges were filed to the Special Master’s Report and Recommendation and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and SRBA Administrative Order 1, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the Special Master’s Report and Recommendation and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be decreed as set forth in the attached Partial Decree Pursuant to I.R.C.P. 54(b).

DATED July 29, 2011

ERIC J. WILDMAN  
Presiding Judge  
Snake River Basin Adjudication
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DEGREE PURSUANT TO I.R.C.P. 54(b) FOR

Water Right 37-08906

NAME AND ADDRESS: CITY OF BALIY
115 S MAIN ST NW
HAILEY, ID 83333

SOURCE: BIG MUD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.039 CFS

PRIORITY DATE: 04/01/1940

POINT OF DIVERSION: T08N R12E S20
SNOW Within Blaine County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE PERIOD OF USE QUANTITY
Municipal 04-15 TO 10-31 1.039 CFS

The municipal purpose of use is for the irrigation of the grass landing strip at Friedman Memorial Airport.

PLACE OF USE: Municipal

T08N R12E S15

NWW 6.4 WNW 20.0
NWW 10.0 SEW 31.0
NEE 28.0 NWSE 26.0
SESE 55.0 ESE 8.3

158.7 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DEGREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DEGREE. I.C. SECTION 42-1413(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wideman
Presiding Judge of the Snake River Basin Adjudication
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA}

Case No. 39576}

CERTIFICATE OF MAILING

Water Right(s): 37-00906

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREES PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 37-00906 was mailed on July 29, 2011, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BIG WOOD CANAL COMPANY
Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330
Phone: 208-934-4429

HIAWATHA CANAL WATER USERS
Represented by:
HAEMMERLE, PRITZ X.
PO BOX 1800
HAILEY, ID 83333
Phone: 208-578-0520

CERTIFICATE OF MAILING

PAGE 1

07/29/11
CITY OF HAILEY
Represented by:
MICHAEL C CREAMER
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

JULIE MURPHY
Chief Deputy Clerk
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10/5/2015  DEPARTMENT: Public Works  DEPT. HEAD SIGNATURE: MP

SUBJECT: Resolution 2015xx ratifying the Mayor's signature and authorizing purchase of two 12x20 foot sheds to store street and parks equipment.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
The park and street division currently have no weather protected place to store their road salt and other materials – their indoor storage is maximized. The division has been using the Riverside Facility for much of their storage needs. More the Riverside Facility is needed by the Water Division and the parks and streets division need to enclosed storage for their equipment to keep it protected from the elements, year round.

An addition to the current street shop would be costly; therefore, the division has requested two new storage sheds to 1) replace an old shed that is in disrepair and 2) provide additional storage for their equipment that has been stored at the Riverside Facility and have enough room to store road salt as well.

Please see the attached information. These sheds are currently being considered for design review exemption and approval by the Airport West Business Owner's Association.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:  (IFAPPLICABLE)

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

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion to ratify the Resolution 2015xx authorizing the Mayor's signature and approval to purchase.

ACTION OF THE CITY COUNCIL:
Date:

City Clerk

FOLLOW-UP:

*Ord./Res./Agrmnt./Order Originals: Record
Copies (all Info.):
Instrument #

*Additional/Exceptional Originals to:
Copies (AIS only)
CITY OF HAILEY
RESOLUTION NO. 2015-88

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY
AUTHORIZING THE EXECUTION OF CONTRACT FOR TWO (2) STORAGE
SHEDS WITH OLD HICKORY SHEDS LLC, FOR THE AMOUNT OF $6,090.00 EACH.

WHEREAS, the City of Hailey desires to enter into an agreement with OLD HICKORY
SHEDS LLC, under which TWO (2) SHEDS will be constructed for A TOTAL OF $12,180.00
for the City of Hailey.

WHEREAS, the City of Hailey and OLD HICKORY SHED LLC have agreed to the
terms and conditions of the purchase for the City of Hailey, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF HAILEY, IDAHO, that the City of Hailey approves the two purchase contracts
between the City of Hailey and OLD HICKORY SHEDS LLC and that the Mayor is authorized
to execute the attached Agreement.

Passed this 5th day of October, 2015.

City of Hailey

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk
Old Hickory Buildings and Sheds

- Products
- Buying Guide
- Locations
- Specials
- media
- About
- Contact

Products > Garage Package

GARAGE PACKAGE

The Garage comes standard in 12' and 14' widths. The garage package is available in your choice of a utility or lofted barn style roof. All models feature a 9' x 7' roll up garage door, one house-style door, and one 2' x 3' window.

STANDARD FEATURES
Available in Widths of 12’ & 14’
Included Windows 1-2×3
Included Doors Roll up door & 36” house style door
Standard Wall Height 6’3” Lofted Barn or 7’8” Utility
**Order-Shop Built**  
Order-Build On Site  
On Lot New  
On Lot Used  

*Revisions on Custom Orders subject to fee, see below for details*

<table>
<thead>
<tr>
<th>Size</th>
<th>12 x 20</th>
</tr>
</thead>
</table>

**NOTES/COMMENTS**

<table>
<thead>
<tr>
<th>Order #1 of 2</th>
</tr>
</thead>
</table>

**PO # 34118**

**Customer Name**  
City of Hailey/Zack Diiworth

**Delivery Address**  
1811 Merlin 1p  
Hailey, ID 83333

**Home Phone:**  
(208) 788-5965

**Cell Phone:**  
(208) 788-5965

**Mailing Address:**  
115 Main St  
Hailey, ID 83333

**Work Ph:**  
(208) 309-1365

**Email:**  

**Cash Sale**  
*Checks payable to: OLD HICKORY SHEDS, LLC*

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Price</td>
<td>$4,595.00</td>
</tr>
<tr>
<td>Option Cost</td>
<td>$1,495.00</td>
</tr>
<tr>
<td>Total (pre-tax)</td>
<td>$6,090.00</td>
</tr>
<tr>
<td>Sales Tax</td>
<td>$0.00</td>
</tr>
<tr>
<td>Total Cost</td>
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<tr>
<td>Amount Received</td>
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<tr>
<td>Payment Method</td>
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</tr>
<tr>
<td>Balance Due</td>
<td>$6,090.00</td>
</tr>
</tbody>
</table>

**Quote only**

Old Hickory Sheds, LLC and its associates are not responsible for permits, covenant surcharges, restrictions, septic, curb damage, or underground damage. Please contact your local building inspector or homeowners association for information. It is the customer's responsibility to decide if ground conditions are suitable for delivery. Free Delivery covers one trip up to 20 miles one way, over 20 miles subject to a $3/mile (8ft) and 10ft wide) or $5.50/mile (12ft) or $6.50/mile (14ft wide) charge one way, and any additional trips may also incur charges to the customer. Free Setup includes leveling, starting with one corner at ground level, up to 3ft with customer supplied blocks. We can supply blocks for $3.00 each. *Non-Refundable Fee will be charged on Careless or Revisions of Custom Orders (10% on Cash, Sales, Core, Security Deposit plus First Month's Rent on RTD sales). Customer has read and signs approval for the installation and/or construction of the above. All Balance Due are due on delivery.

**Customer Signature:**

---

---
## OLD HICKORY SHEDS - ORDER SHEET

**Sales Lot**: Outwest Barns, LLC  
**Customer Name**: City of Hailey/Zack Dilworth  
**Date**: 09/23/2015  
**Bldg Type/Size**: 12x20 Utility

<table>
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<tr>
<th>Building Type</th>
<th>Fir</th>
<th>Metal Roof ☐</th>
<th>Burnished Slate</th>
<th>Non-Std. Metal Roof Color (+$95)</th>
</tr>
</thead>
</table>

On site buildings only available in unsealed t-11 fir siding.

### Description | Cost | Quantity | Total | Notes/Comments |
---|---|---|---|---|
2x3 Window | $50.00 | | $50.00 | |
3x3 Window | $100.00 | | $100.00 | |
Double pane 2x3 Window | $150.00 | | $150.00 | |
9 Lite Door | $175.00 | | $175.00 | |
Short 9 Lite Door | $175.00 | | $175.00 | |
Solid Door | $295.00 | | $295.00 | |
Short Solid Door | $295.00 | | $295.00 | |
Single Wooden Barn Door | $70.00 | | $70.00 | |
Double Wooden Barn Doors | $140.00 | | $140.00 | |
Garage Door | $595.00 | | $595.00 | |
Shelves (per foot) | $10.00 | | $10.00 | |
Workbench (per foot) | $10.00 | | $10.00 | |
Loft (per foot) | $15.00 | | $15.00 | |
8 Ft Walls (92" inside) (UT only) | $100.00 | | $100.00 | |
7 Ft Walls (81" inside) (LB only) | $100.00 | | $100.00 | |
3/4" Flooring | $0.47 | | $0.47 | |
12 OC Floor Joists | $0.35 | | $0.35 | |
2x6 Floor Joists | $0.35 | | $0.35 | |
Opening Loft Door (LB's only) | $55.00 | | $55.00 | |
Playhouse Package | $795.00 | | $795.00 | |
Side Porch Package | $895.00 | | $895.00 | |
Garage Package | $895.00 | | $895.00 | |
Deluxe Playhouse Package | $1,295.00 | | $1,295.00 | |
Non-standard metal roof color | $59.00 | | $59.00 | |
Snow Load 60 PSF (per sq. ft.) | $1.00 | | $1.00 | |
Snow Load 140 PSF (per sq. ft.) | $2.50 | 240 | $600.00 | |
Engineered Plans | $50.00 | | $50.00 | |
(Specify 30, 60 or 140 PSF) | | | | |
16 OC Studs (per sq. ft.) | $0.35 | | $0.35 | |
16 OC Truss (per sq. ft.) | $0.25 | | $0.25 | |
Misc. | $0.60 | | $0.60 | |

Total Options Cost: $1,495.00

### Building Diagram (please draw placement of options below, use box as walls - top down view)

---

Customer Signature: 
Customer agrees that diagram is accurate; changes will be subject to fee.

---

Print
Old Hickory Sheds, LLC
901 S. Lincoln Ave.
Jerome, ID 83338
Phone: 208-961-0727

Outwest Barns, LLC

Date: 09/23/2015 Inventory #
Salesman: Edson Miller

Order-Shop Built X
Order-Build On Site
On Lot New
On Lot Used

*Revisions on Custom Orders subject to fee, see below for details

NOTES/COMMENTS

<table>
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<tr>
<th>Size</th>
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</thead>
<tbody>
<tr>
<td>Order</td>
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<tr>
<td>PO # 34118</td>
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</table>

Customer Name: City of Hailey/Zack Dilworth
Delivery Address: 1811 Merlin Ln
(Mailings Address: if different from delivery address)
Hailey, ID 83333

Mailing Address: 115 Main St
Hailey, ID 83333

Home Phone: (208) 788-5965
Cell Phone: (208) 788-5965

Rent To Own Sale

Customer Signature: [Signature]

Cash Sale

 SOLD TENTATIVE

Sales Price: $4,595.00
Option Cost: $1,495.00
Total (pre-tax): $6,090.00
Sales Tax: $0.00
Total: $6,090.00
Payment Method: Check
Balance Due: $6,090.00

*Checks payable to: OLD HICKORY SHEDS, LLC*

Outwest Barns, LLC and its associates are not responsible for permits, covenant searches, restrictions, set backs, yard damage, or underground damage. Please contact your local Building Inspector or Homeowners Association for information. It is the customer’s responsibility to decide if ground conditions are suitable for delivery. Free Delivery covers one trip up to 30 miles one way, over 30 miles subject to a $30/mile (18th and 19th miles) or $3.50/mile (20th mile) or $4.00/mile (18th and 19th miles) charge one way, and any additional trips may also incur charges to the customer. Please list includes leveling, starting with one corner at ground level, up to 30 with customer supplied blocks. We can supply blocks for $3.00 each. *Non-Refundable Fee will be charged on Cancelled or Revised of Custom Orders (10% on Cash Sales & 50% on Security Deposit plus $500.00 Rent on RTO sales). Customer has read and gives approval for the installation and/or construction of the above. All Balances Due are due on delivery.

Quote only

Heartland
OLD HICKORY SHEDS - ORDER SHEET

Sales Lot: Outwest Barns, LLC
Customer Name: City of Hailey/Zack Dilworth
Date: 09/23/2015
Bidg Type/Size: 12x20 Utility

Building Type: Fir

Shingle Roof ✗ Metal Roof ☐ Burnished Slate

Non-Std. Metal Roof Color (+$95): ☐

On site buildings only available in unseated t1-11 fir siding

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
<th>Quantity</th>
<th>Total</th>
<th>Notes/Comments</th>
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<tbody>
<tr>
<td>2x3 Window</td>
<td>$90.00</td>
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<td></td>
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<tr>
<td>3x3 Window</td>
<td>$108.00</td>
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<tr>
<td>Double paneled 2x3 Window</td>
<td>$115.00</td>
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<tr>
<td>9 Lite Door</td>
<td>$375.00</td>
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<tr>
<td>Short 9 Lite Door</td>
<td>$375.00</td>
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<tr>
<td>Solid Door</td>
<td>$295.00</td>
<td></td>
<td>$295.00</td>
<td></td>
</tr>
<tr>
<td>Short Solid Door</td>
<td>$295.00</td>
<td></td>
<td>$295.00</td>
<td></td>
</tr>
<tr>
<td>Single Wooden Barn Door</td>
<td>$76.00</td>
<td></td>
<td>$76.00</td>
<td></td>
</tr>
<tr>
<td>Double Wooden Barn Doors</td>
<td>$140.00</td>
<td></td>
<td>$140.00</td>
<td></td>
</tr>
<tr>
<td>Garage Door</td>
<td>$595.00</td>
<td></td>
<td>$595.00</td>
<td></td>
</tr>
<tr>
<td>Shelves (per foot)</td>
<td>$10.00</td>
<td></td>
<td>$10.00</td>
<td></td>
</tr>
<tr>
<td>Workbench (per foot)</td>
<td>$10.00</td>
<td></td>
<td>$10.00</td>
<td></td>
</tr>
<tr>
<td>Loft (per foot)</td>
<td>$13.05</td>
<td></td>
<td>$13.05</td>
<td></td>
</tr>
<tr>
<td>8 ft Walls (92&quot; inside) (LT only)</td>
<td>$100.00</td>
<td></td>
<td>$100.00</td>
<td></td>
</tr>
<tr>
<td>7 ft Walls (81&quot; inside) (LB only)</td>
<td>$100.00</td>
<td></td>
<td>$100.00</td>
<td></td>
</tr>
<tr>
<td>3/4&quot; Flooring</td>
<td>$0.47</td>
<td></td>
<td>$0.47</td>
<td></td>
</tr>
<tr>
<td>F1 OC Floor Joists</td>
<td>$0.55</td>
<td></td>
<td>$0.55</td>
<td></td>
</tr>
<tr>
<td>2x6 Floor Joists</td>
<td>$0.55</td>
<td></td>
<td>$0.55</td>
<td></td>
</tr>
<tr>
<td>Opening Loft Door (LB's only)</td>
<td>$35.00</td>
<td></td>
<td>$35.00</td>
<td></td>
</tr>
<tr>
<td>Playhouse Package</td>
<td>$795.00</td>
<td></td>
<td>$795.00</td>
<td></td>
</tr>
<tr>
<td>Side Porch Package</td>
<td>$895.00</td>
<td></td>
<td>$895.00</td>
<td></td>
</tr>
<tr>
<td>Garage Package</td>
<td>$895.00</td>
<td>1</td>
<td>$895.00</td>
<td></td>
</tr>
<tr>
<td>Deluxe Playhouse Package</td>
<td>$1,295.00</td>
<td></td>
<td>$1,295.00</td>
<td></td>
</tr>
<tr>
<td>Non-standard metal roof color</td>
<td>$95.00</td>
<td></td>
<td>$95.00</td>
<td></td>
</tr>
<tr>
<td>Snow Load 60 PSF (per sq. ft.)</td>
<td>$1.00</td>
<td></td>
<td>$1.00</td>
<td></td>
</tr>
<tr>
<td>Snow Load 140 PSF (per sq. ft.)</td>
<td>$2.50</td>
<td>240</td>
<td>$600.00</td>
<td></td>
</tr>
<tr>
<td>Engineered Plans</td>
<td>$50.00</td>
<td></td>
<td>$50.00</td>
<td></td>
</tr>
<tr>
<td>(Specify 20, 60 or 140 PSF)</td>
<td>- Choose one -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 OC Studs (per sq. ft.)</td>
<td>$0.35</td>
<td></td>
<td>$0.35</td>
<td></td>
</tr>
<tr>
<td>16 OC Trusses (per sq. ft.)</td>
<td>$0.25</td>
<td></td>
<td>$0.25</td>
<td></td>
</tr>
<tr>
<td>Misc.</td>
<td>$0.00</td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
</tbody>
</table>

Total Options Cost: $1,465.00

Building Diagram (please draw placement of options below, use box as walls - top down view)

Customer Signature:
Customer agrees that diagram is accurate; changes will be subject to fee.

Print
ST-101
Idaho State Tax Commission
SALES TAX RESALE OR EXEMPTION CERTIFICATE

Buyer: Read and sign. I certify that all statements I have made on this form are true and correct to the best of my knowledge. I understand that falsification of this certificate for the purpose of avoiding payment of tax is a misdemeanor. Other penalties may also apply.

Buyer: [Signature]

Buyer's Name (please print): [Mary Cox]

City Clerk: [Signature]

City: [Hailey]

Buyer's Federal EIN or Driver's License No. and State of Issue: [82-6000201]

Date: [9/17/15]

Buyer: [Address]:

City: [Hailey]
State: [ID]
Zip Code: [83338]

1. Buying for Resale. I will sell, rent, or lease the goods I am buying in the regular course of my business.

a. Primary nature of business: [Describe the products you sell, lease, or rent]

b. Check the block that applies:
   - Idaho registered retailer
   - Wholesale only, no retail sales
   - Out-of-state retailer, no Idaho business presence

2. Producer Exemptions (see instructions). I will put the goods purchased to an exempt use in the business indicated below.

Check the block that applies and complete the required information.

- Logging Exemption
- Broadcasting Exemption
- Publishing Free Newspapers
- Production Exemption (check one):
  - Farming
  - Ranching
  - Manufacturing
  - Processing
  - Fabricating
  - Mining

List the products you produce:

3. Exempt Buyer. All purchases are exempt, and no permit number is required.

Check the block that applies.

- Advocates for Survivors of Domestic Violence and Sexual Assault, Inc.
- American Indian Tribe
- American Red Cross
- Amtrak
- Blind Services Foundation, Inc.
- Center for Independent Living
- Rural Emergency Medical Service Agency
- Federal/Idaho Government Entity
- Forest Protective Association
- Idaho Foodbank Warehouse, Inc.
- Nonprofit Canil Company
- Nonprofit Children's Home
- Dental Service Clinic
- Nonprofit Hospital
- Nonprofit Museum
- Nonprofit School
- Qualifying Health Organization

4. Contractor Exemptions (see instructions).

- Invoice, purchase order, or job number to which this claim applies
- City and state where job is located
- Project owner name
- This exempt project is: (check appropriate box)
  - In a nonresidential state (To qualify, materials must become part of the real property).
  - An agricultural irrigation project.
  - For production equipment owned by a producer who qualifies for the production exemption.

5. Other Exempt Goods and Buyers (see instructions).

- Aircraft used to transport passengers or freight for hire
- Aircraft purchased by nonresident for out-of-state use
- American Indian buyer holding Tribal I.D. No.
- Church buying goods for food bank or to sell meals to members
- Food bank or soup kitchen buying food or food service goods
- Glider kits for IRP-registered vehicles
- Livestock sold at a public livestock market
- Medical items that qualify
- Pollution control items
- Research and development goods
- Snowmaking/grooming equipment, or aerial tramway component
- Other goods or entity exempt by law under the following statute

6. Other Exempt Goods and Buyers (see instructions).

- Livestock sold at a public livestock market
- Medical items that qualify
- Pollution control items
- Research and development goods
- Snowmaking/grooming equipment, or aerial tramway component
- Other goods or entity exempt by law under the following statute (required)

Buyer: [Address]:

City: [Hailey]
State: [ID]
Zip Code: [83338]

This form may be reproduced.

This form is valid only if all information is complete.

The seller must keep this form.
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10/5/2015  DEPARTMENT: Public Works  DEPT. HEAD SIGNATURE: MP

SUBJECT: Resolution 2015-87 authorizing an agreement with iWorQ for a Public Works Department and Street/Park Division citizen inquiry feature on the city's website.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
The Public Works Department and Street/Park Division currently use iWorQ web-based software for work management, asset management and citizen inquiry tracking. The proposed agreement adds a citizen inquiry feature to the city's website, giving those who prefer an online inquiry that option, as opposed to calling or sending an email. The inquiry automatically ties to the currently active citizen inquiry tracking. The inquiry feature will be targeted to street- and park-related inquiries only. There is a $500.00 annual fee for this service.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

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

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to adopt Resolution 2015-87 authorizing approval of the agreement.

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)
Instrument #: ____________________
CITY OF HAILEY
RESOLUTION NO. 2015-89

RESOLUTION OF THE MAYOR AND CITY COUNCIL FOR THE CITY OF HAILEY
AUTHORIZING AN ANNUAL AGREEMENT WITH IWORQ SYSTEMS TO PROVIDE
WEBSITE SERVICES

WHEREAS, the City of Hailey desires to approve an Agreement with iWorQ Systems to
provide a citizen inquiry feature on the city’s website.

WHEREAS, the City of Hailey and iWorQ Systems have agreed to the terms and
conditions of the Agreement, a copy of which is attached hereto.

