

REGULAR MEETING AGENDA

Bellevue Common Council
Monday, July 24, 2023
5:30 PM MST
Bellevue City Hall, 115 E Pine St, Bellevue

Join Zoom Meeting
<https://us02web.zoom.us/j/81984986830?pwd=R1VWcWNXV0g5L256SFIKVXZYTHBzZz09>

Meeting ID: 819 8498 6830
Passcode: 393527
(253) 215 8782 US (Tacoma)

Please Mute Your Call

**Friendly Reminder: Please turn off all cell phones except for emergency personnel.
Finding That Notice and Agenda Items are in Compliance with Idaho Code §74-204.**

The regular meeting notice and agenda were posted in accordance with Idaho Code §74-204 five (5) days prior to the meeting, at the Bellevue Post Office, on the bulletin board of City Hall and on the City's website on July 19, 2023.

- **Suggested Motion:** I move that the notice for the June 24, 2023, regular meeting was done in accordance with Idaho Code, Section §74-204.

1. **Call for Conflict as Outlined in Idaho Code §74-404 with Any Agenda Item**
2. **Public Comment for Items of Concern Not on the Agenda**
3. **OLD BUSINESS:**
None

4. **CONSENT AGENDA: ACTION ITEM**
 - a. **July 10, 2023 Regular City Council Meeting Minutes**
 - b. **Claims from July 11 to July 24, 2023**

WORK SESSION:

5. **FY24 Budget Work Session: Kathryn Goldman, Mayor and Jasmine Griffin, Interim City Treasurer**
 - a. **Preliminary Approval of General Fund Operating, Sewer, Water and Capital Budgets**
ACTION ITEM

NEW BUSINESS:

6. **Consideration and Approval of Strahorn Slaughterhouse Parking Area Plant Material Replacement:**
Kathryn Goldman, Mayor: **ACTION ITEM**
7. **Consideration and Approval of Resolution 23-13 Appointing Maria Palomera to Serve as Interim City Clerk; and Providing for an Effective Date: Kathryn Goldman, Mayor: ACTION ITEM**

8. **Approval of Finding of Fact Conclusions of Law and Decision Amending Area of City Impact (ACI) Boundary Map Identifying an Area of City Impact Within the Unincorporated Area of Blaine County:**
Kathryn Goldman, Mayor: **ACTION ITEM**
9. **EXECUTIVE SESSION ON A PERSONNEL MATTER, PURSUANT TO IDAHO CODE §74-206(1)(A) for the Purpose of Considering Hiring a Public Officer, Employee, Staff Member or Individual Agent, Wherein the Respective Qualities of Individuals are to be Evaluated in Order to Fill a Particular Vacancy or Need:**
ACTION ITEM
10. **Adjournment: ACTION ITEM**

***Any person needing special accommodations to participate in the above noticed meeting should contact Bellevue City Hall, 115 Pine St., Bellevue, 83313 or telephone 788-2128 at least twenty-four (24) hours prior to the meeting.

ITEM #4a

Bellevue Common Council
Bellevue City Hall, 115 E Pine St, Bellevue
Monday, July 10, 2023
Regular Meeting Minutes

Call to Order:

Mayor Goldman called the Regular Meeting to order at 5:31 p.m. A roll call attendance was conducted, and Council members present were Doug Brown, Chris Johnson, John Carreiro, Christina Giordani. Robin Leahy and Shaun Mahoney were excused from the meeting. For the record, Council President Brown, Alderman Carreiro, Alderman Johnson, and Alderwoman Giordani were physically present in the official meeting location of the Council Chambers of City Hall. A quorum was present for the entire meeting. Staff present were Casey McGehee, PW Operator II, Greg Beaver Fire Chief and Bryson Ellsworth Water & Wastewater Operator, Kristen Librarian, Jasmine Interim City Treasure.

Notice and Hearing Compliance:

The posting of this regular meeting agenda complied with Idaho Code 74-204. The regular meeting agenda was posted five (5) days prior to the meeting at the Bellevue Post Office, the bulletin board outside of City Hall and on the City website on July 5, 2023. Brown motioned that the notice agenda was in compliance with Idaho Code §74-204. Carreiro seconded. All in favor. The motion passed 4-0.

1. Call for Conflict as outlined in Idaho Code §59-703 (f)-704 With Any Agenda Item. Goldman called for conflict from any Council member or staff member with any agenda items. No conflicts were noted.