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

Passed this 5th day of October, 2015.

City of Hailey

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk
1. **QUOTE**

Hailey - hereafter known as "Customer", enters into the following Service Agreement with iWorQ Systems, "iWorQ" headquartered in Logan, UT. Customer will pay an annual fee for the services and setup fee listed below:

Population: 7,920

<table>
<thead>
<tr>
<th>Public Works Applications and Services</th>
<th>Package Price</th>
<th>Billing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Request</td>
<td>$500.00</td>
<td>Annual</td>
</tr>
<tr>
<td>- Talk to My City web interface to Service Request</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ANNUAL TOTAL</strong></td>
<td><strong>$ 500.00</strong></td>
<td></td>
</tr>
</tbody>
</table>

| Set up and data conversion - (one-half annual fee)            |               | Once      |

| Grand total due upon contract signing                         | $500.00       |           |

1.1. **Notes**

1- Invoices for amount due upon contract signing will be sent out 2 weeks after signature. Terms of the invoicing is Net 30 days.

2- This quote is provided at the customer's request and is good for 30 days.

3- This quote cannot be disclosed or used to compete with other companies.
2. ADDITIONAL SERVICES

iWorQ provides additional applications and services that can be purchased as part of the Public Works solution. These can be added to the customer’s annual cost, upon request.

<table>
<thead>
<tr>
<th>iWorQ Fleet Management</th>
<th>Price based on Population</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Available on any computer, tablet, mobile using Chrome browser</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fuel Log tracking and uploads</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Work orders for employee cost, inventory, and purchase orders</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance Schedules</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inventory management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dashboard</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>iWorQ Facilities Management</th>
<th>Price based on Population</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Available on any computer, tablet, mobile using Chrome browser</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Track assets such as HVAC, plumbing, electrical, elevators, etc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Work orders for employee cost, inventory, and purchase orders</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance Schedules</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inventory management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dashboard</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>iWorQ Storm Water Management</th>
<th>Price based on Population</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Track work for MS4 Compliance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Track location using Asset Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Issue Permits (SWPP)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Track inspections and compliance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manage and reduce illicit discharges</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Asset Management- Sewer, Storm Water, Hydrants, Meter, Bridges, Culverts, Guardrail, Curb, Gutter, Sidewalk, Manholes, Pumps, Lift Stations, Street signals, Street Lights, Trees, and any capital asset. | Based on population and centerline miles of road | Annual |

| iTTransact Credit Card Processing- setup merchant account and gateway, so online payments can be received/recorded in iWorQ. Includes public portal and 5 customized forms/links on customer website for citizens and contractors to submit requests and make payments. | $1000 | Annual |

| Premium Data Package- 25Mb File upload size and 100 GB Storage (pictures, plans, other electronic file types, etc.) | $500 | Annual |

| Additional letters/forms/permits | $100 per | Annual |
A project quote must be requested for any custom development outside of iWorQ existing features and functions. Project timelines, scope, and cost vary depending upon the request.

3. GUIDELINES

3.1 Getting started
Send the signed service agreement to iWorQ Systems:
Email: sales@iworq.com
Fax: 1 (866) 379-3243
iWorQ will assign a technician to your account and start the setup and training process upon contract signature.

3.2 Billing information
iWorQ will invoice Customer on an annual basis. Customer reserves the right to cancel service at any time by providing iWorQ a 30-day written notice.

3.3 Data conversion
As part of the project set up, iWorQ provides a data conversion service. This service consists of importing data, sent by the Customer, in an electronic (relational database) format. iWorQ provides contact information and an upload site were the electronic data can be sent. Additional costs apply for data that does not meet the criteria listed above.

4. SERVICES and SUPPORT

4.1 Data ownership
All customer data remains the property of the customer. Customer can request data electronically or on disk, upon cancellation of Service Agreement.

4.2 FREE training
iWorQ provides FREE training and support. iWorQ provides webinars, phone support, written manuals, web videos, documentation and help files. Training is available to any Customer with a login.
4.3 FREE updates
   All updates, bug fixes, and upgrades are FREE to the Customer. iWorQ is a web-based application. Customer only needs to login to get any updates to the applications.

4.4 FREE support
   Customer support and training are FREE and available from 8:00 A.M. to 5:00 p.m. Mountain Standard Time.

4.5 FREE data back up
   iWorQ does back-ups twice weekly and offsite once weekly.

4.6 Proprietary letters/forms
   Letters and forms, including permits, certificates, or other documents must be owned by the customer and have a clear copyright.

4.7 Data upload and storage limits
   Standard data plan includes uploads of up to 3 MB per file and 10 GB total storage. iWorQ offers a premium data plan available for an additional annual cost.

5. SET-UP & BILLING INFORMATION

5.1 Implementation information

Primary Contact(s) Tracy Anderson

Phone 208-788-4830 Cell — Email tracy.anderson@hailey.city.hall.org
5.2 Billing information

Billing Contact: **Tracy Anderson** Phone: 208-788-4221 x30 Cell: __________

Email: Tracy.anderson@cityofhailey.org Prefer to receive invoice by email? ☐ Yes ☒ No

Billing Address: City of Hailey, 115 Main St. S, Suite 1

City: Hailey State: ID Zip: 83333

PO#: ___________________________ (if required) Tax exempt ID#: 82-600201

6. SIGNATURE

Signature of this Agreement is based on the understanding and acknowledgement of the terms and conditions stated within this Service Agreement.

_Fritz X. Haemerle_  ______________________________________________________________________________ (Print Name)  ______________________________________________________________________________ (Signature)  ______________________________________________________________________________ (Title)

_208-788-4221 x30_  ______________________________________________________________________________ (Phone)  ______________________________________________________________________________ (Mobile)  ______________________________________________________________________________ (Email)
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10-05-15   DEPARTMENT: Community Development   DEPT. HEAD SIGNATURE: LH

SUBJECT:
Request for approval to hold a special event, the event being the CrosstoberFest (Friday October 16th, 2015 from 3:00 p.m. to 10:00 p.m. and Saturday, October 17th, 2015 from 11:00 a.m. to 10:00 p.m.) being held at Cutters Park.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

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

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)
□ City Administrator □ Library □ Benefits Committee
□ City Attorney □ Mayor □ Streets
□ City Clerk □ Planning □ Treasurer
□ Building □ Police □
□ Engineer □ Public Works, Parks □
□ Fire Dept. □ P & Z Commission □

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Recommendation to approve a special event, the event being CrosstoberFest (Friday October 16th, 2015 from 3:00 p.m.-10:00 p.m. and Saturday, October 17th, 2015 from 11:00 a.m. to 10:00 p.m.) and authorization for the Mayor to sign the special event decision and special event agreement.

ADMINISTRATIVE COMMENTS/APPROVAL:
City Administrator □ Dept. Head in Attendance at Meeting (circle one) Yes □ No

ACTION OF THE CITY COUNCIL:
Date ____________________________

City Clerk ____________________________

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

--42--
DECISION

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

Standard Conditions

a. The Applicant shall comply with the terms, plans, covenants and provisions of the Application, as approved or as modified by the City of Hailey.

b. The Applicant shall comply with all applicable local, state and federal laws, regulations and ordinances before, during and after the Special Event(s).

c. The Applicant shall execute an agreement, relating to the reimbursement of expenses, indemnification and other provisions immediately upon the approval of the application for the Special Events Permit.

d. In the event the Applicant fails to comply with all the conditions set forth herein, the City may revoke the Special Events Permit, in whole or in part.

e. A supporting application is on file and shall be complied with.

Additional Conditions

a. None

DATED this 5th day of October 2015.

CITY OF HAILEY

By: _____________________________

Fritz Haemmerle, its Mayor

ATTEST:

_______________________________

Mary Cone, City Clerk

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

15/03/SPECIAL EVENT PERMIT (08/02/05)
SPECIAL EVENT AGREEMENT

In consideration of the granting of a special event permit by the City of Hailey ("the City") for the CrosstoberFest (Friday, October 16th, 2015 from 3:00 p.m.-10:00 p.m. and Saturday, October 17th, 2015 from 11:00 a.m. to 10:00 p.m.), plus specified set up and teardown time) ("the Event"), and pursuant to Section 12.14 of the Hailey Municipal Code, the undersigned, as the applicant ("Applicant") of a Special Event Permit from the City for the Event, does hereby agree to reimburse the City for any costs incurred by the City in repairing damage or providing any services or materials resulting from the Event. The Applicant agrees that such costs may be deducted from a non-refundable security deposit or additional deposit as established by the City, and that if costs exceed any deposit made by the applicant, further reimbursement will be made to the City upon demand. The Applicant hereby agrees to indemnify, defend and hold harmless the City and its officers and employees, in their official and individual capacities, from any and all claims, demands, obligations, liabilities, lawsuits, judgments, attorneys’ fees, costs, expenses and damages of any nature caused by or arising out of, or connected with the Event. In the event either party hereto is required to retain counsel to enforce a provision of this Agreement, or to recover damages resulting from a breach hereof, the prevailing party shall be entitled to recover from the other party all reasonable attorney’s fees incurred herein or on appeal, or in bankruptcy proceedings. The Applicant agrees to comply with all the laws and ordinances of the City of Hailey, Idaho applicable to the subject matter thereof, and to conduct the Event in accordance with the terms and provisions of the application for a Special Event Permit, as approved or as modified by the City, and all conditions of the Special Event Permit. The Applicant agrees that the Special Event Permit is nontransferable and shall be conducted only for the dates and locations as approved by the City.

IN WITNESS WHEREOF, Applicant and the City have executed this Agreement on this 5th day of October, 2015.

APPLICANT:

By: ____________________________

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

CITY OF HAILEY:

By: ____________________________

Fritz Haemmerle, its Mayor

ATTEST:

Mary Cone, its City Clerk

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

15/03/SPECIAL EVENT PERMIT (06/02/05)
SPECIAL EVENT PERMIT APPLICATION

EVENT NAME: Crossstakefest

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

I. EVENT SCHEDULE
Special Events are limited to four days, including set-up and tear-down days. No more than eight events per calendar year can be conducted by a single party or organization, unless a modification is granted by the City Council.

<table>
<thead>
<tr>
<th>Date(s) of Event</th>
<th>Hours</th>
<th>Estimated # of Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/14</td>
<td>Start Time: 3</td>
<td>End Time: 10</td>
</tr>
<tr>
<td>10/17</td>
<td>Start Time: 11</td>
<td>End Time: 10</td>
</tr>
<tr>
<td>Date(s) of Set-up/Tear-down</td>
<td>Hours</td>
<td>Estimated # Staff</td>
</tr>
<tr>
<td>10/14</td>
<td>Start Time: 8 AM</td>
<td>End Time: 10</td>
</tr>
<tr>
<td>10/17</td>
<td>Start Time: 8 AM</td>
<td>End Time: 10</td>
</tr>
</tbody>
</table>

II. FEES
Special Event Permit Application Fee $125
Per Day Park Rental Fee $300
Events that meet both of the following criteria may be exempted from Park Rental Fee by resolution of the City Council:
☐ Non-profit event that is held annually within the City of Hailey for at least ten consecutive years and consistently draw large numbers of participants and spectators.
☐ Promoted locally and regionally within the state and the northwest.

Tax (on park rental fees only) 6% ☐

TOTAL DUE

III. ORGANIZATION INFORMATION
Sponsoring Organization: Sun Valley Road & Dirt
Applicant’s Name: Tamara Olson
Address: 514 N 8th St
City: Hailey
State: ID
Zip: 83333
Telephone Home: 309.8400 Mobile: FAX:

Applicant Driver's License #: Email: powerhouseidaho.ofc@gmail.com

IV. EVENT INFORMATION
New Event: Yes ☒ No ☐ Annual Event: Yes ☒ No ☐ Years Operating
Event Category: ☐ Commercial ☐ Noncommercial
Estimate of Gross Ticket Sales & Revenues (commercial event only):
Description of Event: Blue Race w/ Beer Festival

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

Insurance Company: Chamberlain
Agent Name:
Phone:

Updated: 9/2/2015
(Attach any additional pages as needed)
# SPECIAL EVENT ACTIVITIES PLANNED

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

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Check all Planned Activities</th>
<th>Yes</th>
<th>No</th>
<th>Check all Planned Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Street Closures &amp; Access / Parade (if yes)</td>
<td>Alcohol Served:</td>
<td>Free of Charge</td>
<td>Provider -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Street Closure for Special Event Application and detailed map listing areas of closure is required. An ITD permit and separate City form is required for Main Street closures.</td>
<td>Alcohol Sold: Requires Alcohol Beverage Catering Permit (Hailey Code 5.13)</td>
<td>Provider -</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Your Event Coordinator is required to have the Notification Certification completed by all affected businesses, churches, schools and neighborhoods.</td>
<td><strong>(Barbecues/Caterers) Please List:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Barricades If yes, please include a logistics map and # of barricades applicant is providing.</strong></td>
<td><strong>Booths:</strong></td>
<td>Profit / Non-Profit</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>*<em>Police/Traffic Control Services (A security plan is necessary for Special Events anticipated to attract 250 or more participants while serving beer, wine or liquor or for street closures.) <em>Police Officers may be required for events serving alcohol. Applicant will be charged $40/hr per officer.</em></em></td>
<td><strong>Vendors</strong> (items sold/ Solicitation) Please list:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Electricity / Generators:</strong></td>
<td><strong>Canopies/Tents/Temporary Structures - City of Hailey Fire Department, Fire Code Enforcement may require a permit for tents, canopies, membranes, or temporary structures over 400 sq. ft.</strong> Sizes: 10 x 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Medical Services (Circle) EMT - Standby (or) Ambulance</strong></td>
<td><strong>Signs or Banners - Few from Sponsors</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Determination of EMS services is dependent on event size &amp; type.</em>* Applicant will be charged $35/hr for EMS Standby. <strong>WE HAVE OUR OWN</strong></td>
<td><em>A separate application and fee are required for street banners.</em>*</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Amplified Sound - (90) dB maximum and sound may only be amplified between the hours of 10am and 10pm.</strong></td>
<td><strong>Portable Toilets / Wash Stations:</strong> (Please provide one (1) permanent or portable toilet per 100 people) *Contact Clear Creek Disposal for ordering: 208-726-9600</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Overnight Camping Please see City for designated areas.</strong></td>
<td><strong>Sanitation: Trash bins, Dumpsters, Recycle</strong> (Please provide one (1) six yard dumpster per 500 people) *Contact Clear Creek Disposal for ordering: 208-726-9600</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Lighting: please attach plan if applicable.</strong></td>
<td><strong>Water:</strong> Drinking / Washing</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Gray Water Barrel / Grease Barrel</strong></td>
<td><strong>Open flame or flame producing devices</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Stages:</strong> (Number and Size(s))</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Your Event Organizer is responsible for providing a complete list of event activities including a list of suppliers providing services. An event logistics map is required, detailing the location for all road closures, event set up, canopies, stages, vendors, booths, and any other major services or activities planned. I hereby certify that I have read and will abide by the laws, rules and regulations set forth by the City of Hailey, Blaine County, and the State of Idaho, and in signing this application, I hereby agree that I and the organization I represent shall hold the City of Hailey and all of its agents or employees free and blameless from any claim, liability or damage which may arise from use of City facilities or equipment, whether or not the City of Hailey, its agents or employees are jointly negligent. I further agree to promptly reimburse the City of Hailey and all of its agents for any clean up loss or damage to City property resulting from this use, as well as permitting, staffing, equipment use/rental, property use/rental, clean up, inspections involving the use of public property, public employer or public equipment for the Special Event.

Event Organizer's Signature: [Signature] Date: 9/24/15
parking in addition to on street parking

race course that is on roadway then connects to off road

Road Closure for Crossroadsrest
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10/05/15 DEPARTMENT: Administration DEPT. HEAD SIGNATURE: MHC

SUBJECT:
Motion to approve Resolution 2015-96, declaring Surplus Equipment and Personal property, authorizing its sale, recycle or disposal.

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
Old and out of service street equipment has been inventoried for disposal.

The city documents set for destruction have been authorized by the State Historical Society. The next step is for City Attorney, Mayor and Council to authorize the property as surplus and allow staff to dispose of as outlined in the resolution.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Case# #
Budget Line Item # YTD Line Item Balance $ 6
Estimated Hours Spent to Date: Estimated Completion Date: 
Staff Contact: Phone #
Comments:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

<table>
<thead>
<tr>
<th>Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Attorney</td>
</tr>
<tr>
<td>Library</td>
</tr>
<tr>
<td>Safety Committee</td>
</tr>
<tr>
<td>Streets</td>
</tr>
<tr>
<td>X City Clerk</td>
</tr>
<tr>
<td>Planning</td>
</tr>
<tr>
<td>P &amp; Z Commission</td>
</tr>
<tr>
<td>X Public Works, WW</td>
</tr>
<tr>
<td>Engineer</td>
</tr>
<tr>
<td>Fire Dept.</td>
</tr>
<tr>
<td>Police</td>
</tr>
<tr>
<td>Mayor</td>
</tr>
</tbody>
</table>

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion to approve Resolution 2015-96, declaring Surplus Equipment and Personal Property and authorizing its disposal, recycle or sale of said property.

FOLLOW-UP REMARKS:
CITY OF HAILEY
RESOLUTION NO. 2015-90

RESOLUTION OF THE CITY OF HAILEY, IDAHO, A MUNICIPAL CORPORATION
OF THE STATE OF IDAHO, DECLARING CITY PERSONAL PROPERTY SURPLUS
AND TO PROVIDE FOR ITS DISPOSAL THROUGH SALE, DONATION, TRANSFER,
RECYCLING, DISCARDING, DESTRUCTION, OR EXCHANGE; AND PROVIDING
THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, AND APPROVAL
ACCORDING TO LAW.

WHEREAS, City personal property has limited economic and/or useful life;

WHEREAS, pursuant to Idaho Code Section 50-907, cities must provide written request with a
detailed list of proposed items to the Idaho State Historical Society Archivist prior to destruction,
and the Archivist has thirty (30) days to accept or decline the records;

WHEREAS, prior to destruction or disposal of any non-permanent record as defined by our
Records Retention Schedule with Resolution No. 2011-56, the Idaho State Historical Archivist
has declined to accept our records and authorized City of Hailey to proceed with process of
declaring them as surplus property;

WHEREAS, written notice with list of records was sent to the State Archivist on September 23,
2015 and approval was received by the State Archivist for these items on the same day,
September 23, 2015;

WHEREAS, the City Council and City Attorney must then authorize the destruction by
Resolution; and

WHEREAS, the documents described below will be destroyed by a document shredding
company:

<table>
<thead>
<tr>
<th>Record type</th>
<th>Date range of records</th>
<th>Retention minimum</th>
<th>Okay to destroy after</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banners/Parks &amp; Special Events</td>
<td>2004-2008</td>
<td>5 years</td>
<td>Sept. 2013</td>
</tr>
<tr>
<td></td>
<td>Apr/May/June 2006</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utility Billing</td>
<td>2002</td>
<td>5 years</td>
<td>Sept. 2007</td>
</tr>
<tr>
<td>Utility Billing</td>
<td>Feb/Mar 2006</td>
<td>5 years</td>
<td>Sept. 2011</td>
</tr>
</tbody>
</table>
WHEREAS The City Clerk of the City of Hailey, Idaho is requesting that the following assets be designated as surplus as the equipment below are no longer required to conduct City business,

<table>
<thead>
<tr>
<th>Department</th>
<th>Serial #</th>
<th>Make/Model/Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Department</td>
<td>668064</td>
<td>Volvo L35D Wheel Loader</td>
</tr>
</tbody>
</table>

- 4 Sections of Library Shelving which is out of service (originally donated from Meridian Library), see attached pictures,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, that the City of Hailey approves the disposal of all declared surplus personal property as outlined.

Passed this 5th day of October, 2015.

City of Hailey

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk

Consent/Approval by City Attorney:

Ned Williamson, City Attorney
Asset Profile

4043 [VOLVO MINI LOADER L35B]

Parent Asset: Serial #: L35BD1872230

Entity Name: STREET DEPARTMENT Manufacturer: VOLVO

Group Tree: HEAVY EQUIP\LOADER Model: L35B-ZD

Category: EQUIPMENT Vendor:

Type: LOADER Customer:

Status: ACTIVE Purchase Date: 1/3/2000

Budget: 1004041405 Purchase Cost: $63,400.00

DEPARTMENT: LICENSE PLATE EXPIRATION:

ENGINE: HOURS:

LICENSE: NO PLATE TITLE:

TRANSMISSION: WARRANTY END DATE:

<table>
<thead>
<tr>
<th>Part #</th>
<th>Part Type</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>ISO 32</td>
<td>ARTIC FIRE [HYD OIL]</td>
<td>BULK CONTAINER $8.02</td>
</tr>
<tr>
<td>CHEVRON SUPREME 80/90 [GEAR OIL]</td>
<td>OIL</td>
<td>BULK CONTAINER $3.36</td>
</tr>
<tr>
<td>HEAVY DUTY MOLY 5% [GREASE]</td>
<td>GREASE</td>
<td>BULK CONTAINER $2.78</td>
</tr>
<tr>
<td>15W-40 SINCLAIR [DELLO 400 15-40]</td>
<td>OIL</td>
<td>BULK CONTAINER</td>
</tr>
<tr>
<td>BREAK CLEANER M720 [BREAK CLEANER GUNK PRO M720]</td>
<td>CHEMICAL</td>
<td>NEW $0.00</td>
</tr>
<tr>
<td>ULSD [DIESEL]</td>
<td>FUEL</td>
<td>OFF SITE</td>
</tr>
<tr>
<td>SD-9559 [CUTTING EDGE]</td>
<td>CUTTING EDGE</td>
<td>NEW $113.14</td>
</tr>
<tr>
<td>NAPA 6836 [AIR FILTER]</td>
<td>FILTER</td>
<td>NEW</td>
</tr>
<tr>
<td>NAPA 6837 [INNER AIR FILTER]</td>
<td>FILTER</td>
<td>NEW $22.79</td>
</tr>
<tr>
<td>NAPA 3196 [FUEL FILTER]</td>
<td>FILTER</td>
<td>NEW $6.79</td>
</tr>
<tr>
<td>NAPA 3361 [FUEL FILTER]</td>
<td>FILTER</td>
<td>NEW $4.99</td>
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<tr>
<td>NAPA 1348 [OIL FILTER]</td>
<td>FILTER</td>
<td>NEW $2.29</td>
</tr>
<tr>
<td>ECCO R50248H [STROBE LIGHT BULB]</td>
<td>LIGHTING</td>
<td>NEW $8.71</td>
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<tr>
<td>2801823 [WIPPER BLADE]</td>
<td>WIPPER BLADE</td>
<td>NEW</td>
</tr>
<tr>
<td>ZM2907097 [shift lever]</td>
<td>ELECTRICAL</td>
<td>NEW</td>
</tr>
<tr>
<td>2028410 [vent valve ]</td>
<td>FILTER</td>
<td>NEW</td>
</tr>
<tr>
<td>29-0661 [hydraulic filter]</td>
<td>FILTER</td>
<td>NEW</td>
</tr>
<tr>
<td>281-4670 [HYDRAULIC VALVE ]</td>
<td>PART</td>
<td>NEW</td>
</tr>
<tr>
<td>2906601 [hyd.filter]</td>
<td>FILTER</td>
<td>NEW</td>
</tr>
<tr>
<td>2813702 [relay]</td>
<td>ELECTRICAL</td>
<td>NEW</td>
</tr>
<tr>
<td>72120 [BRAKE FLUID]</td>
<td>CHEMICAL</td>
<td>NEW</td>
</tr>
<tr>
<td>PARTS PLUS BATTERY 49-61 []</td>
<td>ELECTRICAL</td>
<td>NEW</td>
</tr>
<tr>
<td>WINSILD WASHER FLUID [GLASS CLEANER 548]</td>
<td>WINSILD WASHER FLUID</td>
<td>BULK CONTAINER $2.00</td>
</tr>
<tr>
<td>VPFEM5028FP [1 2 BODY FLUSH FACE HYD FITTING]</td>
<td>HYD FITTING</td>
<td>NEW</td>
</tr>
<tr>
<td>VPFEM-502-10F0 [BODY FLS FACE NIPPLE]</td>
<td>HYD FITTING</td>
<td>NEW</td>
</tr>
<tr>
<td>G60275-1008 [10MB-8FP]</td>
<td>HYD FITTING</td>
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</tr>
<tr>
<td>ZM2902234 [BRAKE PADS]</td>
<td>BRAKE</td>
<td>NEW</td>
</tr>
<tr>
<td>ZM2902236 [BRAKE REBUILD KIT]</td>
<td>BRAKE</td>
<td>NEW</td>
</tr>
<tr>
<td>ZM2905281 [ATTACHMENT LEVER]</td>
<td>PART</td>
<td>NEW</td>
</tr>
<tr>
<td>60-2501 [28&quot; WINTER BLADE]</td>
<td>WIPPER BLADE</td>
<td>NEW $19.19</td>
</tr>
<tr>
<td>SG359011 [DOOR LIFT]</td>
<td>PART</td>
<td>NEW</td>
</tr>
<tr>
<td>440850BP [GRADE 5 NUTS AND BOLTS]</td>
<td>PART</td>
<td>NEW</td>
</tr>
<tr>
<td>12025220 [SO CLEAR]</td>
<td>CHEMICAL</td>
<td>NEW $12.07</td>
</tr>
<tr>
<td>125735 [BLACK PAINT]</td>
<td>PAINT</td>
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</tr>
<tr>
<td>11147586 [CUST COVER]</td>
<td>PART</td>
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</tr>
<tr>
<td>11305557 [HYD FITTING]</td>
<td>HYD FITTING</td>
<td>NEW</td>
</tr>
<tr>
<td>11043022 [NIPPLE BA504]</td>
<td>HYD FITTING</td>
<td>NEW</td>
</tr>
<tr>
<td>2814670 [ATTACHMENT LEVER SWITCH]</td>
<td>PART</td>
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</tr>
<tr>
<td>11306365 [LEVER KNOB]</td>
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<td>NEW $141.40</td>
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</table>
**Asset Profile**

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<tr>
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<tr>
<td>2814670</td>
<td>[ATTACHMENT LEVER SWITCH]</td>
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<td>NEW</td>
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</tr>
<tr>
<td>11306365</td>
<td>[LEVER KNOB]</td>
<td>PART</td>
<td>NEW</td>
<td></td>
</tr>
<tr>
<td>11305164</td>
<td>[DUST COVER]</td>
<td>PART</td>
<td>NEW</td>
<td></td>
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<tr>
<td>2814838</td>
<td>[COUPLING]</td>
<td>HYD FITTING</td>
<td>NEW</td>
<td>$141.40</td>
</tr>
<tr>
<td>9017254381</td>
<td>[ALTERNATOR]</td>
<td>PART</td>
<td>NEW</td>
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</table>

**Note**

<table>
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<tr>
<th>Note Type</th>
<th>Note</th>
<th>Modified By</th>
<th>Note Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL</td>
<td>AIR COOLED ENGINE</td>
<td>CASEY</td>
<td>3/14/2011</td>
</tr>
<tr>
<td>GENERAL</td>
<td>RANDY MOOREHEAD &lt;br&gt;- SERVICE TECH &lt;br&gt;- 208-320-1829</td>
<td>ZACK D</td>
<td>7/22/2015</td>
</tr>
</tbody>
</table>
4 UNITS OF SHELVING
4 UNITS OF SHELVING
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10/05/15 DEPARTMENT: Clerk's Office DEPT. HEAD SIGNATURE M. Cone

SUBJECT

Approval of Minutes from the meeting of the Hailey City Council on September 21, 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 □ City Clerk P & Z Commission □ Parks & Lands Board □ Engineer □ Public Works □ Mayor □ Other

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

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

FOLLOW UP NOTES:
MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD SEPTEMBER 21, 2015
IN THE HAILEY TOWN CENTER MEETING ROOM

The Meeting of the Hailey City Council was called to order at 5:31 p.m. by Mayor Fritz Haemmerle. Present were Council members Carol Brown, Don Keim, Pat Cooley, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

5:31:34 PM Call to order by Mayor Haemmerle

Open Session for Public Comments:

5:31:49 PM John Glenn a performing artist with Company of Fools speaks to Council. Thank you, we are so proud to be on Main Street in Hailey at Liberty Theater in for past 20 years. The pole banners displayed throughout Main Street are a celebration of the 20 years. On Sept 30-the next show starts, it is named Osage County. Characters stood up and gave snippets of the upcoming performance to council. Round of applause by room.

CONSENT AGENDA:

CA 371 Motion to approve grant agreement with Idaho Department of Lands and authorize Fire Chief Aberbach to sign VFA Award Agreement Letter to receive $2,000 for PPE

CA 372 Motion to approve Resolution 2015-79, authorizing amendments to the Joint Powers Agreement with Mountain Rides Transportation Authority

CA 373 Motion to ratify Resolution 2015-80, authorizing and accepting a bid amount to re-roof the Water Division’s facility on War Eagle by Crist and Sons Contractors, Inc

CA 374 Motion to approve Resolution 2015-74, authorizing an agreement with Alpine Tree Services for tree maintenance and related services

CA 375 Motion to approve Resolution 2015-81, authorizing a contract for services agreement with Rick Allington to provide prosecution of misdemeanors for FY 2015-16, for an annual amount of $42,848

CA 376 Motion to approve Resolution 2015-82, authorizing a contract for services agreement with Animal Shelter of the Wood River Valley to provide sheltering services for dogs and cats impounded from within the city limits of the City of Hailey, for an annual amount of $16,000

CA 377 Motion to approve Resolution 2015-83, authorizing a contract for services agreement with Blaine County Housing Authority to provide management of low-income and workforce housing within the City of Hailey, for an annual amount of $2500 plus bookkeeping services provided by Hailey to BCHA of 96 hours per year

CA 378 Motion to approve 3rd pay request under the Woodside Wastewater Treatment Plant Biosolids Project for Contractors Northwest Inc. in the amount of $187,473.34

CA 379 Motion to approve the City of Hailey’s Community Rating System Annual Recertification (FEMA Flood Insurance Program), expiration September 30, 2015

CA 380 Motion to ratify Resolution 2015-84 authorizing Arena Use Agreement with Hailey Ice for use of the Arena on September 19, 2015, and ratification of a Special Event Permit for Hailey Ice’s Boots ‘n’ Blades Kickin’ Ice fundraiser event at Hailey Arena on September 19, 2015

CA 381 Motion to approve minutes of September 9, 2015 special meeting and to suspend reading of them

CA 382 Motion to ratify claims paid during the month of August 2015

CA 383 Motion to approve claims for expenses incurred during the month of August 2015, and claims for expenses due by contract in September, 2015

HAILEY CITY COUNCIL MINUTES
September 21, 2015
CA 384 Motion to approve Treasurer’s report for August 2015
CA 385 Motion to approve Treasurer’s write off list of uncollected receivables

5:35:15 PM Kristine Hilt pulls CA379.
Cooley pulls CA372, CA 373 and CA381 to abstain

5:36:43 PM Burke moves to approve all consent agenda items minus CA372, CA373, CA379 and CA381, seconded by Keirn, motion passed unanimously.

Cooley meant to pull CA 373 and CA 374 (not CA 372) so he makes a motion to approve CA 372.

Cooley makes a motion to approve CA372, seconded by Keirn, motion passed unanimously.

Cooley asks about CA373 & CA374 and if there are other bids received. Miller responds to Cooley’s question, CA374 was a Request for Qualifications and we proposed a contract for the service. For CA 373, we received only one bid estimate for this and it is below the Public Works requirement.

5:38:04 PM Motion to approve CA373 and CA374 made by Cooley, seconded by Keirn, motion passed.

5:38:24 PM CA381 Brown moves to approve this item, seconded by Burke, passed with Cooley abstaining.

5:38:49 PM CA379, Hilt clarified this item to council, she has additional information if council so wishes to review it. Hilt would like to see our class drop from number 7 to a lower number. If we were to drop one level, it would save homeowners over $11,000 for members in the community.

5:40:39 PM Keirn moves to approve CA379, seconded by Cooley, motion passed unanimously.

MAYOR’S REMARKS:

5:41:09 PM We just had a presentation from our theater group which we appreciate and are grateful that they choose Hailey as their theater home, equally important is our school system, we support. We will be hanging a banner this week for homecoming.
Burke likes the Wood River School window painting on the library.

PUBLIC HEARINGS:

PH 386 Airport Discussion from the FMAA September 8th meeting

5:42:15 PM Mayor Haemmerle opened this discussion. Last time we discussed chapter D. The planners wanted to pull select items from chapter D to study them in detail. There seemed to be some support for a parking garage, possibly replacing the General Aviation parking that was lost

HAILEY CITY COUNCIL MINUTES
September 21, 2015
recently. The board will discuss these in detail over the next couple of months. Based on a comment from Peter last time, there is an involuntary alternative to operations that we were not familiar with. The FMAA board asked staff to put this topic on the next agenda. 5:44:28 PM Brown asked is the Mayor is speaking of the “mandatory alternative” that the FAA requires? Haemmerle confirmed yes.

5:45:56 PM Burke asked for feedback to be taken to the next meeting regarding parking costs here versus no parking costs in Twin Falls. Discussion ensued about this question. Brown asks that our comments from Council get to the FMAA.

5:50:54 PM Williamson comments. More discussion ensued 5:52:50 PM Haemmerle asked for better agenda design from the FMAA, putting decision items in the front of the meeting instead of at the end of a 3 hour meeting. Haemmerle thinks Brown’s point is excellent.

5:54:27 PM Burke reminds Mayor and council about when she and McBryant were on the FMAA, same comments were given to them by council.

5:56:38 PM Haemmerle summarizes, Brown has a good point.

5:56:53 PM Cooley points to a document summarizing some points from Mark McFarland. Cooley asks for comments from council.

5:57:39 PM Peter Lobb Hailey resident speaks to council. Lobb sees a 2 pronged approach now. Every time we do an improvement to the airport, more of a reason that the airport will stay in its current location. Lobb feels effort is specious. We are admitting that the airport will not ever move. 5:59:29 PM Haemmerle speaks to Lobb - no Hailey residents ever show up for these airport discussions. Haemmerle would like the public to provide these comments to the FMAA. Lobb responds, he feels like it is a non-starter topic, losing battle. Lobb, makes another comment about airplane traffic in Hailey, it does effect property values. Lobb will bring people to the next FMAA meeting.

6:03:05 PM Burke comments about the challenge over the past 15 years. Burke summarizes the issues at hand. Discussion ensued about FAA and money they’ve provided.

6:05:53 PM Brown, how are we going to handle Burke’s comment earlier in the meeting? Haemmerle answered. Williamson commented too.

PH 387 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

HAILEY CITY COUNCIL MINUTES
September 21, 2015
6:07:43 PM Hilt summarizes this item for council. The Planning and Zoning Commission hearing was on 8/24, and they recommended approval of this item.

6:09:18 PM Andy Andrews owns the building next door to this site. Andrews is concerned with parking at this building. It has always been an issue and cars park over the sidewalk. Bad idea to not address the parking concerns with this place.

6:12:14 PM Haemmerle asked to view the plat.

6:12:28 PM Burke asked a question.

6:13:06 PM Alex McPherson comments that he almost bought this building but didn’t because of the parking. This building will always have parking issues, especially if condominiumized. So you are stuck with this problem and then can’t get 4 owners to demo the building.

6:15:04 PM Williamson adds that council received public comments from Michelle Griffith ARCH, she was not able to come to the meeting tonight. Williamson comments.

6:15:55 PM Haemmerle comments about general issues with parking in Right of way in the City. Williamson comments.

6:17:15 PM Burke comments about potential CCR’s addressing the parking issues. Discussion ensued. A map was pulled up on the projector, showing an Aerial view of the properties being discussed.

6:21:39 PM McPherson suggests moving parking in the rear of the building.

6:22:18 PM Horowitz comments, that she discussed parking in the rear with the owner. Owner feels the yard in back of building is used and parking there would be a bad idea.

6:23:41 PM Haemmerle asks a question about the parking. Horowitz answered.


6:26:14 PM Burke asks if we can move the sidewalk out to line up with the rest of the block. Burke was okay with this before hearing public comment. Now she is concerned.

Mayor reopened public comment:

6:28:07 PM Kevin Garrison gives public comment regarding this item. Why can’t there be parking in the street for these units?

6:30:21 PM Haemmerle asks another question. Horowitz answers.

Discussion ensued by Mayor and council.

HAILEY CITY COUNCIL MINUTES
September 21, 2015
6:33:13 PM Williamson suggests an option could be to continue this item so that ARCH could comment.

6:33:46 PM Burke moves to continue to 10/05, seconded by Keirn, motion passed unanimously.

PH 388 Consideration of Resolution 2015-85, setting user and connection fees for water and wastewater

6:34:39 PM Haemmerle gives an overview points to page 150 of packet. Largest expense is legal expenses on the water call this year, card lock system. These fees are related to the conjunctive mgmt call.

6:36:24 PM Mariel Miller gives an overview of this item. Meter water user fee base water user fee are proposed to increase. Water and Wastewater connection fees are proposed to be decreased. Staff worked with our City Engineer at Galena Engineering to come up with these rates. The water budget has increased approximately 30 percent primarily due to the summary Mayor Haemmerle introduced. Miller referred to charts on page 151 of packet. Miller shows a comparison chart of existing fees with proposed fees. The proposed monthly Water base fee is currently $8.24 and is proposed at $10.80 for a 1,000 gallon user. The water connection fee will be decreased $366 to $4,083.65, and the Wastewater connection fee will be decreased $1,359 to $2,548.27. Next on page 159, Section 4 of the resolution, circuit breaker fees, Miller has discovered a few items which need clarification. Miller suggests possibly excluding section 4.

6:41:27 PM Williamson comments.

6:42:20 PM Haemmerle asks to look at page 151 in packet, the table. Most users have approx. 3,000 gallons per month, their water fee would increase $2.88 per month. In irrigation season, typical residential (water) accounts would increase (20,000 gallons, increase approx. $5.26 per month). Miller answers.

6:44:06 PM Kevin Garrison owner of Valley View apartments, is concerned with his water bill increasing. Garrison gave comments today and they were handed out at the meeting tonight. Garrison is concerned that his water bill increased and he’ll need to forward increase on to his tenants, which are lower income residents. Garrison feels this is not fair. Garrison encourages conversation about conservation of water. Garrison is installing low flow toilets, and low flow shower heads. Garrison asks council to create a different rate schedule for multi family housing. At bottom of first page of his comments, Garrison explains the challenge of having more meters installed.

6:50:48 PM Brett Stevenson comments about legal fees and conjunctive management. Stevenson explains the ballot. South valley ground water district just adopted their budget. $13,000/ per cfs. Galena Ground Water District, is this an appropriate expenditure? Rangan call reference. Stevenson hopes we find cost effective solutions. 6:53:36 PM Haemmerle responds to Stevenson’s comments. Hailey and Bellevue filed a petition, we’ve had little participation with south and north. Haemmerle would like to see more participation. Our costs would be less if more people participated, Haemmerle adds. 6:55:23 PM Stevenson asks a question.

HAILEY CITY COUNCIL MINUTES
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Haemmerle answers. We received a stay on the water call on behalf of the entire valley. Stevenson, is working on a mitigation plan, focusing efforts here.

6:58:22 PM Keri York Hailey resident comments. Working with water consumption and conservation plans. York encourages Hailey to be a part of that group. This group is recognized by the Water Resources Board. York hopes that the city pursues this avenues in addition to the legal route. York persuade Hailey to take advantage of cost sharing opportunities, in hydrology and in the broader basin.

7:00:37 PM Haemmerle comments on York’s statement. We’ve gathered cost sharing agreements with other municipalities. Haemmerle further explains.

7:02:39 PM Alex McPherson Hailey resident comments, owner of multi-family properties with single meters. 2 concerns, he feels water fees are about maintaining the operation of the system. Consulting and legal fees, is this the right way to pay for this? asks McPherson. Are there other methods for raising money to pay these legal fees? Is there any budget or any idea for total costs of legal fees? Conservation of water, McPherson states it is all about the irrigation. He is willing to allow his grass to go brown, but he doesn’t want it to look like he is not taking care of his property. 7:07:17 PM Haemmerle responds to McPherson’s comments. Conjunctive Management has been discussed for many years. You need lawyers and engineers to fight these causes. These funds cannot come from property taxes. Water is the only place we can meet these costs. 7:09:21 PM Williamson further explains. McPherson asks is there another way to source it? Haemmerle responds again 7:10:28 PM.

7:10:43 PM Williamson comments again.

7:12:01 PM Garrison comments again. Garrison suggests that citizens focus on toilets and low flow shower heads to conserve water.

7:13:47 PM Cooley asks question of Miller for multi-family rates. Miller answers. Cooley recaps what he heard from Garrison. Burke is in support of looking into a different way to look at costs at multi-family structures.

7:16:53 PM Miller comments again. Each user would be charged the base fee.

7:17:48 PM Williamson asks a question of the city engineer, Brian Yeager.

7:18:07 PM Yeager comments, this change will raise the base fee, lower the metered fee. The numbers will change. There could be an answer with connection fees.

7:19:51 PM Burke is okay with having a special meeting.

7:20:05 PM Dawson comments, and gives council more information. They have more time.

7:21:01 PM Yeager would need all the multi-family housing in Hailey, and could redo the numbers within a week.

HAILEY CITY COUNCIL MINUTES
September 21, 2015

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7:21:42 PM Keirn moves to continue to next meeting, Burke seconds, motion passed.

5 minute recess.

NEW BUSINESS:

NB 390  Introduction of Intermountain Gas Franchise Ordinance and Agreement for a new 10-year term

7:26:04 PM

Dawson met with Intermountain Gas a few weeks ago. Dave ?, is present tonight from Intermountain Gas. On page 169 of your packet, period of 3 years instead of 2 years.

7:27:39 PM Brown an intermountain gas user, is pleased to see rates go up and go down. Brown rephrases.

7:28:30 PM Williamson spoke to the process.

7:28:55 PM Burke makes motion to publish notice, seconded by Brown, motion passed unanimously.

NB 391  Results of exploratory drilling at Indian Springs and consideration of Resolution 2015-86 to continue with SPF Engineering to design and permit an expanded collection system for an amount of $35,000

7:29:37 PM Miller discusses we are still trying to determine how to capture more of our available water rights. The substrate material is not conducive to drilling more wells, but does act as a natural wall, need to find out how to capture the water, figure 3 (page 184 of packet) of the technical memo shows the conceptual design of the enhanced spring flow capture facilities. Our safest bet is to invest in capturing more water – potentially .22 cfs to .45 cfs. SPF suggests we move forward with the permitting process. In total approx. $200,000 for this project. One potential to reduce costs is to phase the project.

7:34:01 PM Haemmerle asks how much cfs are we missing out on, 100 – 200 gallons per minute which equates to .22 to .45 cfs.

Keirn asks a question. Miller answers.

7:36:03 PM Haemmerle asks what is the cost per inch, $30,000 - $40,000. 15 x $40,000 = $600,000 to buy the cfs.