2. Public Comment for Items of Concern Not on the Agenda that Match the Idaho State Transparent and Ethical Government Standards. No comments.

3. OLD BUSINESS: None

4. CONSENT AGENDA:

- a. Minutes of June 27, 2023 Regular Meeting.
- b. Claims from June 23, 2023 to July 10, 2023.
- c. Request for Funds: Western States Caterpillar in the Amount of \$11,388.24 for a 14' Snow Pusher: Kathryn Goldman, Mayor.
- d. Department Reports

Johnson motioned to APPROVE the consent calendar. Giordani seconded. Roll call vote results: Brown–yes, Giordani–yes, Johnson–yes, Carreiro–yes. Motion passed 4-0.

- 7. EXECUTIVE SESSION ON A PERSONNEL MATTER, PURSUANT TO IDAHO CODE §74-206(1)(a)** for the Purpose of Considering Hiring a Public Officer, Employee, Staff Member or Individual Agent, wherein the Respective Qualities of Individuals are to be Evaluated in Order to Fill a Particular Vacancy or Need. Brown motioned to move up the Executive Session and to enter executive session under Idaho Code §74-206(1)(a). Giordani seconded. Roll call vote results: Brown–yes, Carreiro–yes, Johnson–yes, Giordani–yes. Motion passed 4-0 and the Council entered executive session at 5:40. Carreiro motioned to leave executive session. Johnson seconded. All in favor and the Council returned to the regular session at 6:13 p.m.

5. WORK SESSION

- a. FY 2024 Budget Work Session: Kathryn Goldman, Mayor and Jasmine Griffin, Interim City Treasurer
i. FY2024 Operating Budget Presentation and Discussion

Goldman asked for the mission statement to be shared on the Zoom meeting. Goldman stated the Council needs to have a serious discussion about the service levels, the revenue shortfall and the need to enhance revenues. There was discussion regarding involving residents in revenue increases, the areas where revenue can be increased, Fire Department funding requests, Cost of Living Adjustment or lump bonus for employees, reduce hours of service at City Hall, BURA funding the roadwork on Chestnut, automatic annual public safety upgrades, public safety is number one priority for Council, Council compensation, and street speed study budget item.

6. NEW BUSINESS: None

- 7. Adjournment.** Johnson motioned to adjourn. Brown seconded. All in favor and the meeting ended at 7:54 p.m.