7:36:43 PM Burke moves to approve Resolution 2015-86 authorizing the agreement with SPF Engineering to proceed with designing and permitting for the Indian Creek collection expansion project for an amount not to exceed $35,000, seconded by Keirn, motion passed unanimously.

HAILEY CITY COUNCIL MINUTES
September 21, 2015
Discussion on Stop Signs

7:37:28 PM Haemmerle opens this item. Miller shows a visual map on the projector for all to see. We recently installed 2 stop signs on Bullion and 4th. We’ve received a couple of complaints and wanted to review our process. Miller has listed the title 18 criteria when installing a stop sign in her Agenda Item Summary, she reads the criteria. Miller adds that you want to stop the lesser avenue traffic. We should stop North and South traffic at 3rd and Bullion.

7:43:21 PM Haemmerle has heard general comments, people don’t like stopping twice on 2nd & 3rd streets. Bullion and Croy are considered collector roads. Croy has a 4 way stop and then a 2 way stop on 3rd, Haemmerle feels Bullion should be 2 way stop at 3rd to be consistent with Croy.

7:45:48 PM Burke thinks people are going more slowly with the installation of these new 2 stop signs.

General discussion ensued regarding the stop signs.

7:50:56 PM Brown wanted to know if moving the stop signs on 3rd, how would our criteria impact the potential removal of them?

7:52:21 PM Horowitz likes the Mayor’s idea.

7:53:01 PM Haemmerle would like to give people notice, run it through criteria, and discuss in the meeting, accept public comment.

OLD BUSINESS:

3rd Reading Ordinance No. 1188 amending multiple sections of Title 13, Water and Wastewater and Summary

7:54:07 PM Burke moves to approve Ordinance No. 1188, conduct 3rd Reading by title, approve Summary and authorize the Mayor to sign Ordinance, Keirn seconds. Motion passed unanimously.

7:54:40 PM Mayor Haemmerle conducts the 3rd reading of Ordinance No. 1188 by title only.

STAFF REPORTS:

7:56:05 PM Resignation of Susan McBryant Hailey’s representative on the Mountain Rides Board.

7:56:33 PM Burke moves to adjourn, seconded by Brown, motion passed unanimously.

HAILEY CITY COUNCIL MINUTES
September 21, 2015
Return to Agenda
AGENDA ITEM SUMMARY

DATE 10/05/2015 DEPARTMENT: Finance & Records DEPT. HEAD SIGNATURE: MHC

SUBJECT

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

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| Total 4495 MIDWEST TAPE: | | | | 629.58 | 629.58 |
| Total 1568 MILLS, SUNYA MICHELLE: | | | | 157.00 | 157.00 |
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Unpaid Invoice Report - MARY'S APPROVAL
Posting period: 10/15

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**Posting period:** 10/15

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**Total 1240 WILLIAMSON LAW OFFICES, PLLC:**

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### 5017 WITMER PUBLIC SAFETY GROUP INC.

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**Total 5017 WITMER PUBLIC SAFETY GROUP INC.:**

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**Total:**

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**Grand Totals:**

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### Summary by General Ledger Account Number

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Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10/05/15 DEPARTMENT: Library DEPT. HEAD SIGNATURE:

SUBJECT:
Reappointment of Board of Trustee member

AUTHORITY: □ ID Code 33-2604 □ IAR □ City Ordinance/Code
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
By Idaho Law, appointments to the library board of trustees shall be appointed by the mayor and council pursuant to section 50-210, Idaho Code, from among city residents. An ad ran in the local papers to advertise the term expiration of April MacLeod. One resident submitted a letter of interest in the position.

The Board of Trustees has reviewed the applicant at the regularly scheduled meeting and would like to reappoint April MacLeod for another five years. Term expiration—9/2020.

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

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)
□ City Administrator □ Library □ Benefits Committee
□ City Attorney □ Mayor □ Streets
□ City Clerk □ Planning □ Treasurer
□ Building □ Police □
□ Engineer □ Public Works, Parks □
□ Fire Dept. □ P & Z Commission □

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Propose to reappoint April MacLeod to the Hailey Public Library Board of Trustees. New term expires 9/2020

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

ACTION OF THE CITY COUNCIL:
Date _____________

City Clerk ______________________

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: Record *Additional/Exceptional Originals to: ______________
Copies (all info.): ___________________________
Instrument #: ___________________________
Copies (AIS only) ___________________________
September 17, 2015

Mayor Haemmerle

City Council members: Burke, Brown, Keim and Cooley

Re: Appointment to the Hailey Public Library Board of Trustees

I have the privilege of serving on the Hailey Public Board of Trustees and would love the opportunity to continue my service with reappointment to the board.

Thank you,

April MacLeod

Vice President, Hailey Public Library Board of Trustees
Katherine Wutz  
3520 Calumet Way, Hailey, Idaho, 83333 • 208.720.0681 • kmwutz@gmail.com

Summary

Technical writer and award-winning communications director and reporter with experience in public relations, nonprofit administration, digital media, news writing and editing.

Education

Trinity College Dublin, 2010  
M.Phil. Literature, Thesis: "Elements of Arthurian Romance in Philip Pullman’s His Dark Materials"

Canisius College, 2008  
Graduated summa cum laude; honors in English and Communication Studies; minor in journalism

Work Experience

2014-present  
POWER Engineers, Inc. — Hailey, Idaho  
Marketing and Proposal Coordinator

• Develop proposals in response to utility- and municipality-issued RFPs.
• Develop marketing materials to support client relations. Support public relations branch of POWER by crafting project summaries and writing articles and press releases featuring our employees and projects.

2013-present  
Freelance Writer — Idaho

• Stories were featured in regional publications such as Edible Idaho, the Idaho Statesman, the Idaho Mountain Express and the Sun Valley Guide.
• Assignments included food writing, agriculture coverage and sponsored content for a variety of clients.

2013-2014  
Community School — Sun Valley, Idaho  
Director of Communications

• Coordinated all internal and external communications through news outlets, print and online advertising, the external website, school publications and emails.
• Wrote and edited the Annual Report, brochures, viewbooks, and CS Magazine, a 92-page semi-annual publication with a spotlight on outstanding students, alumni and faculty.

2010-2013  
Sun Valley Guide — Ketchum, Idaho  
Feature Writer

• Feature writer for a 13,500-circulation quarterly glossy magazine directed at visitors as well as locals.
• Stories featured one of the first Sun Valley Resort ski patrolers, a family that bought only American-made goods for a year and three local homebuilders who strove to "build green."
• Most recent stories included a foodie’s guide to Sun Valley and a look at the Blaine County recycling process.

2010-2013  
Idaho Mountain Express — Ketchum, Idaho  
Reporter

• Covered airport, public lands, wildlife, county and state government for a 13,500 circulation twice-weekly newspaper. Wrote a monthly food column and regular in-depth features.
• Edited and produced three special sections from June 2011 to March 2013: "Valley Woman," "Valley Man" and "Valley Pets."

2004-2008  
The Griffin Campus Newspaper — Buffalo, New York  
Editor in Chief

• Oversew production of a 2,500 circulation, 16-page weekly student newspaper at Canisius College.
• Managed staff of 25 students and covered student government. Boosted circulation by 25 percent.
• Previous positions included news writer, news editor, copy editor and columnist.

Skills

Software
Katherine Wutz
3520 Calumet Way, Hailey, Idaho, 83333 • 208.720.0681 • kmwutz@gmail.com


Certifications
Wilderness First Aid (WFA); Heartsaver AED/CPR; HAM Radio License

Organizations

- Blaine County Search and Rescue, Volunteer, 2013-present
- Wood River Amatuer Radio Club, Licensed Operator and Volunteer, 2013-present
- Idaho Press Club, Member, 2010-2013
- Animal Shelter of the Wood River Valley, Volunteer, 2010-2012

Honors

- Idaho Press Club Awards, 2010-2013
  2013: Awards in the Public Relations Division Included Annual Report, Feature Writing and Special Use Publication (CS Magazine Fall 2013). Also earned an award for Light Feature in the Weekly News Division.

  2012: Awards in the Weekly News Division included General News Story, Series and Agriculture Reporting.

  2011: Awards in the Weekly News Division included Spot News Coverage, Series, Specialty Column, Agriculture Reporting, Environment Reporting and Special Section.

  2010: Idaho Press Club Rookie of the Year. Other awards earned in the Weekly News Division included Light Feature, Political Reporting, Agriculture Reporting and Environment Reporting.
Return to Agenda
What is a water right?

The constitution and statutes of the State of Idaho declare all the waters of the state, when flowing in their natural channels, including the waters of all natural springs and lakes within the boundaries of the state and ground waters of the state, to be public waters.

The constitution and statutes of the State of Idaho guarantee the right to appropriate the public waters of the State of Idaho. When a private right to the use of public waters is established by appropriation, a water right is established that is a real property right much like property rights in land. The constitution and statutes of the state of Idaho protect private property rights, including water rights.

A water right is the right to divert the public waters of the state of Idaho and put them to a beneficial use, in accordance with one's priority date.

A priority date is the date the water right was established. How this date is determined is described in the section below. The priority date is important because the priority date determines who gets water when there is a shortage. If there is not enough to satisfy all of the water rights, then the oldest (or senior) water rights are satisfied first and so on in order until there is no water left. It is the new (or junior) water rights that do not get water when there is not enough to satisfy all the water rights.

Beneficial use includes such uses as domestic use, irrigation, stock watering, manufacturing, mining, hydropower, municipal use, aquaculture, recreation, fish, and wildlife, among others. The amount of the water right is the amount of water put to beneficial use. Due to the beneficial use requirement, a water right (or a portion of a water right) may be lost if it is not used for a continuous five-year period.

A diversion is a structure used to divert the water from its natural source. Typical diversions include pumps, headgates, ditches, pipelines, and dams or some combination. A diversion is generally required to establish a water right. The Idaho Water Resource Board is authorized to acquire water rights without diversions. These water rights are called "instream flow" water rights, and are typically authorized for purposes of protecting some public interest in a natural stream or lake, such as recreation, wildlife, or natural beauty. A water right may also be acquired to water livestock directly from the stream, which is called an "instream livestock" water right.

Water law in Idaho is based on the appropriation doctrine, because water rights in Idaho are based upon diversion and beneficial use of water. The appropriation doctrine has also been called "first in time is first in right", because the priority date determines who gets water when there is not enough to go around. The water right is said to have "appropriated" water.

You may also have heard of something called "riparian rights". In some states, an owner of land has the right to make a "reasonable use" of ground water beneath her land, or water naturally flowing on, through, or along the borders of her land. A riparian right to make use of the water is not limited by priority date and it cannot be lost by non-use. Idaho law does not recognize a "riparian right" to divert and use water.

A water right under the law of the state of Idaho can be established only by appropriation, and once established, it can be lost if it is not used.

How is a water right established?

Surface Water:

Prior to May 20, 1971, there were two ways in which a right to surface water could be established. The first was to simply divert water and apply it to beneficial use. These water rights are called "beneficial use", "historic use" or "constitutional" water rights. The priority date for a water right established by this method is the date water was first put to beneficial use.

The second way to establish a water right to surface water was to comply with the statutory method in effect at the time the water right was established. The current statutory method is an application/permit/license procedure that is described further below. The priority date for a water right established by this method is the date of filing the application with IDWR, and this priority date is shown on the license that is issued when the process is completed. Prior to 1903, Idaho had a "posted notice" statute, which provided for posting of a notice at the point of diversion and recording the notice at the county recorder's office, followed by actual diversion and beneficial use of water, among other things. If the statutory requirements were met then the priority date for a water right established under the posted notice statute was the date of posting the notice. Water rights established under the old statutory method are called "Posted Notice" water rights, but are considered beneficial use rights because they are not confirmed by a license or certificate.

As of May 20, 1971, there is only one way to establish a right to surface water, and that is by following the application/permit/license procedure that is described further below. The one exception to this rule is for water rights used solely for "instream watering of livestock."
be established for domestic purposes. "Domestic purposes" is defined by statute as "the use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or (b) any other use, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day." Domestic purposes does not include "water for multiple subdivision, mobile home parks, commercial or business establishments" unless the use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

**Can a water right be changed?**

The point of diversion, place of use, period of use, or nature of use of a water right may be changed so long as the change meets certain conditions as described below.

After May 26, 1969, any person wishing to make a change in use of the water right must file an application for transfer with IDWR for approval of the change. IDWR may approve the proposed change if it (a) will not injure other water rights, (b) does not constitute an enlargement of the original water right, (c) is a beneficial use, (d) is consistent with the conservation of water resources within the state of Idaho, and (e) is in the public local interest. IDWR may approve the change in whole, in part, or not at all. IDWR may approve the change subject to conditions necessary to meet those five requirements. If the proposed change does not meet those five requirements, then the proposed change is not approved and the application for change is denied.

**How do I get a water right?**

If you are currently diverting the public waters of the state and putting the water to beneficial use, then you may already have a valid water right established either by the statutory method or by beneficial use.

If water was used on your property before you acquired it, and the person you acquired the property from did not "reserve" the water right in the deed conveying the property to you, and you continued the use of water, you may have acquired a valid water right along with your land. Also, water rights (including both water rights established by the statutory method and water rights established by beneficial use) have been confirmed by a decree of a state or federal court.

IDWR keeps records of water right decrees and licenses, and these records are available for public inspection.

You may need a new water right for an existing use of water if the water right was not properly established for the existing use. (For example, if a use of surface water was initiated after 1971 without applying to IDWR for a permit.) A new water right is also needed for a new use of water. If you wish to establish a new water right, then there are certain procedures you will need to follow. First, an application for a permit must be filed with IDWR. Application forms are available from IDWR. The information that must be included in the application is described by statute and rules and regulations of IDWR.

IDWR is required to publish notice of the application, and other persons may file protests to the application with IDWR. If protests are filed, then IDWR must hold a hearing. If protests cannot be resolved.

IDWR must then review the application, including any hearing record, and if the application meets the requirements of the statute and the Rules and regulations, a permit is issued. The permit describes the appropriation to be made and the deadline within which the appropriation must be completed.

Prior to the end of the period in which the appropriation must be completed, IDWR sends the permit holder a notice that the deadline is approaching and that the permit holder must submit proof of beneficial use. "Proof of beneficial use" is a term sent to the permit holder by IDWR, that the permit holder fills out and returns to IDWR. In the proof form, the permit holder states that she has completed the appropriation.

After filing the proof form, a field examination must be made. A permit holder may request that the field examination be made by IDWR, in which case an examination fee is required to be paid to IDWR at the time the proof is filed. The permit holder may instead have the field examination completed by a certified field examiner not associated with IDWR, in which case the field examiner submits a report to IDWR after the examination is completed and prior to the proof due date. The purpose of the field examination is to ensure that water is in fact being used as described in the permit. If so, the IDWR issues a license that describes the appropriation that has been completed.

**What is a claim?**

There are two different types of filings that are often called "claims". The first is a "statutory claim" that was filed with IDWR to make a record of an existing beneficial use right. In 1978, a statute was enacted requiring persons with beneficial use rights (other than water rights used solely for domestic purposes as defined above) to record their water rights with IDWR. The purpose of the statute was to provide some means to make records of water rights for which there were previously no records. However, these records are merely affidavits of the water users, and do not result in a license, decree, or other confirmation of the water right.

The other type of claim is a "notice of claim" to a water right that is filed with IDWR in water rights adjudications. An adjudication is a court action for the determination of existing water rights, which results in a decree that confirms and defines each water right. (The application/permit/filing procedure described above is for purposes of establishing new water rights.) When an adjudication of a particular source is commenced, IDWR is required to notify the water users of the commencement of the adjudication, and notify the water users that they are required to file notices of claims for the water rights with IDWR. IDWR then investigates the notices of claims and prepares a report that is filed with the court. Claims of water rights are noticed of the filing of the report, and objections to the report may be filed with the court by anyone who disagrees with the findings in the report. If no objection is filed to a water right described in the report, then the court determines the water right after a hearing and decrees the water right. A general adjudication of the Coeur d'Alene-Spokane River Basin in Idaho is currently ongoing. Information about the Coeur d'Alene-Spokane River Basin Adjudication (CSRAB) is available on the IDWR website.

**Other kinds of water "rights"**

Some persons have a right to receive water that is not an "appropriation". For example, some persons have the right to receive water that is represented by shares in a ditch company. In such cases, the ditch company has the appropriation, and the water users have a right to receive water from the ditch company.

Other examples are persons who receive water from a city, an irrigation district, or a water utility company (such as United Water of Idaho). Again, the water user may have a right to receive water from the city, district, or utility, (usually contingent upon payment of a fee), but does not have an appropriation.

---

Idaho Department of Water Resources
PO Box 83720
322 E Front Street
Boise ID 83720-0098
(208) 287-4300
1-800-451-4129
http://www.idwr.idaho.gov

Revised – July 2015
8. WATER RIGHTS

The City of Hailey provides potable water to City residents from six groundwater wells and the Indian Creek Spring collection facility. The City also provides water for irrigation of public parks, landscaped areas, and open space from shallow wells with hydraulic connection to the Big Wood River, and pump facilities diverting from the Hiawatha Canal. The purpose of this chapter is to:

- Document the City's existing water rights portfolio;
- Determine the adequacy of the City's existing water rights to meet the five-year and twenty-year demand forecasts developed in Chapter 4; and
- Provide a brief discussion of water rights administration in the Big Wood River Valley, including anticipated conjunctive administration of groundwater and surface water rights.

8.1. Current Water Right Portfolio

8.1.1. Potable Supply

The City is authorized to use six wells for delivery of groundwater to City customers through its potable supply system (the River Street, Third Avenue, Woodside, and three Northridge wells). In addition, the City is authorized to divert up to a maximum rate of 3.36 cfs (1,500 gpm) year-round from Indian Creek Spring. The City's water rights for potable supply are currently authorized for use within the City's municipal supply area identified in Figure 2-1. The City's currently-held water rights are summarized in Table 8-1, and copies of pertinent water right documents are provided in Appendix C.
# Table 8-1

## Water Rights Summary, Potable Supply

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<tr>
<th>Water Right No.</th>
<th>Priority Date</th>
<th>Diversion Rate (cfs)</th>
<th>Diversion Rate (gpm)</th>
<th>Authorized Area</th>
<th>Season of Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>37-22670</td>
<td>11/1/1997</td>
<td>1.78</td>
<td>800</td>
<td>City of Hailey</td>
<td>year-round</td>
</tr>
<tr>
<td>37-22671</td>
<td>9/1/1931</td>
<td>0.60</td>
<td>270</td>
<td>municipal service area</td>
<td></td>
</tr>
<tr>
<td>37-2699</td>
<td>8/11/1964</td>
<td>2.00</td>
<td>900</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37-2698</td>
<td>10/29/1964</td>
<td>2.56</td>
<td>1,100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37-7305</td>
<td>11/4/1973</td>
<td>2.62</td>
<td>1,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37-8837</td>
<td>9/10/2001</td>
<td>4.67</td>
<td>2,100</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Authorized from Groundwater**: 6,400 gpm

<table>
<thead>
<tr>
<th>Water Right No.</th>
<th>Priority Date</th>
<th>Diversion Rate (cfs)</th>
<th>Diversion Rate (gpm)</th>
<th>Authorized Area</th>
<th>Season of Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>37-296A</td>
<td>4/1/1880</td>
<td>2.62</td>
<td>1,200</td>
<td>City of Hailey</td>
<td>April 15-October 31</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>municipal service area</td>
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<tr>
<td>37-1216</td>
<td>4/1/1884</td>
<td>0.90</td>
<td>400</td>
<td></td>
<td>November 1-April 14</td>
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<tr>
<td>37-717A</td>
<td>8/1/1907</td>
<td>1.72</td>
<td>770</td>
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<td>year-round</td>
</tr>
<tr>
<td>37-717B</td>
<td>8/1/1907</td>
<td>0.76</td>
<td>340</td>
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<td>year-round</td>
</tr>
<tr>
<td>37-7854</td>
<td>7/23/1980</td>
<td>3.38</td>
<td>1,500</td>
<td>power plant</td>
<td>year-round</td>
</tr>
</tbody>
</table>

**Total Authorized from Indian Creek Spring**: 1,800 gpm

8.1.1.1. **Groundwater Rights**

The City is currently authorized to divert a total of 14.23 cfs (6,400 gpm) from the River St., Third Avenue, Woodside, and three Northridge wells for municipal use (using any combination of the wells). Diversions from the Northridge wells are limited to 4.67 cfs (2,100 gpm). Priority dates for water rights authorizing these diversions range from 1907 to 2001.

The most junior groundwater right (No. 37-8837 for the Northridge wells) is authorized to provide water for domestic uses only. Irrigation of "large projects such as parks, golf courses, or sports activities fields" is specifically prohibited under water right 37-8837.

8.1.1.2. **Rights from Indian Creek Spring**

The City is authorized to divert at the rate of 3.38 cfs (1,500 gpm) year-round from Indian Creek Spring for power generation (37-7854), but the overall diversion rate from the spring is limited to 3.38 cfs. For the municipal water system, the City is

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3 As defined by Idaho Code § 42-111.
authorized to divert up to 2.45 cfs (1,200 gpm) from the spring under any conditions. The City is authorized to divert up to 1,500 gpm if certain minimum flows in Indian Creek are maintained, pursuant to an agreement between the City and the Indian Creek Ranch Owners' Association (ICROA). Priority dates of the City's Indian Creek Spring rights range from 1880 to 1980.

8.1.1.3. Combined Diversion Rates

The total authorized diversion rate for the potable municipal supply under current water rights is 17.61 cfs (7,900 gpm or 11.4 mgd; 6,400 gpm from wells and up to 1,500 gpm from Indian Creek Spring). However, actual supply is limited by flows available from Indian Creek Spring (approximately 700 to 1,000 gpm under current conditions). Under current spring flow conditions, the combined diversion rate from groundwater wells and Indian Creek Spring is limited to approximately 7,200 gpm or 10.4 mgd.

As stated in Section 8.1.1.1, the three Northridge wells are limited to a combined instantaneous diversion rate of no more than 2,100 gpm. Data provided from the City's SCADA system for these wells should be routinely monitored to ensure instantaneous diversions do not exceed the 2,100 gpm limit.

<table>
<thead>
<tr>
<th>Source</th>
<th>Diversion Rate (cfs)</th>
<th>Diversion Rate (gpm)</th>
<th>Diversion Volume (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groundwater</td>
<td>14.23</td>
<td>6,400</td>
<td>9.2</td>
</tr>
<tr>
<td>Indian Creek Spring</td>
<td>3.38</td>
<td>1,500</td>
<td>2.2</td>
</tr>
<tr>
<td>Authorized Total</td>
<td>17.61</td>
<td>7,900</td>
<td>11.4</td>
</tr>
</tbody>
</table>

8.1.2. Non-Potable Supply

The City holds nine surface water rights that are diverted through the Hiawatha Canal from the Big Wood River that can be delivered for non-potable uses (mainly irrigation). In addition, the City holds two decreed water rights and two water right permits for non-potable diversions from groundwater wells. The City's non-potable water rights and water right permits are summarized in Table 8-3. Pertinent water right documents are attached as Appendix C.

---

Water right 37-10717 could be used for potable supply with appropriate water treatment.

---93--
<table>
<thead>
<tr>
<th>Water Right No.</th>
<th>Parent Location</th>
<th>Priority Date</th>
<th>Water Use</th>
<th>Diversion Rate (cfs)</th>
<th>Diversion Rate (gpm)</th>
<th>Authorized Area/Irrigated Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>37-306</td>
<td></td>
<td>4/1/1940</td>
<td>municipal</td>
<td>1.039</td>
<td>466</td>
<td>158.7.</td>
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<tr>
<td>37-107/17</td>
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<td>03/24/1883</td>
<td>municipal</td>
<td>2.850</td>
<td>1,284</td>
<td>Municipal Service Area.</td>
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<tr>
<td>37-22311</td>
<td>Old Cutters Subdivision</td>
<td>03/24/1883</td>
<td>irrigation</td>
<td>1.500</td>
<td>673</td>
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<tr>
<td>37-22316</td>
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<td>03/24/1883</td>
<td>irrigation</td>
<td>0.190</td>
<td>81</td>
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<tr>
<td>37-22321</td>
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<td>03/24/1883</td>
<td>irrigation</td>
<td>0.190</td>
<td>85*</td>
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<tr>
<td>37-22773</td>
<td>Northridge Subdivision</td>
<td>05/01/1888</td>
<td>irrigation</td>
<td>0.135</td>
<td>61</td>
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<td>Streets/ROW</td>
<td>09/18/1865</td>
<td>mitigation</td>
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<td>37-22775</td>
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<td>06/30/1864</td>
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<td>mitigation</td>
<td>0.072</td>
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<td>8.7.</td>
</tr>
</tbody>
</table>

**Total Authorized from Big Wood River:** 5.425 / 2,894 GHD Water

**Total Authorized for Groundwater Mitigation:** 0.308 / Mitigation for 37-2225/37-2231

**Groundwater (mitigated by Big Wood River water rights):**

<table>
<thead>
<tr>
<th>Water Right No.</th>
<th>Priority Date</th>
<th>Water Use</th>
<th>Diversion Rate (cfs)</th>
<th>Diversion Rate (gpm)</th>
<th>Authorized Area/Irrigated Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>37-2225</td>
<td>4/24/2013</td>
<td>irrigation</td>
<td>0.49</td>
<td>220</td>
<td>6.2.</td>
</tr>
<tr>
<td>37-22831</td>
<td>7/15/2013</td>
<td>irrigation</td>
<td>0.33</td>
<td>148</td>
<td>2.6.</td>
</tr>
</tbody>
</table>

**Total Authorized from Mitigated Groundwater:** 0.82 / 368

**Groundwater (currently unmitigated):**

<table>
<thead>
<tr>
<th>Water Right No.</th>
<th>Priority Date</th>
<th>Water Use</th>
<th>Diversion Rate (cfs)</th>
<th>Diversion Rate (gpm)</th>
<th>Authorized Area/Irrigated Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>37-20831</td>
<td>10/14/1977</td>
<td>irrigation</td>
<td>0.21</td>
<td>94</td>
<td>2.9.</td>
</tr>
<tr>
<td>37-22019</td>
<td>3/29/1961</td>
<td>irrigation</td>
<td>0.37</td>
<td>4,205</td>
<td>496.0.</td>
</tr>
</tbody>
</table>

**Total Authorized from Unmitigated Groundwater:** 0.58 / 4,299
Figure 8-1
Location of Non-Potable Supply Water Rights
8.1.2.1. Water Rights from the Big Wood River

The City is currently authorized to divert 6.425 cfs (2,900 gpm) from the Big Wood River for irrigation of approximately 200 acres. In addition, one water right (37-10717) authorizes diversion for any municipal purpose within the municipal supply area. The water right, as decreed, does not include any condition precluding municipal irrigation or limiting the number of acres that may be irrigated under the right. This can be interpreted to mean the right could be used to irrigate an unlimited number of acres within the area of the City of Hailey, as long as the diversion rate does not exceed the decreed 2.86 cfs (1,300 gpm) diversion rate. The locations of the authorized places of use are shown in Figure 7-1. The priority dates for the City's water rights from the Big Wood River range from March 24, 1883 to April 1, 1940.

8.1.2.2. Mitigated Groundwater Rights

In 2013, the City of Hailey applied for and obtained two permits to appropriate water from two shallow groundwater wells to be used to irrigate three City parks (Lions, Hop Porter, and Lawrence Heagle). The locations of the new wells and the park sites are shown in Figure 8-1. These permits are summarized in Table 8-3.

Use of groundwater under each of these new water rights will be mitigated by non-use of portions of City-owned water rights from the Big Wood River, having priority dates ranging from 1883 to 1888. To the extent the surface water rights used as mitigation are in priority, the City is authorized to divert groundwater under these permits.

8.1.2.3. Other Groundwater Rights

The City also holds water rights for the Wood River Middle School site (37-20831) and the Cemetery District (37-22019) that together authorize the diversion of 9.58 cfs (4,300 gpm) from groundwater wells for the irrigation of a total of 495.1 acres. These rights are summarized in Table 8-3, and the well sites and authorized places of use for these rights are shown in Figure 8-1.

8.1.2.4. Water Right Summary

The City's current water right portfolio includes rights authorizing the instantaneous diversion of approximately 6,400 gpm from wells and up to 1,500 gpm from Indian Creek Spring (total of 7,900 gpm) to supply potable water to its citizens. Priority dates for the City's potable groundwater supply rights range from 1907 to 2001. Priority dates for Indian Creek Spring potable supply rights range from 1880 to 1907.

The current portfolio also includes water rights for a 3,270 gpm irrigation supply from the Big Wood River (2,900 gpm in the Hiawatha Canal, and two permits for 370 gpm from wells mitigated by Big Wood River rights). Priority dates for these rights range from 1883 to 1940. Two additional groundwater rights provide for irrigation of Wood River Middle School (94 gpm) and the Hailey Cemetery District (approximately 4,200 gpm). Priority dates for these rights are 1977 and 1961, respectively.
8.2. Water Rights and Demand Projections

This section compares the City's current water right portfolio for potable supply to its current and projected future water needs. This is a comparison between the total diversion quantities authorized by the City's currently-held water rights and calculated demands. Actual system capacities are addressed in Chapter 4.

In Figure 8-2, the projected maximum day demand (MDD) for the potable supply system is compared to the total water volume authorized by existing water rights. Projected MDD will exceed the existing rights from groundwater, plus the production of Indian Creek Spring in 2032. Diversions authorized by the City's current water right portfolio could be sufficient until sometime after 2034, if Indian Creek Spring flows are improved. Additional water rights from groundwater (or more stringent conservation measures) may be required prior to 2034 if flows from Indian Creek Spring continue to decline.

![Figure 8-2](image)

**Figure 8-2**
Water Rights and Projected Maximum Day Demand
8.2.1. Five-Year Forecast

The City’s MDD in five years (2019) is projected to be 7.9 mgd. Current water rights for potable supply authorize the diversion of 11.4 mgd. The City can divert up to 9.2 mgd from its groundwater wells, plus up to 2.2 mgd from Indian Creek Spring. Although Indian Creek Spring flows may decline, the City could satisfy the projected 7.9 mgd forecast using its groundwater rights alone.

Additional water rights will not be required to meet the five-year demand forecast on paper. However, future conjunctive administration of surface water and groundwater rights in Water District 37 (discussed below) has the potential to affect availability of the City’s groundwater rights to meet projected future demand, to the extent their diversion would be determined to cause material injury to senior water rights.

8.2.2. Twenty-Year Forecast

The City’s MDD in twenty years (2034) is projected to be 10.6 mgd, which is slightly below the total 11.4 mgd authorized by City water rights. However, existing water sources can only supply 10.4 mgd, due to currently reduced flows from Indian Creek Spring.

Additional water rights may be required to meet the twenty-year demand forecast. As with the projected five-year forecast, conjunctive administration has the potential to further affect the City’s ability to meet projected demand to the extent diversion of City-held water rights would be determined to cause material injury to senior water rights.

8.3. Water Right Administration in the Upper Big Wood River Valley

The City lies within the Big Wood River Groundwater Management Area and the Eastern Snake River Plain Moratorium Area, and groundwater and surface water rights are subject to administration by the Water District 37 watermaster. Developing new water rights in Water District 37 is difficult and most new rights must have authorized mitigation plans in place prior to development. In addition, it is anticipated that IDWR will begin more aggressive administration of groundwater and surface water as interconnected sources in the near future through “conjunctive administration” which is discussed briefly below.

Conjunctive Administration (Administration by Priority)

Water rights in Idaho are delivered by priority date. Thus, early-priority or “senior” water rights hold more value relative to later-in-time “junior” rights because they are deliverable a greater percentage of time in any given year. Although this was once true for surface water (stream and spring sources) only, IDWR issued a Preliminary Order on September 17, 2013 which included Upper Wood River Valley groundwater rights in Water District 37 and established administration of groundwater and surface

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"As between appropriators, the first in time is first in right." (Idaho Code § 42-105)
water rights in the Hailey area under its Conjunctive Management Rules ("CMRs") by the local area watermaster.  

Under the CMRs, before a particular junior-priority groundwater right may be curtailed to deliver water to a senior-priority right holder, the senior must be determined to be materially injured by the junior diversion. Where material injury is established, the Director of IDWR may (1) phase in regulation over a five-year period to lessen the economic impact of immediate, complete curtailment, and/or (2) allow out-of-priority diversion by junior-priority water users operating under a mitigation plan that has been submitted, processed and approved under the requirements of the CMRs.

IDWR is currently developing the framework for conjunctive administration of groundwater and surface water rights in the Wood River Valley. Conjunctive administration likely will proceed in the following step-wise manner (in order, with some overlap):

- Installation of measuring devices - Measuring devices are now required on most groundwater delivery systems;
- Monitoring of groundwater diversion rates and/or volumes - Groundwater use will be increasingly monitored and recorded by the Water District 37 Watermaster or an appointed deputy;
- Construction of a groundwater flow model - A groundwater flow model for the Wood River Valley is being constructed by IDWR and the United States Geological Survey (USGS);
- Administration of surface water and groundwater rights - Groundwater rights will ultimately be administered (and possibly curtailed) in response to one or more delivery calls by senior-priority water right holders asserting their water rights are being materially injured by junior-priority groundwater uses.

The priority status of the City’s water rights relative to other rights in the Wood River Valley is discussed in Section 8.3.1.

8.3.1. Priority Status of the City’s Water Rights

In this section, we summarize the general priority dates of water rights in the Wood River Valley as they relate to City-owned water rights.

8.3.1.1. Big Wood River Water Rights

Water rights authorizing diversions from the Big Wood River downstream of the Hiawatha Canal that are senior to City water rights in the Big Wood River have priority

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8 "Rules for Conjunctive Management of Surface and Ground Water Resources" (IDAPA 37.03.11)
7 The Preliminary Order became a Final Order on October 4, 2013.
dates which range from June 10, 1880 to December 31, 1887. The City’s Big Wood River water rights (with priority dates ranging from 1883 to 1940) have historically been administered by the local watermaster and curtailed by priority each year as stream flows declined.

SPF has reviewed water district records for the period from 1975 to the present and determined the frequency and timing of priority date curtailments by the Watermaster (known as “cuts”). The priority dates impacting the City’s Big Wood River water rights are summarized in Table 8-4. The City’s Big Wood River priority dates (and associated diversion rates) are highlighted in the table for reference. The largest diversion rate available under City-owned Big Wood River water rights is associated with the March 24, 1883 priority date (2,200 gpm).

The value of each of the City’s Big Wood River water rights depends on its priority date and resulting period of availability to meet City water demands during the irrigation season. It is the priority date that will protect City-owned or resident-owned irrigated assets (lawns, gardens, parks, landscaping, etc.) by either (1) providing a direct source of supply for irrigation, or (2) providing mitigation for consumptive junior-priority groundwater uses. In either case, the City’s Big Wood River water rights (or groundwater rights such as those used to irrigate Lions, Hop Porter and Lawrence Heagle Park under approved mitigation plans) could be subject to seasonal curtailment during most years.

The diversion rates associated with City rights having 1884, 1885, and 1888 priority dates overlap the water right with the 1883 water right obtained by the City when Northridge Subdivision was developed (Table 8-3). These later-in-time rights authorize additional diversion rate to land irrigated by the 1883 Northridge surface water right, but authorize no additional irrigated area. The 1884, 1885, and 1888 water rights cannot be “unstacked” and will remain associated with the 1883 Northridge right. Because the rights are associated with a March 24, 1883 base right, this analysis is limited to the City rights with March 24, 1883 priority dates.

In the 39-year period reviewed, the City’s March 24, 1883 rights were partially or fully curtailed 17 times (approximately 4 years out of 10, or 40% of the years). The median first curtailment date was August 12. The 1883 rights (authorizing a maximum diversion rate of 2,200 gpm) have been available without curtailment during most years (6 years out of 10, or 60% of the years). The earliest date of curtailment on record was July 1; this was a 50% cut that occurred once in 1994, followed by a complete cut by July 12 that same year.

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8 The City’s priority dates in the Big Wood River range from March 24, 1883 to May 1, 1888, with the exception of water right 37-908, which has a 1940 priority date. The 1940 date is significantly junior to other Big Wood River rights, and is not considered in this analysis.
9 Although Big Wood River water rights may be curtailed at some time during the summer, the rights are sometimes available again later in the season as demand declines.
Table 8-4
Historical Curtailment Dates – Rights Senior to City Big Wood River Rights
(Hailey’s Priority Dates Highlighted)

<table>
<thead>
<tr>
<th>Priority Date</th>
<th>No. of Yrs. Cut since 1979</th>
<th>Earliest Cut Date</th>
<th>Median Cut Date</th>
<th>Typical Diversion Rate (gpm)</th>
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<td>7/1/1881</td>
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</tr>
<tr>
<td>7/3/1881</td>
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<td>7/29</td>
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<td></td>
</tr>
<tr>
<td>5/1/1882</td>
<td>2</td>
<td>7/6</td>
<td></td>
<td></td>
</tr>
<tr>
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<th>Median Cut Date</th>
<th>Typical Diversion Rate (gpm)</th>
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<td>5/22</td>
<td>7/23</td>
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<td>7/15/1864</td>
<td>26</td>
<td>5/22</td>
<td>7/23</td>
<td></td>
</tr>
<tr>
<td>8/1/1864</td>
<td>26</td>
<td>5/22</td>
<td>7/21</td>
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<td>9/16</td>
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<tr>
<td>7/15/1865</td>
<td>30</td>
<td>9/16</td>
<td>7/22</td>
<td></td>
</tr>
<tr>
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<td>30</td>
<td>9/16</td>
<td>7/22</td>
<td></td>
</tr>
<tr>
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<td>30</td>
<td>9/16</td>
<td>7/22</td>
<td></td>
</tr>
<tr>
<td>5/1/1866</td>
<td>31</td>
<td>4/1</td>
<td>7/22</td>
<td></td>
</tr>
<tr>
<td>6/1/1866</td>
<td>31</td>
<td>4/1</td>
<td>7/22</td>
<td></td>
</tr>
<tr>
<td>6/9/1866</td>
<td>31</td>
<td>4/1</td>
<td>7/22</td>
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<td>7/18</td>
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<td>4/1</td>
<td>7/15</td>
<td></td>
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<td>5/1/1867</td>
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<td>7/16</td>
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<td>4/1</td>
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<td>4/1</td>
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<td>7/15</td>
<td></td>
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<td>4/1</td>
<td>7/16</td>
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<td>4/1</td>
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<tr>
<td>11/15/1867</td>
<td>34</td>
<td>4/1</td>
<td>7/16</td>
<td></td>
</tr>
</tbody>
</table>

---101--
8.3.1.2. Indian Creek Spring Water Rights

The City holds water rights in Indian Creek Spring that authorize diversions for municipal use. These rights have priority dates ranging from April 1, 1880 to August 1, 1907. All rights from Indian Creek Spring and Indian Creek are summarized in Table 8-5, with the City’s rights highlighted for reference. The only other water right holder in the Indian Creek drainage is the Indian Creek Ranch Owners’ Association (ICROA), with the exception of the Mandeville Damasco Trust which is currently developing a right under a permit with a 2012 priority date. Table 8-5 does not include the Mandeville Damasco permit.

The City has the most-senior water right in the Indian Creek drainage (37-296A) with an 1880 priority date. In addition, the City’s water right is protected from the ICROA rights with the same priority date by the following condition placed on the partial decree of 37-296A: “Pursuant to a call in times of scarcity, this right is senior to Water Right Nos. 37-296B and 37-296C.” Water right 37-296A is limited to the irrigation season only.

A general provision for Administrative Basin 37, now incorporated in the SRBA District Court’s final unified decree provides that early water rights with their source in Indian Creek Spring are to be “administered separately from all other water rights in Basin 37.” This general provision provides significant insulation to the City’s Indian Creek Spring water rights in the event of a delivery call by other water right holders diverting water in Basin 37. For this reason, the City should consider opportunities and strategies to maintain or increase spring flows from Indian Creek Spring to maximize access to this water source within the authorized limits of its water rights.

As noted above, water rights from the Big Wood River with priority dates senior to July 1, 1881 have not been curtailed historically. Even if Indian Creek Spring had been administered as a connected stream, water right 37-296A (with its 1880 priority date) would not have been curtailed in the past based on historical water delivery records.
### Table 8-5
Priority Dates in the Indian Creek Drainage
(Hailey’s Priority Dates Highlighted)

<table>
<thead>
<tr>
<th>Water Right No</th>
<th>Priority Date</th>
<th>Water Use</th>
<th>Diversion Rate (cfs)</th>
<th>Diversion Rate (gpm)</th>
<th>Diversion Volume (ac-ft)</th>
<th>Source</th>
<th>Season of Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>37-296A</td>
<td>04/01/1980</td>
<td>municipal</td>
<td>2.62</td>
<td>1,200</td>
<td></td>
<td>Indian Creek Spring</td>
<td>April 15-October 31</td>
</tr>
<tr>
<td>37-296B</td>
<td>04/01/1980</td>
<td>irrigation</td>
<td>2.72</td>
<td>1,200</td>
<td></td>
<td>Indian Creek</td>
<td>April 15-October 31</td>
</tr>
<tr>
<td>37-296C</td>
<td>04/01/1980</td>
<td>irrigation</td>
<td>4.01</td>
<td>1,800</td>
<td></td>
<td>Indian Creek</td>
<td>April 15-October 31</td>
</tr>
<tr>
<td>37-12216</td>
<td>04/01/1984</td>
<td>municipal</td>
<td>0.90</td>
<td>400</td>
<td></td>
<td>Indian Creek Spring</td>
<td>November 1-April 14</td>
</tr>
<tr>
<td>37-2174A</td>
<td>04/01/1997</td>
<td>municipal</td>
<td>1.72</td>
<td>750</td>
<td></td>
<td>Indian Creek Spring</td>
<td>November 1-April 14</td>
</tr>
<tr>
<td>37-2174B</td>
<td>03/17/1997</td>
<td>municipal</td>
<td>0.70</td>
<td>300</td>
<td></td>
<td>Indian Creek Spring</td>
<td>year-round</td>
</tr>
<tr>
<td>37-19740</td>
<td>09/1/1991</td>
<td>irrigation from storage</td>
<td>367.5</td>
<td>22.5</td>
<td>Indian Creek</td>
<td>year-round</td>
<td></td>
</tr>
<tr>
<td>37-21412</td>
<td>08/22/1972</td>
<td>aesthetic storage</td>
<td>22.5</td>
<td>367.5</td>
<td>22.5 Indian Creek</td>
<td>year-round</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>wildlife</td>
<td></td>
<td></td>
<td></td>
<td>Indian Creek Spring</td>
<td>year-round</td>
</tr>
<tr>
<td>37-2294</td>
<td>12/23/1990</td>
<td>power</td>
<td>1.60</td>
<td>388</td>
<td></td>
<td>Indian Creek Spring</td>
<td>year-round</td>
</tr>
<tr>
<td>37-6721</td>
<td>04/08/1991</td>
<td>recreation storage</td>
<td>1.6</td>
<td>388</td>
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<td>Indian Creek</td>
<td>year-round</td>
</tr>
<tr>
<td>37-6872</td>
<td>05/23/1991</td>
<td>wildlife storage</td>
<td>3.3</td>
<td>1,800</td>
<td></td>
<td>Indian Creek</td>
<td>year-round</td>
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<tr>
<td>37-6873</td>
<td>05/23/1991</td>
<td>wildlife storage</td>
<td>0.9</td>
<td>388</td>
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<td>year-round</td>
</tr>
<tr>
<td></td>
<td></td>
<td>wildlife</td>
<td></td>
<td></td>
<td></td>
<td>Indian Creek Spring</td>
<td>year-round</td>
</tr>
<tr>
<td>37-22524</td>
<td>03/25/2011</td>
<td>aesthetic</td>
<td>1.00</td>
<td>500</td>
<td>724.0</td>
<td>Indian Creek</td>
<td>year-round</td>
</tr>
</tbody>
</table>

### 8.3.1.3. Groundwater Rights
The City’s groundwater rights authorizing diversions for potable supply have priority dates ranging from 1907 to 2001. Two additional groundwater rights authorizing irrigation of Wood River Middle School and the Cemetery District have priority dates of 1977 and 1961, respectively. The potable rights are summarized in Table 8-1, and the non-potable rights in Table 8-3.

Because of their junior priority dates, the City should consider these groundwater rights as subject to conjunctive administration in the event of a delivery call, in which case the City would be required to (1) curtail diversions to the extent they result in depletions to groundwater supplies or flows in the Big Wood River that cause material injury to senior calling rights; or (2) provide mitigation to offset the depletions causing material injury. Of the various uses of the City’s municipal rights, irrigation has the highest consumptive use and greatest potential to impact both the groundwater source and flows in hydraulically connected reaches of the Big Wood River. The consumptive use of most other municipal uses under the City’s groundwater rights is relatively small.
8.4. Summary of Recommendations

Table 8-9 summarizes water right recommendations over the 20-year planning period.

<table>
<thead>
<tr>
<th>Timeframe</th>
<th>Suggested Water Right Maintenance</th>
<th>Issue</th>
<th>Solution</th>
<th>Task</th>
</tr>
</thead>
<tbody>
<tr>
<td>2023</td>
<td>New Well in 2024 to meet IDEQ requirement for redundant supply</td>
<td>Drill a new well (2024)</td>
<td>File a transfer application with IDWR to add a new point of diversion to existing ground water rights</td>
<td></td>
</tr>
<tr>
<td>2032</td>
<td>New Well in 2033 to meet IDEQ requirement for redundant supply</td>
<td>Drill a new well (2033)</td>
<td>File a transfer application with IDWR to add a new point of diversion to existing ground water rights</td>
<td></td>
</tr>
<tr>
<td>Future</td>
<td>Demands exceed existing groundwater water rights</td>
<td>Acquire new water rights for groundwater</td>
<td>Monitor 5-year water facility master plans for increasing demands; apply for new water rights as needed for reasonably anticipated future needs (RAFN)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tasks Related to Conjunctive Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ongoing Limited future water supply for existing uses</td>
</tr>
<tr>
<td>Ongoing Conjunctive administration may limit consumptive uses</td>
</tr>
<tr>
<td>Ongoing Conjunctive administration may limit consumptive uses</td>
</tr>
<tr>
<td>2015 Limited future water supply for additional development</td>
</tr>
<tr>
<td>2015 all Indian Creek Spring water rights</td>
</tr>
<tr>
<td>Future Regional solutions may develop to meet conjunctive administration requirements</td>
</tr>
<tr>
<td>Future Limited future water supply for irrigation use</td>
</tr>
</tbody>
</table>
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 9-21-2015  DEPARTMENT: CDD  DEPT. HEAD SIGNATURE: LH

SUBJECT: Consideration for a Final Plat approval for a condominium plat/subdivision of an existing 4-Plex building located on Lots 3&4, Block 66, Hailey Townsite (521 River Street North), represented by ARCH Community Housing Trust. The existing building, an apartment building, is situated on a parcel comprising 7,187 square feet (.165 acres). The applicant proposes divide the building up into four units: Unit 1, Unit 2, Unit 3, and Unit 4. Units 1 and 3 comprise 712.8 sf while units 2 and 4 comprise 710.16 sf.

AUTHORITY: ☐ ☐ IAR ☐ City Ordinance/Code Zoning Ordinance No. 532 (IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Procedural History
- Planning and Zoning Public Hearing: August 24, 2015

Summary
The Planning & Zoning Commission considered an application for Preliminary Plat for a condo conversion of an existing 4-Plex building located on Lots 3&4, Block 66, Hailey Townsite (521 River Street North). After receiving public comment, consideration of all information presented, and deliberation among the Commissioners, the Planning and Zoning Commission voted to recommend approval of the application to the Hailey City Council.

The Council considered this project at the September 21, 2015 City Council meeting. Questions were raised by members of the public regarding the nonconforming parking. Since ARCH was not able to attend the meeting due to a family emergency, the project was continued on the record until October 5, 2015.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
None

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)
☒ City Administrator ☐ Library ☐ Benefits Committee
☒ City Attorney ☐ Mayor ☐ Streets
☒ City Clerk ☒ Planning ☐ Treasurer
☒ Building ☐ Police ☒ Sustainability
☒ Engineer ☒ Public Works, ☐ ☒ P & Z Commission
☐ Fire Dept. ☒ Parks

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Approve the Final Plat for a condominium plat/subdivision of an existing 4-Plex building located on Lots 3&4, Block 66, Hailey Townsite (521 River Street North) thereby creating four units.

ACTION OF THE CITY COUNCIL:
Date: ____________
City Clerk ______________

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

TO: Hailey City Council

FROM: Lisa Horowitz, Community Development Director

RE: Final Plat – 521 River Street Condominiums

HEARING: October 5, 2015

Applicant: ARCH Community Housing Trust

Project: 521 River Street Condominiums

Request: Final Plat Approval

Location: Lots 3 & 4, Block 66, Hailey Townsite

Zoning: Business District (B)

Notice

Planning and Zoning – Preliminary Plat
  • Notice for the public hearing was published in the Idaho Mountain Express on August 5, 2015; the notice was mailed to public agencies and to property owners within 300 feet on August 3, 2015.

City Council – Final Plat
  • Notice for the public hearing was published in the Idaho Mountain Express on September 2, 2015; the notice was mailed to property owners within 300 feet on September 1, 2015.

Application

ARCH Community Housing Trust has submitted an application for Final Plat approval for a condominium plat/subdivision of an existing 4-Plex building located on Lots 3&4, Block 66, Hailey Townsite (521 River Street North). The property is currently zoning Business and is within the Townsite Overlay. The existing building, an apartment building, is situated on a parcel comprising 7,187 square feet (.165 acres). The applicant proposes divide the building up into four units: Unit 1, Unit 2, Unit 3, and Unit 4. Units 1 and 3 comprise 712.8 sf while units 2 and 4 comprise 710.16 sf.

Procedural History and Background

On August 24, 2015, the Hailey Planning and Zoning Commission considered the proposed Preliminary Plat and held a public hearing. After receiving public comment, consideration of all
information presented, and deliberation among the Commissioners, the Planning and Zoning Commission voted to recommend approval of the application to the Hailey City Council.

The Council considered this project at the September 21, 2015 City Council meeting. Questions were raised by members of the public regarding the nonconforming parking. Since ARCH was not able to attend the meeting due to a family emergency, the project was continued on the record until October 5, 2015.

Staff has reviewed the parking, and the standards of review. The existing parking meets both minimal dimensional requirements and the number of stalls required for four units. In addition, Section 9.1.2.A of the Zoning Code stipulates that continuation of an existing use does not trigger the need for additional parking. For these reasons, staff does not believe the curb line needs to be modified. However, in a few places the curb is damaged.

The project next door, River Street Station, was required to fix damaged curbs and sidewalk section when the building was condominiumized in 2013. The following curbs show modest damage in the sidewalk section abutting the ARCH project; however, Public Works staff feels this damage may be due to the municipal meter vault. They further feel the damage is too minor to merit repair at this time.

Staff recommends that moveable trash bins and other items not be stored in the walkway at the back of the parking area.
Department Comments

Life/safety issues: No Comments

Water and Sewer issues: If the existing water and wastewater connection is to be used for this condo conversion, instead of installing separate water and wastewater connections for each unit, the CC&Rs must state that the owner’s association is responsible for repairs and maintenance of the service lines and utility bills.

Engineering issues:
A condition of approval has been added re-iterating that tenants may not park in the public right of way in the winter, or they will be towed.

Standards of Evaluation:

BULK REQUIREMENTS:
4.3.5 Bulk Requirements. For other supplementary location and bulk regulations, see Article VII.
• The existing 4-plex meets current standards.

SECTION 4 - DEVELOPMENT STANDARDS
4.0 General Standards.
The configuration and development of proposed subdivisions shall be subject to and meet the provisions and standards found in this Ordinance, the Zoning Ordinance and any other applicable Ordinance or policy of the City of Hailey, and shall be in accordance with general provisions of the Comprehensive Plan.

4.1 Streets.
Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.

- Streets are existing and are provided.

4.1.1-4.1.11 Streets and Driveways

- Not applicable as streets as driveways are existing and comply with City standards.

4.1.10.5 Private streets shall have adequate and unencumbered 10-foot wide snow storage easements on both sides of the street, or an accessible dedicated snow storage easement representing not less than twenty-five (25%) of the improved area of the private street. Private street snow storage easements shall not be combined with, or encumber, required on-site snow storage areas.

- Snow storage as required is provided. Total hard surface is 1,330 sf and 25% of that is 334 sf. This is provided on the North and South sides of the lot. Refer to site plan.

4.1.12 A parking access lane shall not be considered a street, but shall comply with all regulations set forth in the IFC and other applicable codes and ordinances. Development of lots will be in compliance.

- Not applicable. No new parking access lanes are proposed

4.1.13 Required fire lanes, whether in private streets, driveways or parking access lanes, shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.

- Existing.

4.2 Sidewalks and Pathways
4.2.1 Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.

- Existing sidewalks, curb, and gutter are provided within the City right of way. Parking is existing and non-conforming, according to the Zoning Ord §9.2.1(E), in that vehicular access is within the public right of way and between the sidewalk and the primary frontage of the building.

- Staff recommends that damaged curb sections be repaired.
4.2.1.1 Sidewalks and drainage improvements shall be located and constructed according to applicable City Standards, except as otherwise provided herein.

4.2.1.2 The length of Sidewalks and drainage improvements constructed shall be equal to the length of the subject property line(s) adjacent to any Public Street or Private Street.
   - Existing sidewalks, curb, and gutter are provided within the City right of way.

4.2.1.3 New Sidewalks shall be planned to provide pedestrian connections to any existing and future sidewalks adjacent to the site.

4.2.1.4 Sites located adjacent to a Public Street or Private Street that are not currently thru-streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.

4.2.2 Pathways. The Developer shall install all non-vehicular pathways, to City Standards, in all areas within or adjacent to the property to be developed where Pathways are depicted upon the Master Plan.
   - Not applicable. No new pathways are proposed.

4.2.3 – 4.2.4 No alternatives are proposed at this time.

4.3 Alleys and Easements.

4.3.1 Alleys shall be provided in all Business District and Limited Business District developments where feasible.
   This standard is not applicable because the property is within the GR district.

4.3.2 – 4.3.6 These standards relate to alleys and are not applicable because no alleys are proposed or required.

4.3.7 Where alleys are not provided, easements of not less than ten (10) feet in width may be required on each side of all rear and/or side lot lines (total width = 20 feet) where necessary for wires, conduits, storm or sanitary sewers, gas and water lines. Easements of greater width may be required along lines, across lots, or along boundaries, where necessary for surface drainage or for the extension of utilities.
   - Easements as depicted will be provided.

4.3.8 Easements. Easements, defined as the use of land not having all the rights of ownership and limited to the purposes designated on the plat, shall be placed on the plat as appropriate. Plats shall show the entity to which the easement has been granted. Easements shall be provided for the following purposes:
   - Easements are shown as required on the plat.
4.3.8.1 To provide access through or to any property for the purpose of providing utilities, emergency services, public access, private access, recreation, deliveries or such other purpose. Any subdivision that borders on the Big Wood River shall dedicate a 20-foot wide fisherman's access easement, measured from the Mean High Water Mark, which shall provide for non-motorized public access. Additionally, in appropriate areas, an easement providing non-motorized public access through the subdivision to the river shall be required as a sportsman’s access.

- Not applicable.

4.3.8.2 To provide protection from or buffering for any natural resource, riparian area, hazardous area, or other limitation or amenity on, under, or over the land. Any subdivision that borders on the Big Wood River shall dedicate a one hundred (100) foot wide riparian setback easement, measured from the Mean High Water Mark, upon which no permanent structure shall be built, in order to protect the natural vegetation and wildlife along the river bank and to protect structures from damage or loss due to river bank erosion. A twenty-five (25) foot wide riparian setback easement shall be dedicated adjacent to tributaries of the Big Wood River. Removal and maintenance of live or dead vegetation within the riparian setback easement is controlled by the applicable bulk requirement of the Flood Hazard Overlay District. The riparian setback easement shall be fenced off during any construction on the property.

- Not applicable.

4.3.8.3 To provide for the storage of snow, drainage areas or the conduct of irrigation waters. Snow storage areas shall be not less than twenty-five percent (25%) of parking, sidewalk and other circulation areas. No dimension of any snow storage area may be less than 10 feet. All snow storage areas shall be accessible and shall not be located over any above ground utilities, such as transformers.

- Snow storage easements are depicted on the site plan and meet the 25% requirement.

4.4 Blocks, 4.5 Lots, 4.6 Orderly Development, 4.7 Perimeter Walls, Gates and Berms, 4.8 Cuts, Fills, Grading and Drainage, 4.9 Overlay Districts

- All above requirements have been met in previous construction of existing facilities.

4.10 Parks, Pathways and Other Green Spaces.

4.10.1.1 - 4.10.1.2 Parks and Pathways.

- Not applicable.

CONDOMINIUMS (Section 7 of the Subdivision Ordinance)
SECTION 7 - CONDOMINIUMS.

The purpose of this section is to set forth special provisions for property created or converted pursuant to the Condominium Property Act, Idaho Code §§55-1501 et seq., as amended.

7.1 Plat Procedure. The Developer of a condominium project shall submit with the preliminary plat application as required by this Ordinance a copy of the proposed by-laws and condominium declarations of the proposed condominium development. The documents shall adequately provide for the control (including billing where applicable) and maintenance of all common utilities, common area, recreational facilities, and Green Space. The Developer may submit a final plat application following inspection and approval by the Building Inspector of the footings and setbacks of the condominium building. Prior to final plat approval, the Developer shall submit to the City a copy of the final by-laws and condominium declarations to be recorded with the County Recorder, including the instruments number(s) under which each document was recorded.

- 521 North River Street by-laws and condominium declarations have been submitted. The City has not and will not in the future determine the enforceability or validity of the Declaration of Covenants, Conditions, and Restrictions or other private agreements.

7.2 Garages. All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular condominium units. Detached garages may be platted on separate sub-lots, provided that the ownership of detached garages is appurtenant to specific condominium units on the condominium plat and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the condominium project.

- No garages are proposed.

7.3 Storage/Parking Areas. Condominium projects shall provide parking spaces according to the requirements of Article IX of the Zoning Ordinance.

- Parking is existing and non-conforming, according to the Zoning Ord §9.2.1(E), in that vehicular access is within the public right of way and between the sidewalk and the primary frontage of the building. The dimensional requirements of the parking stalls have been met.

- The existing platted street and sidewalk are nonconforming in that the parking is accessed across the sidewalk. Staff has requested that the parking area be called out on the plat, and a note added requiring a minimum of six (6) parking spaces be retained.

7.4 Construction Standards. All condominium project construction shall be in accordance with the IBC, IRC and IFC.
7.5 General Applicability. All other provisions of this Ordinance and all applicable ordinances, rules and regulations of the City and all other governmental entities having jurisdiction shall be complied with by Condominium developments.

- Upon meeting proposed conditions of approval, the proposed application does not appear to conflict with other provisions.

7.6 Conversion. The conversion by subdivision of existing units into Condominiums shall not be subject to Section 4.10 of this Ordinance.

Summary and Suggested Conditions

The Council shall review the proposed plat and continue the public hearing, approve, conditionally approve, or deny the final plat.

The following conditions are suggested to be placed on any approval of this application:

a) All Fire Department and Building Department requirements shall be met.
b) The final plat shall include a note stating that the subdivision is subject to the recorded CC&Rs, with the instrument numbers thereof.
c) The final plat submitted for signature shall include plat notes 1 through 3 on Sheet 1 and 1 through 7 on Sheet 2 as stated on the approved final plat.
d) The Association shall be responsible for payment of utilities. Billing and utility payment information shall be addressed in the Condominium Declarations. An agreement with the city for the delivery of water and sewer services stating that the owner's association shall be responsible for payment of utilities and repairs and maintenance of the service lines is still required and is carried over as a condition of approval.
e) All City infrastructure requirements shall be met as outlined in the Hailey Subdivision Ordinance and further detailed in the Findings of Fact as approved. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department approval and shall meet City Standards where required. Infrastructure to be completed at the applicant's sole expense and shall include all infrastructure improvements as identified in the Findings of Fact.
f) The final plat shall be recorded within one year of the date of final plat approval (unless otherwise provided for within a phasing agreement.) The final plat submitted for signature shall conform to the requirements found in Article 50-13 (et. seq.) of the Idaho Code (as amended) and to the requirements set forth by Blaine County for digital plat submittals. The applicant shall provide the City with a letter-size or ledger-size photocopy of the recorded plat showing the instrument number and date of recordation.
g) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.
h) Any subdivision inspection fees due shall be paid prior to recording the final plat.
i) Any application development impact fees shall be paid prior to recording the final plat.
j) The existing non-conforming parking is allowed to remain. The parking area shall be noted on the plat and a minimum of six (6) parking spaces shall be retained. The
walkway area behind the parking shall be kept free and clear.
k) No overnight parking shall occur in the public right of way, or vehicles will be towed pursuant to Title 12.

**Motion Language:**
Approval:
Motion to approve the Final Plat for 521 River Street Condominium, submitted by ARCH Community Housing Trust, finding that the application meets City Standards, subject to conditions a-k.

Denial:
Motion to deny Final Plat for 521 River Street Condominium, submitted by ARCH Community Housing Trust, finding that _______________________[the Council should cite which standards are not met and provided the reason why each identified standard is not met].

Continuation:
Motion to continue the public hearing upon the Final Plat for 521 River Street Condominium, submitted by ARCH Community Housing Trust to _______________________[the Council should specify a date].
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10/05/15 DEPARTMENT: Community Development DEPT. HEAD SIGNATURE: LH

SUBJECT: Natural Grocers Private Road

AUTHORITY: □ ID Code □ IAR □ City Ordinance/Code 5.20

(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
On September, 2015 the Planning and Zoning Commission approved an application by Leadership Circle, LLC on behalf of 710 N Main, LLC and Lots of Lemon, LLC for a 15,000 square-foot commercial building housing a Specialty Retail Grocer (Natural Grocers) to be located at 700-710 N. Main Street, Hailey (Lot 1, Block 1, North Hailey Business Center, Lots of Lemon Subdivision Lots 1 and 2 and Tax Lot 4451) within the Business (B) Zoning District.

The proposal includes a new private road connecting Main Street to First Avenue, to be located to the south of the Natural Grocers Store. One curb cut on Main Street will be consolidated to create the new street. The new private street would have a 42' right of way profile, within which is two 12' drive lanes, two 4' bike lanes, two 6' sidewalks on either side. Two street lights (City standard) are shown on the south side of the new Private Street; one near Main Street and one near First Avenue. The Planning and Zoning Commission recommends that the sidewalk on the south side of the new road does not need to be installed until these properties redevelop, so only the northern (Natural Grocers) sidewalk would be installed at this time. Bike lanes, roadway, curb and gutter will be installed on both sides.

Community Development and Public Works staffs are in favor of this private road for the following reasons:

1) This area is one of the longest blocks in downtown Hailey, and the private road will create good connectivity between First Avenue and Main Street, particularly for pedestrian and bicyclists.
2) The proposed road is the same profile as the private road recently approved by the Council across Main Street between Kings and Goode Motors. The two roads will work in tandem to increase our bike/pedestrian connectivity in this part of town.
3) The design of the private road contains bicycle and pedestrian improvements consistent with Title 18, Mobility Ordinance.
4) The road will be fully maintained by the private property owners, to City standards. The City will maintain the crosswalks at Main and First Avenue that are in the public right of way.

Note that the Subdivision Ordinance (4.1.10.3) requires Private Streets to be called out on the plat underlying the street. This is suggested as a condition of approval.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

<table>
<thead>
<tr>
<th>Budget Line Item #</th>
<th>YTD Line Item Balance $</th>
<th>Estimated Completion Date</th>
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Staff Contact: Lisa Horowitz Phone # 788-9815 #13

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

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<td>Streets</td>
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<td>Mayor</td>
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RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve a new private road located on the side of Lots of Lemon Subdivision Lots 1 and 2 and Tax Lot 4451 (Natural Grocers) as shown on the attached site plans, subject to the following conditions:
1) The sidewalk on the south side does not need to be constructed until such time as the property to the south is redeveloped.
2) All City construction standards shall be met.
3) The road shall be maintained to City standards, including snow plowing, resurfacing, sweeping and other routine maintenance.
4) Sidewalk striping shall conform to City Street Department Standards.
5) The plat shall be modified to delineate the street as required by Subdivision Ordinance 16. 4.1.10.3.

Administrative Comments/Approval:
City Administrator ____________________ Dept. Head Attend Meeting (circle one) Yes  No

Action of the City Council:
Date ____________________
City Clerk ____________________

Follow-Up:
*Ord./Res./Agmt./Order Originals: *Additional/Exceptional Originals to: ____________________
Copies (all info.): Copies
Instrument # ____________________
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10/5/15  DEPARTMENT: PW  DEPT. HEAD SIGNATURE: ___MM

SUBJECT: Ordinance No._____, amending Title 13, Water and Wastewater of the Hailey Municipal Code, to reflect the recent Council discussion regarding the desire to calculate multi-family dwellings based on the number of units as well as other amendments that will be reflected in the upcoming water and wastewater fee resolution.

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
The following changes are included in the proposed ordinance amendment:

- Create definitions for dwelling unit and multiple-family dwelling.
- When calculating fees for water and wastewater divide usage amongst the number of units and quantify the average number of gallons used per unit separately, each with the bond and base fee for water included and for wastewater the bond included.
- Create a section specifically addressing fill spout fees and permits.
- Change the circuit breaker fee to allow a reduction in the meter and bond fees for wastewater since there is no longer a wastewater base fee.
- Create the authority for the following administrative fees:
  - Insufficient funds and returned payments
  - Account transfers
- Fee waiver for 24 hour water turn on/off.

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

- X City Attorney
- Library
- Safety Committee
- Streets
- Clerk / Finance Director
- Planning
- P & Z Commission
- Public Works
- Engineer
- Fire Dept.
- Police
- Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Motion to approve Ordinance No._____, amending Title 13, Water and Wastewater and to conduct the first reading by title only.

ACTION OF THE CITY COUNCIL:
Date

City Clerk

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: Record Copies (all info.):
*Additional/Exceptional Originals to: Copies (AIS only)
Instrument # __________________
HAILEY ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF HAILEY AMENDING CHAPTERS 13.02 AND 13.04 OF THE HAILEY MUNICIPAL CODE, BY AMENDING SECTION 13.02.010(A) TO ADD DEFINITIONS OF DWELLING UNIT AND MULTIPLE-FAMILY DWELLING; BY AMENDING SECTION 13.04.130(A) TO CREATE AN EXCEPTION ON THE METHOD OF CALCULATING WATER USER FEES FOR MULTIPLE-FAMILY DWELLINGS AND TO CREATE AUTHORITY TO CHARGE FEES FOR USE OF A MUNICIPAL FILL SPOUT; BY AMENDING SECTION 13.04.130(B) TO CREATE AN EXCEPTION ON THE METHOD OF CALCULATING WASTEWATER USER FEES FOR MULTIPLE-FAMILY DWELLINGS; BY AMENDING SECTION 13.04.130(C) TO SPECIFY THAT THE CIRCUIT BREAKER REDUCTION IS FOR WATER BASE FEES AND WASTEWATER METERED AND BOND FEES; BY ADDING A NEW SUBSECTION 13.04.013(E) TO ESTABLISH A METHOD OF CALCULATING MULTIPLE-FAMILY DWELLING WATER AND WASTEWATER USE FEES; BY AMENDING SECTION 13.04.150, TO ADD NEW ADMINISTRATIVE FEES FOR INSUFFICIENT FUNDS, PROPERTY TRANSFERS AND TENANT/LANDLORD AGREEMENTS, AND ALLOWING FEE WAIVERS FOR CERTAIN INSPECTIONS AND REPAIRS; 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 revenue from the water and wastewater users is credited and collected consistently and equitably;

WHEREAS, all fees to be adopted by city council resolution should have an established authority within the Municipal Code;

WHEREAS, city work to administer various transactions specific to individual water and wastewater accounts should be charged administrative fees in circumstances consistent with this Ordinance.

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(A) of the Hailey Municipal Code is hereby amended by the addition of the following definitions to be placed in alphabetical order, as follows

DWELLING UNIT: A building or separate portion thereof having a single kitchen and providing complete independent living facilities for one or more persons including permanent provision for living, sleeping, eating, cooking and sanitation, to be occupied exclusively as a residence. Every dwelling unit shall have at least one habitable room that shall be not less than 120 square feet of gross floor area, other area as specified in the International Building Code or International Residential Code.
MULTIPLE-FAMILY DWELLING: A building containing two (2) or more Dwelling Units.

Section 2. Section 13.04.130(A) of the Hailey Municipal Code is hereby amended by the addition of the underlined language and by the deletion of the stricken language, as follows:

A. Water User Fees: The owner or owner's agent of all property connected to the municipal water system under the terms of this chapter shall be assessed and shall pay monthly user fees beginning at the time of connection, as follows:

1. Base Water Fee: The base water fee is intended to cover the fixed costs of the operation, maintenance and expansion of the municipal water system generally attributable to indoor potable water usage, which shall be twenty five percent (25%) of the water department budget. Except as otherwise provided in section 13.04.130(E), the monthly base fee shall be assessed to each property served by a service connection. The monthly base fee shall be calculated by dividing twenty five percent (25%) of the water department budget by the “number of water users” and by twelve (12), and as adopted by city council resolution. The “number of water users” is equivalent to the number of service connections in the city less the number of service connections to Multiple-Family Dwellings plus the number of Dwelling Units in Multiple-Family Dwellings on a Property. Property with two (2) or more services extended to it shall have the choice of paying a single monthly base fee (for all services connected to the property) or establishing separate accounts for each service with a landlord/tenant agreement as described in section 13.04.150 of this chapter.

2. Metered Water Fee: The metered water fee is intended to cover the variable costs of the operation, maintenance and expansion of the municipal water system, generally attributable to outdoor irrigation water usage, which shall be seventy five percent (75%) of the water department budget. Except as otherwise provided in section 13.04.130(E), the monthly metered water fee shall be assessed to each property served by a service connection. Except as otherwise provided in section 13.04.130(E), the monthly metered water fee shall be calculated based upon the usage of water measured by each service connection, and as adopted by city council resolution. The metered water fees shall be based on a sliding scale which assesses a proportionally greater cost per one thousand (1,000) gallons of water as more water is used by a property.

3. Bond Payment Fee: The monthly bond payment is intended to cover the cost of bond and note retirement costs which are the legal indebtedness the city is obligated to retire on a set schedule. The monthly water bond payment is determined by taking the bond and note retirement costs and dividing by the “number of water users” utilizing the system during the twelve (12) month period. The “number of water users” is equivalent to the number of service connections in the city less the number of service connections to Multiple-Family Dwellings plus the number of Dwelling Units in Multiple-Family Dwellings on a Property. Except as otherwise provided in section 13.04.130(E), the monthly bond payment fee shall be assessed to each property. Bond payment fees will continue even if water services are discontinued at any point.
4. Irrigation Fee: The monthly metered irrigation fee shall be assessed to each property with a separate irrigation account based upon the amount of water used during one billing period.

5. Fill Spout Fee: A Fill Spout Permit shall be obtained for any water used at a fill spout owned or operated by the City. The fee for use shall be adopted by city council resolution.

Section 3. Section 13.04.130(B) of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

B. Wastewater User Fees: Except as otherwise provided in subsection B4 of this section, the owner or owner's agent of all property connected to the municipal wastewater system under the terms of this chapter shall be assessed and shall pay monthly user fees beginning at the time of connection, as follows:

1. Metered Wastewater Fee: The metered wastewater fee is intended to cover all costs of the operation and maintenance costs of the municipal wastewater system. Except as otherwise provided in section 13.04.130(E), the monthly metered wastewater charge shall be assessed to each property served by a service connection. The monthly metered wastewater fee shall be based upon the average amount of water used by a property or a Dwelling Unit in a Multiple-Family Dwelling on a Property, as the case may be, between November 1 and March 31 of the following year, and as adopted by city council resolution. On an annual basis, the monthly metered wastewater fee shall be adjusted based upon such average use of water used by each property or a Multiple-Family Dwelling, as the case may be, between November 1 and March 31 of the following year, except as provided under subsection D of this section.

2. New Account or Seasonal User Fee: Effective January 1, 2015, except as otherwise provided herein: a) a new wastewater user, whose winter water use at the user's property has not been established under subsection B1 of this section, shall pay a set monthly charge based on water usage of six thousand (6,000) gallons per month, until the metered wastewater fee can be established pursuant to subsection B1 of this section; b) a seasonal wastewater user, who does not have any winter water use but has a history of prior water use, shall pay a monthly charge based on an average monthly water usage on the property during the prior season of use, including irrigation use, if any, and nonirrigation use; and c) a seasonal wastewater user, who does not have any winter water use and does not have a history of prior water use, shall pay a monthly charge based on total water usage during the initial two (2) months of use.

a. Upon request by the wastewater user, the metered wastewater fee for those properties identified as having a separate metered irrigation system shall be based on the average water use measured by a meter for nonirrigation water during two (2) full months of water use until the metered wastewater fee can be established pursuant to subsection B1 of this section. In the event average water usage measured by a meter for nonirrigation water is more than six thousand (6,000) gallons per month, the wastewater user shall pay the difference for the two (2) month period. In the event average water usage measured by a meter for nonirrigation water is less than six thousand (6,000) gallons per month, the wastewater user shall be entitled to a credit for the difference for the two (2) month period.
b. Upon request by the wastewater user, the metered wastewater fee for those properties where a wastewater user has moved from one property to another property within the city limits shall be based on the water usage established in the prior property until the metered wastewater fee can be established in the subsequent property pursuant to subsection B1 of this section, provided the wastewater user has certified that the number of occupants has not increased and that the quantity of water in appliances will not increase.

c. Upon request by the wastewater user, the metered wastewater fee for seasonal wastewater users with separate meters for irrigation and nonirrigation water shall be based on the average water use measured by a meter for nonirrigation water during the first two (2) full months of water use in the first year of separate metering. For every year thereafter, the metered wastewater fee for seasonal wastewater users shall be based on the average water use for nonirrigation water during the previous season.

3. Bond Payment Fee: The monthly bond payment is intended to cover the cost of bond and note retirement costs which are the legal indebtedness the city is obligated to retire on a set schedule. Except as otherwise provided in section 13.04.130(E), the monthly wastewater bond payment fee shall be assessed to each property served by a service connection. The monthly bond payment fee shall be based upon the average amount of water used by that a property or a Dwelling Unit in a Multiple-Family Dwelling on a Property, as the case may be, between November 1 and March 31 of the following year and as adopted by city council resolution. On an annual basis, the monthly wastewater bond payment fee shall be adjusted based upon such average use of water used by each property or a Multiple-Family Dwelling, as the case may be, between November 1 and March 31 of the following year, except as provided under subsection D of this section. Bond payment fees as adopted by city council resolution will continue even if sewer services are discontinued at any point.

4. Exception for New Construction: Wastewater user fees shall not be assessed until the issuance of a certificate of occupancy for new construction.

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

C. Reduction in Water User Base Fees and Wastewater Metered User Base and Bond Fees: A reduced monthly water user base fee described in subsection A1 and wastewater user base metered and bond fees described in subsections A1 and B1 and B3 of this section may be assessed upon proper application to the city clerk for the following:

1. Residences occupied by persons qualifying under the Blaine County assessor's office for circuit breaker reduction in property tax rates shall have a reduced user base fee as established adopted by city council resolution.

Section 5. Section 13.04.130 of the Hailey Municipal Code is hereby amended by the addition of a new subsection 13.04.130(E), as follows:
E. Calculating Multiple-Family Dwelling Water and Wastewater User Fees: Each Multiple-Family Dwelling Unit shall be assessed water and wastewater fees in the following manner:

1. Water User Fees: To calculate the metered water fee for Multiple-Family Dwellings, the total number of gallons used each month by a Multiple-Family Dwelling that does not meter each Dwelling Unit individually shall be divided by the number of Dwelling Units within a Multiple-Family Dwelling to determine an average usage per Dwelling Unit. The metered user fee shall then be calculated based on the average usage per Dwelling Unit. The sum of the metered user fee for all the Dwelling Units within all of the Multiple-Family Dwellings on a Property shall be assessed to the property owner or owner’s agent. The monthly user base and bond fee shall be charged for each Dwelling Unit within all of the Multiple-Family Dwellings on a Property and assessed to the property owner or owner’s agent.

2. Wastewater User Fees: To calculate the wastewater fee for Multiple-Family Dwellings, the total number of gallons used each month, as determined by 13.04.130(B), for a Multiple-Family Dwelling that does not meter each Dwelling Unit individually shall be divided by the number of Dwelling Units within a Multiple-Family Dwelling to determine an average usage per Dwelling Unit. The metered user and bond fees shall then be calculated based on the average usage per Dwelling Unit. The sum of the metered user and bond fees for all the Dwelling Units within all of the Multiple-Family Dwellings on a Property shall be assessed to the property owner or owner’s agent.

Section 6. Section 13.04.150 of the Hailey Municipal Code is hereby amended by the addition of the underlined language, as follows:

13.04.150: ADMINISTRATION OF MUNICIPAL WATER AND WASTEWATER SYSTEMS:

A. Water and Wastewater Department Budget: The water and wastewater department of the city shall, during the month of June of each year, propose an estimated budget showing the anticipated costs of replacement, repair, maintenance and operation of the municipal water and wastewater systems for the next fiscal year. The previously established water and wastewater connection fund shall continue to be used for the purposes established by the water and wastewater department and approved by the mayor and city council.

B. Annual Calculation of Fees: The city council shall calculate on an annual basis, or more frequently if deemed necessary by the city council, the monthly water and wastewater user base, bond payment, metered water and irrigation fees, metered wastewater fees, connection fees, and other fees authorized by this chapter to be charged by the city pursuant to the provisions set forth herein. The fees shall be established by a resolution of the city council, duly made, passed and entered into the minutes of the meeting of the city council, and shall become effective upon the date as established within the resolution.

C. Water and Wastewater User Fees; Delinquency and Notice: All water and wastewater user fees shall be due and payable to the city clerk on or before the bill closing date of each month's bill and, upon failure to pay within the time as prescribed, each user shall pay, in
addition to the amount due, the sum of two dollars ($2.00) and interest at the rate of twelve percent (12%) per annum.

D. Discontinuance of Water/Wastewater Service for Default: All bills for water and wastewater user fees not paid within ten (10) days after the due date shall authorize the city, in addition to its rights and remedies set forth herein, to discontinue the water service to any such defaulting customer after fifteen (15) days' written notice sent by U.S. mail to the customer. If a customer fails to pay all delinquent fees within the fifteen (15) day period, the city shall be authorized to disconnect the water service for the customer without further notice and shall assess discontinuance fee as established by resolution against the defaulting customer. Recom mencement of water service shall be made following the payment of the discontinuance fee, a recommencement fee as established by resolution, delinquent water and/or wastewater fees due, and a deposit in a sum equal to three (3) months' average winter water and wastewater user fees (user base fee and metered water fee) and bond payment fees. All such deposits shall be kept in a separate fund of the city and shall be refunded to the user forty five (45) days following termination of water and wastewater services and upon written request by customer for deposit refund. If any sums are due or to become due to the city for any services or if any delinquencies exist, then the deposit shall be used in payment of the user's account and any balance thereof shall be paid to the user within the normal accounts payable process. In the event a water and wastewater user shall have maintained current payment of water and wastewater service fees for a period of one year without delinquency, then upon written request of the user to the city, the deposit shall be refunded to the user.

E. Commencement of Services by Owner: The owner or owner's agent shall request the start of water and wastewater service in writing. This written request shall begin all water and wastewater user fees.

F. Discontinuance of Services by Owner: Should an owner, or his agent, request a water service to be discontinued, the request shall be made in writing and the city shall discontinue service by closing and locking off the water meter vault. The owner, or his agent, shall pay to the city a service fee as established by city council resolution. The owner or his agent must request, in writing, the city to place the line back in service before the water meter vault valve is reopened. There shall be a service fee as established by city council resolution for reopening the service. During any period of discontinuance, the payment of both the water and wastewater monthly bond payment fees shall continue, while the payment of the water and wastewater user base fees shall not be charged.

G. Landlord/Tenant Agreements: All monthly water or wastewater user fees will be charged against the property where the private water or wastewater service line is installed, except that owners or their authorized agents may, by written request, authorize the city clerk to charge water or wastewater user fees against an occupant, tenant or contract purchaser of specific property and shall require a deposit equal to three (3) months' average winter water and wastewater and user fees (user base fee and metered water fee) and bond payment fees for specific property. If the owner or owner's authorized agent chooses to waive the deposit, then this designation must be in writing. If a deposit is made, this deposit will be refundable to the depositor, or his agent, at the termination of occupancy with satisfactory identification.
and upon written request. Any outstanding charges (applicable discontinuance or 
recommencement fee and delinquent water and/or wastewater fees due up to the date of 
termination) owed by the tenant will be deducted from the deposit and the balance refunded 
to the depositor. The deposit shall be refunded within the normal accounts payable process.

H. Water and Wastewater System Funds: All fees received and collected under authority of this 
chapter shall be deposited and credited to special funds to be designated as the water system 
fund and the wastewater system fund. The accounts of the funds shall show all receipts and 
expenses for the maintenance, operation, upkeep and repair of the municipal water and 
wastewater systems and any payments into a sinking fund established for the purpose of 
paying principal of and interest on the water and wastewater bond or note indebtedness of the 
city, which shall, from time to time, be outstanding. As provided by law, when budgeted and 
appropriated, the funds and credits to the account of the water and wastewater system(s) shall 
be available for the payment of the requirements of maintenance, operation, repairs and 
upkeep of the municipal water and wastewater system, and to the extent legally available, for 
payment into a sinking fund established for the payment of the principal of and interest on 
the water and wastewater bond and note indebtedness of the city, which shall, from time to 
time, be outstanding.

I. Insufficient Funds Checks: An insufficient funds fee shall be assessed to all accounts that have 
returned payments. The fee for insufficient funds shall be assessed in an amount adopted by 
city council resolution and consistent with the cost of collection set forth in Idaho Code § 28- 
22-105, as amended.

J. Transfer of Account: When there is a sale or conveyance of a property, or a lease of a property 
resulting in a Landlord/Tenant Agreement, an administrative fee shall be assessed in an 
amount as adopted by city council resolution. 

K. A fee waiver for twenty-four (24) hour turn on/off for home inspections and plumbing repairs 
for sale or foreclosure shall be applied as adopted by city council resolution.

**Section 7.** All Ordinances or Resolutions or parts thereof in conflict herewith are hereby 
repealed and rescinded.

**Section 8.** 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 9.** 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 October, 2015.

Fritz X. Haemmerle, Mayor
City of Hailey

ATTEST:

______________________________
Mary Cone, City Clerk
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 10/5/15

DEPARTMENT: PW

DEPT. HEAD SIGNATURE: __MM

SUBJECT: Resolution 2015-__ to authorize the Mayor's signature and Agreement with Old Cutters Homeowner's Association for water delivery system maintenance and cos sharing.

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

(If Applicable)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
The final plat for Old Cutter's Subdivision required an Agreement addressing the cost sharing and maintenance of the water delivery system that is in part, jointly managed in coordination with the City and Old Cutter's HOA.

The need for this Agreement was initiated by the conditions of final plat approval, but also reflects the last few years' need for an Agreement to address operations and maintenance coordination.

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (If Applicable)

__X__ City Attorney ___ Clerk / Finance Director ___ Engineer ___ Building

___ Library ___ Planning ___ Fire Dept. ___ ________________________

___ Safety Committee ___ P & Z Commission ___ Police ___ ________________________

___ Streets ___ __X__ Public Works ___ Mayor ___ ________________________

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Make a motion to adopt Resolution 2015-__ and authorize the Mayor to sign the Agreement with Old Cutter's Subdivision Homeowners' Association.

ACTION OF THE CITY COUNCIL:

Date ______________________

City Clerk ______________________

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: Record __________  *Additional/Exceptional Originals to: ______________________
Copies (all info.): __________ Copies (AIS only)
Instrument #: ______________________
CITY OF HAILEY
RESOLUTION NO. 2015-91

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY
AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH OLD CUTTERS
SUBDIVISION HOMEOWNERS ASSOCIATION, INC. (ASSOCIATION) FOR WATER
DELIVERY SYSTEM MAINTENANCE AND COST SHARING.

WHEREAS, the City of Hailey and the Association maintain and operate a mutually
beneficial portion of the irrigation system at Old Cutters Subdivision.

WHEREAS, the City of Hailey uses the water delivery system to irrigate Old Cutters
Park – a city owned park and the Association uses the water for right-of-ways, ponds, and in the
future, developed lots.

WHEREAS, the City of Hailey desires to enter into an agreement with the Association to
establish a cost share amount based on the number of acres irrigated, to coordinate maintenance
and operations of the shared system, and to ensure the associated activities are consistent with
the Old Cutters Subdivision Final Plat Findings of Fact and notes on the recorded plat.

WHEREAS, the City of Hailey and the Association have agreed to the terms and
conditions of the Agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF HAILEY, IDAHO, that the City of Hailey approves the of Agreement between Old
Cutters Subdivision Homeowners Association and the City of Hailey and that the Mayor is
authorized to execute the attached Agreement,

Passed this 5th day of October, 2015.

City of Hailey

Fritz X. Haemmerle, Mayor

ATTEST:

Mary Cone, City Clerk
WATER DELIVERY SYSTEM MAINTENANCE AND
COST SHARING AGREEMENT

This Water Delivery System Maintenance and Cost Sharing Agreement ("Agreement") is
made this ______ day of October, 2015 by and between the City of Hailey ("City"), and Old
Cutters Subdivision Homeowners Association, Inc. ("Association"). The City and the
Association are individually referred to as a "Party" or collectively as the "Parties."

RECOLALS

A. Old Cutters, Inc. ("Cutters") was the owner and developer of all of the lots,
parcels and other real property more particularly described in the Plat of the Old Cutters
Subdivision, recorded as instrument No. 553634, records of the county recorder, Blaine County,
Idaho (the "Plat"), a copy of which is attached hereto as Exhibit "A."

B. On August 13, 2007, the City approved the Plat and issued Findings of Fact,
Conclusions of Law and Decision ("Findings of Fact"), approving the final plat for the Old
Cutters Subdivision.

C. Following approval of the Plat, Cutters recorded a Declaration Establishing
Covenants, Conditions and Restrictions for Old Cutters Subdivision, recorded as Instrument No.
553633, records of the county recorder, Blaine County, Idaho ("CCR’s"). As contemplated by
the Findings of Fact and the CCR’s, Cutters created the Association.

D. As a condition of approval by the City of the Plat, Cutters designed and
constructed a water diversion headgate in the High Ditch of the Hiawatha Canal (the "High
Ditch"), a measuring device, ditch, two ponds, a pump house, pumps, pipes and valves (the
"Water System") all of which are located within the Water Works & Pond Access and
Maintenance Easement (the "Easement") as depicted on the Plat for the delivery of water from
the High Ditch to fill and flow through the ponds and to irrigate the Public Park located on
Parcel A of Block 3 of the Plat ("Park"), Lots 13 and 14, Block 2 and Lot 1, Block 3 of the Plat
("Large Lots") and the right-of-ways within the public streets shown on the Plat ("Right-of-
Ways").

E. A portion of the Water System is depicted on attached Exhibit "B", which shows
the irrigation lines from the High Ditch and from the City water main, and the pump house,
valves, pumps, water meters, back flow prevention devices, drains and blowouts.

F. As a condition of approval of the Plat, the City and the Association are required to
enter into an agreement to allow for water delivery of surface water from the High Ditch to the

G. As a condition of approval of the Plat, maintenance of street trees and the grassy
areas within the Rights-of-Way is the responsibility of the homeowners or homeowner’s
association. See Findings of Fact, ¶ 3(d), p. 12. The CCR’s provides that the homeowner’s
WATER DELIVERY SYSTEM MAINTENANCE AND
COST SHARING AGREEMENT/1

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association in the Old Cutters Subdivision is responsible for the maintenance of street trees and grassy areas in the Rights-of-Way. See CCR’s, ¶ 3.5.2.5, p. 12. The Rights-of-Way can be irrigated by either surface water delivered by the Water System or by municipal potable water delivered by an independent municipal water system.

H. The Parties agree that the area to be irrigated in the Park by the City is approximately 4.5 acres and the area to be irrigated in the Rights-of-Way by the Association is approximately 3.75 acres. See Exhibit “C.” Stated differently, the City is responsible for 55% (4.5/8.25) and the Association is responsible for 45% (3.75/8.25) of the area to be irrigated by the Parties at the time of the execution of this Agreement. The Parties agree that each Party’s share of the maintenance, repair, operation and replacement costs of the Water System shared by the Parties shall be allocated according to the pro rata amount of land each Party is actually irrigating with the Water System. The Parties understand that the Large Lots are not irrigated at the time of the execution of this Agreement and that acreage of land irrigated by the Water System may change over time. Consequently, the Parties understand that their share of the maintenance, repair, operation and replacement costs will vary based on the change of acreage.

I. The City shall use 0.267 cfs of Water Rights 37-10717 to irrigate the Public Park. The Association shall use .21 cfs of Water Rights 37-22309, 37-22314 and 37-22319 to irrigate the Large Lots.

J. To satisfy the condition of approval described above, the Parties enter into this Agreement subject to the terms and conditions described herein.

AGREEMENT

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

1. Maintenance, Repair, Operation and Replacement of Water System. The Association shall maintain, repair and replace if and when needed the Water System and each of its components. The Parties may agree that one or both Parties may do the maintenance, repair and replacement of the Water System, and if so, then the work done by a Party shall be charged at cost and shared by the Parties based on the proportion described in Paragraph 2. Unless otherwise agreed in writing, the City agrees to share with the Association the cost of maintenance, repair, operation and replacement of the Water System, except for the ponds in the proportion described in Paragraph 2. The maintenance, repair and replacement of any irrigation pipe, valve or component of the irrigation system which delivers water solely to the Park shall be sole responsibility of the City while the maintenance, repair and replacement of any irrigation pipe, valve or component of the irrigation system which delivers water solely to the Large Lots or the Rights-of-Way shall be sole responsibility of the Association. If either the City or the Association fails to pay any of the costs associated with the maintenance, repair, operation and replacement of the Water System when due, the other party may elect to pay the non-paying party’s amount outstanding, in which event the non-paying party shall immediately reimburse the paying party the amount paid, plus interest accruing at the rate of twelve percent (12%) per annum from the date of the payment.

WATER DELIVERY SYSTEM MAINTENANCE AND COST SHARING AGREEMENT/2
2. **Calculation of Parties’ Cost Sharing.** On an annual basis before every irrigation season or when one acre is either added or removed from irrigation, the Parties shall calculate each Party’s share of maintenance, repair, operation and replacement costs to be incurred under Paragraph 1. At the time of the execution of this Agreement, the City is responsible for 55% and the Association is responsible for 45% of the maintenance, repair, operation and replacement costs of the Water System. See Recital H. The proportionate share that each Party shall pay is determined by the amount of land each Party will be actually irrigating with the Water System divided by the total amount of land the Parties will be actually irrigating with the Water System.

3. **Coordination of Work.** In an effort to avoid damage to each Party’s portion of the Water System, the City and Association, or their agent or contractor, shall coordinate all sprinkler and Water System work, including turning on and off the water pump, all sprinkler blow outs and recharges and the transfer of surface water to potable water or from potable to surface water for irrigation in the Rights-of-Way. Before conducting work on the Water System, the City shall provide the Association and the Association shall provide the City’s Public Works Department with 48 hours advance notice of its intent and timing of work to be performed. Exhibit “B” depicts portions of the Water System that are shared between the Parties. The Parties may identify each part of the Water System shown in Exhibits “B” with markings to identify portions of the Water System delivering water to the Park or elsewhere, portions delivering potable City water and portions of the Water System delivering non-potable surface water. Any notice to the City required under this Paragraph 3 shall be provided to Kelly Schwartz (309-1365), or such person later designated by the City, and any notice to the Association required under this Paragraph 3 shall be provided to Gunnar Whitehead, Whitehead Landscaping (578-2246), or such person later designated by the Association.

4. **Public Street Rights-of-Way.** The Association shall, at its sole cost, maintain the street trees and the grassy areas within the public street rights-of-way. The maintenance shall include but is not limited to irrigation of the trees and grass, and mowing and weeding of the grass. Any use of the City’s municipal potable water shall be metered and charged at the rate established by the City and paid by the Association.

5. **Indemnification.**

a. The Association covenants and agrees to indemnify, defend and hold the City harmless from and against any and all claims, demands, causes of action, suits, losses, liabilities, damages, costs and expenses, including attorney fees, that may accrue, directly or indirectly, by reason of any act or omission on the part of the Association, its agents, employees, assigns, successors, or anyone subcontracting with the Association, related to damages that arise out of the design, installation, construction, operation or maintenance of the Water System or the High Ditch, to bodily injury, property damage, personal injury and death that arise out of the Association’s design, installation, construction, operation and maintenance of the Water System or the High Ditch, and to the provision of any service or duty under this Agreement. The Association shall have the duty to appear and defend any such demand, claim, suit or action on behalf of the City, without cost or expense to the City.

WATER DELIVERY SYSTEM MAINTENANCE AND COST SHARING AGREEMENT/3

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b. The City covenants and agrees to indemnify, defend and hold the
Association harmless from and against any and all claims, demands, causes of action, suits,
losses, liabilities, damages, costs and expenses, including attorney fees, that may accrue, directly
or indirectly, by reason of any act or omission on the part of the City, its agents, employees,
assigns, successors, or anyone subcontracting with the City, related to damages that arise out of
the operation or maintenance of the Water System or the High Ditch, to bodily injury, property
damage, personal injury and death that arise out of the City's operation or maintenance of the
Water System or the High Ditch and to the provision of any service or duty under this
Agreement. The City shall have the duty to appear and defend any such demand, claim, suit or
action on behalf of the Association, without cost or expense to the Association.


   a. Successors and Assigns; Covenant Running with the Land. This
      Agreement shall inure to the benefit of and be binding upon Cutters, the Association and the
      City, and their successors and assigns. This Agreement shall be a covenant running with the land
      and any portion thereof.

   b. Waiver. Failure of any party at any time to require performance of any
      provision of this Agreement shall not limit the party's right to enforce the provision, nor shall any
      waiver of any breach of any provision be a waiver of any succeeding breach of any provision or
      a waiver of the provision itself for any other provision.

   c. Law Governing. This Agreement shall be governed by and construed in
      accordance with the laws of the State of Idaho.

   c. Attorney's Fees. In the event of any dispute with regard to the
      interpretation or enforcement of this Agreement, the prevailing party shall be entitled to recover
      its reasonable costs and attorneys' fees incurred therein, whether or not a lawsuit is actually filed,
      and on any appeals, and in any bankruptcy proceeding.

   d. Entire Agreement. This Agreement contains the entire understanding
      among the parties and supersedes any prior understandings and agreements among them
      respecting the subject matter of this Agreement.

   e. Severability. Every provision of this Agreement is intended to be
      severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such
      illegality or invalidity shall not affect the validity of the remainder of the Agreement.

   f. Counterparts. This Agreement may be executed in several counterparts
      and all so executed shall constitute one Agreement, binding on all the parties hereto even though
      all the parties are not signatories to the original or the same counterpart.

   g. Further Action. The parties hereto shall execute and deliver all
      documents, provide all information and take or forbear from all such action as may be necessary
      or appropriate to achieve the purposes of this Agreement.

WATER DELIVERY SYSTEM MAINTENANCE AND
COST SHARING AGREEMENT/4
h. **Remedies.** The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by any party shall not preclude nor waive its rights to use any or all other remedies. Any rights provided to the parties under this Agreement are given in addition to any other rights the parties may have by law, statute, ordinance or otherwise.

i. **Authority.** Each signatory agrees that he or she has full authority and consent to sign this Agreement.

j. **Amendment.** This Agreement may be revised, amended, or canceled in whole or in part, only by means of a written instrument executed by all parties hereto.

k. **Presumption.** This Agreement or any section thereof shall not be construed against any party due to the fact that said Agreement or any section thereof was drafted by said party.

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

DATED this ______ day of October, 2015.

CITY OF HAILEY

By: __________________________
Fritz X. Haemmerle, Mayor

ATTEST:

__________________________________________
Mary Cone
Hailey City Clerk

OLD CUTTERS SUBDIVISION
HOMEOWNERS ASSOCIATION, INC.

By __________________________
John Calx________. Its President
STATE OF IDAHO )
    ) ss.
County of Blaine    )

On this _____ day of October, 2015, before me the undersigned Notary Public in and for
said State, personally appeared Fritz Haemmerle, known or identified to me to be the Mayor of
Hailey and the person whose name is subscribed to the within instrument, and acknowledged that
he executed the same on behalf of the City of Hailey.

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

______________________________
Notary Public for Idaho
Residing at:____________________
Comm. Expires:__________________

STATE OF IDAHO )
    ) ss.
County of Blaine    )

On this 30th day of September, 2015, before me the undersigned Notary Public in and for
said State, personally appeared John Campbell, known or identified to me to be the president
of Old Cutters Subdivision Homeowners Association, Inc., and the person who executed the
foregoing instrument on behalf of said company and acknowledged to me he executed the same
on behalf of said company.

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

______________________________
Notary Public for Idaho
Residing at: Hailey, ID
Comm. Expires: 9/19/20
EXHIBIT "A"

OLD CUTTERS SUBDIVISION PLAT
A PLAT SHOWING
OLD CUTTERS SUBDIVISION
A REPLAT OF LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4, BUCKHORN SUBD. 2ND ADDITION
LOCATED WITHIN SECTIONS 3 & 4, T.2 N., R.19 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO
OCTOBER 2007

LEGEND

SHARED ACCESS EASEMENT AS SHOWN
IMPROVED CIVILIAN CANAL
IMPROVED PRIVATE CANAL
IMPROVED PRIVATE ROAD
IMPROVED DRAINAGE HAULAGE ACCESS
IMPROVED DRAINAGE FREIGHT ACCESS
IMPROVED DRAINAGE RESIDENCES ACCESS
IMPROVED DRAINAGE PUBLIC ACCESS

GEOLOGICAL LANDFORMS

BLUE AVALANCHE ZONE BY ALPINE
RED AVALANCHE ZONE
WHITE AVALANCHE ZONE

1. SURVEYOR'S REPORT
   2. PROPOSED BRIDGE
   3. PARCEL TABLE

PARCEL TABLE

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>DESCRIPTION</th>
<th>SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>IMPROVED ROAD</td>
<td>770.10 AC.</td>
</tr>
<tr>
<td>2</td>
<td>IMPROVED CANAL</td>
<td>1.33 AC.</td>
</tr>
<tr>
<td>3</td>
<td>IMPROVED CANAL</td>
<td>0.34 AC.</td>
</tr>
<tr>
<td>4</td>
<td>IMPROVED CANAL</td>
<td>0.94 AC.</td>
</tr>
<tr>
<td>5</td>
<td>IMPROVED ROAD</td>
<td>40.96 AC.</td>
</tr>
</tbody>
</table>

NOTES

1) BASIS OF MEASUREMENT IS STATE PLANE COORDINATE SYSTEM 1983
2) SURVEY DEFILED.

HEALTH CERTIFICATE

Sewer restrictions as required by Idaho Code Title 64, Ch. 13, have been complied with. Sewer restrictions may be reviewed at the office of the

Director of Health Services, Blaine County.

11-23-2007

P. P. LeFever

Certified Civil Engineer

OLD CUTTERS SUBDIVISION

GEOLOGICAL LANDFORMS INC.

RECORD, IDAHO

SHEET 1 OF 5
A PLAT SHOWING

OLD CUTTERS SUBDIVISION

- A REPLAT OF LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4, BUCKHORN SUBD. 2ND ADDITION

LEGEND

LOCATED WITHIN SECTIONS 3 & 4, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO

OCTOBER 2007

GRAPHIC SCALE

SEE PAGE 4 FOR NOTES.
CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned is the owner in fee simple of the following described parcels of land:

Parcels of land located within Sections 1, 2, 3 & 4, Township 2 North, Range 18 East, Boise Meridian, City of Blaine, Blaine County, Idaho, more particularly described as follows:

LOTS 1A, 2A, 3 & 4, A REPLICAT OF DREXLER RANCH SUBDIVISION AND, A PARCEL OF LAND BETWEEN THE SWB OF THE NE 1/4, SECTION 1, T.2N., R.18E., B.M., AND ALSO WILBERT 1 REPLICA DREXLER SUBDIVISION SECOND ADDITION, BLAINE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BLUE BRASS CAP MARKING THE SOUTHEAST CORNER OF SAID SWB OF THE NE 1/4, WHICH CORNER IS ALSO THE SE 1/4 CORNER OF SAID SECTION 1 AND WHICH POINT IS THE REAL POINT OF BEGINNING.

THENCE NORTH 89°24'20" WEST 201.01 FEET TO THE NORTHWEST CORNER OF THE DREXLER RANCH.

THENCE NORTH 09°25'51" WEST 37.31 FEET ALONG THE CENTERLINE OF THE HAWAIIAN CANAL AND ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 4, DREXLER SUBDIVISION SECOND ADDITION.

THENCE NORTH 39°52'55" EAST 306.97 FEET ALONG A FENCE TO THE EAST BOUNDARY OF SAID SWB OF THE NE 1/4, SAID SECTION 1.

THENCE SOUTH 23°27'55" WEST 36.38 FEET ALONG SAID EAST BOUNDARY OF THE SWB OF THE NE 1/4, SAID SECTION 1 TO THE POINT OF BEGINNING, CONTAINING 0.24 ACRES, MORE OR LESS;

TO BE REPEATED AS OLD CUTTERS SUBDIVISION.

The Easements indicated herein are not dedicated to the Public unless specifically designated on the Plat, and the right to use said Easements is hereby reserved for the Public Utilities and for any other uses indicated herein and no permanent structure are to be erect or within the limits of said Easement. We do hereby certify that all Lots in this Plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has been agreed to in writing to serve all of the Lots shown within this Plat, subject to Note 7 of this Plat. Except as otherwise shown on this Plat, the Roads shown herein as "PUBLIC" are Dedicated to the City of Blaine.

It is the intent of the owner, OLD CUTTERS, INC., an Idaho Corporation, to hereby include said land in this plat.

OLD CUTTERS, INC., an Idaho Corporation

By: __________________________

JOHN CAMPBELL, PRESIDENT

ACKNOWLEDGMENT:

STATE OF IDAHO

On this 19th day of December 2007, before me, a Notary Public in and for said State, personally appeared, John Campbell, President of Old Cutters Inc., known or identified to me, to be the President of the Corporation that executed the instrument, and acknowledged to me that such Corporation executed the same.

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

Alice C. Parker
Notary Public

CERTIFICATE OF OWNERSHIP

This is to certify that the preceding Plat was filed in the office of the Recorder of Blaine County, Idaho, on this 24th day of August, 2007, at 9:00 AM, and duly recorded in Plat Book 5 at page 26-27.

7.02 acres

COUNTY RECORDER'S CERTIFICATE

This is to certify that the foregoing Plat was filed in the office of the Recorder of Blaine County, Idaho, on this ______ day of ______, 2007, at ______, and duly recorded in Plat Book ______ at page ______.

Ex-officio Recorder
EXHIBIT "B"

IRRIGATION LINES BETWEEN HIGH DITCH AND CITY WATER MAIN
Aug 2015 - City disconnected
Value for street, added drain
for city use
Blowout for street
Remains in grey box

N

Green box
Street blowout - not for city use
Parks drain valve - city use

City secondary
Shut off

City blue RP

City blow out
City run in

Slip Walk

Big grey box

Streets run in
Meter for streets city water
EXHIBIT "C"

ACREAGE CALCULATIONS
R.O.W. calculation

7,760 linear feet of street R.O.W.

22' irrigated x 7,760 linear ft = 3.92 acres

Less (33) driveway crossings @ 11' x 20' = .17 acres

Total irrigated area on street R.O.W.s = 3.75 acres

Park is 5.00 acres

Subtract for parking area, covered area, playground = .50 acres

Net irrigated = 4.50 acres

City irrigates 4.50 acres = \( \frac{4.50}{8.75} \) = 51.9%

Old Lotter irrigates 3.75 acres = \( \frac{3.75}{8.25} \) = 45.0%
Return to Agenda
AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday October 19, 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 Motion to approve Resolution 2015-_____, authorizing a contract for services agreement with Hailey Chamber of Commerce for professional services to provide visitor information and the promotion and marketing of the City, all its businesses and its general business climate, and its special events for an annual amount of $61,000 from October 1, 2015 through September 30, 2016
CA 000 Motion to approve Resolution 2015-_____, authorizing renewal of the annual Lease Agreement which provides terms by which the Hailey Chamber of Commerce occupies the City of Hailey's Welcome Center at Wertheimer Park
CA 000 Contracts & Bids
CA 000 Special Events
CA 000 Surplus equipment Resolution - library shelving
CA 000 Findings of Fact and Ordinance Summaries
CA 000 Motion to approve minutes of April 20, 2015 and to suspend reading of them
CA 000 Motion to approve claims for expenses incurred during the month of April 20, 2015, and claims for expenses due by contract in May, 2015

MAYOR’S REMARKS:
MR 000

PROCLAMATIONS & PRESENTATIONS:
PF 000

APPOINTMENTS & AWARDS
AA 000 Mountain Rides Board 3 year term - Susan McBryant term expires Oct 2015
AA 000

PUBLIC HEARING:
PH 000

NEW BUSINESS:
NB 000 Resolution 2015-_____, adopting a policy and procedure for municipal water system delivery of water that is used consumptively within the City of Hailey
NB 000 Evaluation of stop sign on 39 and Bullion
NB 000 Snow removal contract

OLD BUSINESS:
OB 000 Consideration of a Memorandum of Understanding between the City of Hailey, New Mobility West and selected consultant for transportation consulting services related to the New Mobility West Grant awarded to the City of Hailey
OB 000

STAFF REPORTS: Staff Reports Council Reports Mayor’s Reports
SR 000 Draft Agenda for next council meeting

EXECUTIVE SESSION:
Return to Agenda
September 29, 2015

City of Hailey
Fritz Haemmerle, Mayor
115 S. Main Street Suite H
Hailey, Idaho 83333

Dear Mayor Haemmerle:

I would like to express to you and the Hailey City Council, how impressed I have been with the "Initial Term" of our contract agreement for Administrative and Fire Prevention Services.

Chief Aberbach has brought a breath of fresh air to our department in his professionalism and mentorship as the Assistant Chief and encourages new approaches to old problems while creating positive working relationships and mutual trust.

Chief Baledge and Inspector Irvin have also been a pleasure to work with regarding plan reviews and fire protection systems and are always eager to assist me whenever they can in the Rural Fire District.

On behalf of Wood River Fire and Rescue, thank you again for allowing us this opportunity.

Respectfully,

Bart Lassman
Chief of Fire and Emergency Medical Services

Cc: Craig Aberbach, Fire Chief
    Heather Dawson, Administrator
Return to Agenda