Kathryn Goldman, Mayor

Maria Palomera, Deputy Clerk

City of Bellevue
CLAIMS PAYABLE
July 11 - 24, 2023

ITEM #4b

Name	Memo	Account	Class	Amount
Dept 01 - Admin				
Allington, Frederick	Legal Services- General	51040 · City Attorney	01 - Admin	2,400.00
MyHR LLC	FLSA Research - 1.75 hours \$175.00 per hr.	51073 · Contract Labor	01 - Admin	306.25
Great America Financial Services	Standard Payment	51180 · Office Equipment Rental/Repair	01 - Admin	393.63
Pitney Bowes Global Financial	Lease - Postage Equipment - 5/3/23 - 8/2/23	51180 · Office Equipment Rental/Repair	01 - Admin	221.55
ToreUp	Shredding Bin - 7/6/23	52010 · Office Supplies	01 - Admin	40.00
Cox Business Services	Internet & Telephone Usage	52020 · Online Expense	01 - Admin	321.97
United States Post Office	Annual Box Fee	52040 · Postage & Delivery	01 - Admin	178.00
Allington, Frederick	Monthly Payment	52055 · Prosecuting Attorney	01 - Admin	1,748.00
Cox Business Services	Telephone, Usage Chgs., Taxes & Fees	52100 · Telephone	01 - Admin	<u>928.03</u>
Total Admin				6,537.43
Dept. 03 - Comm. Dev.				
McCollum, Ray	P & Z Commissioner Comp - 2/6/23 - 7/5/23 - 8 meetings @ \$42.00 per meeting	50020 · P & Z Commission	03 - P & Z	336.00
Grootveld, Eric	P & Z Commissioner Comp - 2/6/23 - 7/5/23 - 8 meetings @ \$42.00 per meeting	50020 · P & Z Commission	03 - P & Z	336.00
Lindberg, Alexis D.	P & Z Commissioner Comp - 2/6/23 - 7/5/23 - 7 meetings @ \$42.00 per meeting	50020 · P & Z Commission	03 - P & Z	294.00
Wiesen, Robert	P & Z Commissioner Comp - 2/6/23 - 7/5/23 - 8 meetings @ \$42.00 per meeting	50020 · P & Z Commission	03 - P & Z	336.00
Kurtz, John	P & Z Commissioner Comp - 2/21/23 - 6/21/23 - 5 meetings @ \$42.00 per meeting	50020 · P & Z Commission	03 - P & Z	210.00
Allington, Frederick	Legal Services- Planning and Zoning Issues	51040 · City Attorney	03 - P & Z	30.00
Allington, Frederick	Legal Services- Strahorn Subdivision- reimbursement from applicant	51040 · City Attorney	03 - P & Z	75.00
Galena-Benchmark Engineering	Gannett Ranch - Admin Support	51073 · Contract Labor	03 - P & Z	65.00
Galena-Benchmark Engineering	Karl Malone Ford- design details w/ project engineer	51073 · Contract Labor	03 - P & Z	72.50
Galena-Benchmark Engineering	Karl Malone Ford - staff reports, develop, engineering dept. review	51073 · Contract Labor	03 - P & Z	435.00
Galena-Benchmark Engineering	Karl Malone Ford - DR & CUP application , review & compose	51073 · Contract Labor	03 - P & Z	580.00
Galena-Benchmark Engineering	Karl Malone Ford - hearing prep w/ Ashely, P & Z meeting	51073 · Contract Labor	03 - P & Z	362.50
Galena-Benchmark Engineering	Karl Malone Ford - lot line adj. platt discussion	51073 · Contract Labor	03 - P & Z	160.00
Galena-Benchmark Engineering	Karl Malone Ford - admin support	51073 · Contract Labor	03 - P & Z	65.00
Galena-Benchmark Engineering	Strahorn Sub. phase 2	51073 · Contract Labor	03 - P & Z	3,159.89
Galena-Benchmark Engineering	ACI staff report & ordinance redline & finalize	51073 · Contract Labor	03 - P & Z	72.50
Galena-Benchmark Engineering	Support Ashley w/ land use questions, ACI ordinance	51073 · Contract Labor	03 - P & Z	253.75
Galena-Benchmark Engineering	ACI County Commissioner Meeting	51073 · Contract Labor	03 - P & Z	398.75
Galena-Benchmark Engineering	Land use support for Ashley	51073 · Contract Labor	03 - P & Z	72.50
Galena-Benchmark Engineering	B-zone & ADU code interpretation for realtor & Ashley	51073 · Contract Labor	03 - P & Z	72.50
Galena-Benchmark Engineering	Admin Support	51073 · Contract Labor	03 - P & Z	65.00

City of Bellevue
CLAIMS PAYABLE
July 11 - 24, 2023

Name	Memo	Account	Class	Amount
Division of Building Safety	FY 2023 - Contract Payment for April 45% of total Building Permit fees	51073.1 · DBS Contract Labor	03 - P & Z	527.63
Division of Building Safety	FY 2023 - Contract Payment for May 45% of total Building Permit fees	51073.1 · DBS Contract Labor	03 - P & Z	8,105.52
Division of Building Safety	FY 2023 - Contract Payment for May 45% of total Plan Rvw fees	51073.1 · DBS Contract Labor	03 - P & Z	5,044.80
Division of Building Safety	FY 2023 - Contract Payment for June 45% of total Building Permit fees	51073.1 · DBS Contract Labor	03 - P & Z	144.53
Division of Building Safety	FY 2023 - Contract Payment for June 45% of total Plan Rvw fees	51073.1 · DBS Contract Labor	03 - P & Z	93.94
Total Comm. Dev.				21,368.31
Dept. 05 - Fire				
Ohio Gulch Transfer Station	Misc. Expense - Clean up Trash - Fire Station	51177 · Misc Expense	05 - Fire	7.92
Arizona Cap Company	Uniforms	52130 · Uniforms	05 - Fire	115.31
Total Fire				123.23
Dept. 08 - Marshal				
Axon Enterprises, Inc.	Lease bundle Fleet Cameras	51130 · Lease Expense	08 - Marshal	7,625.28
Copy & Print LLC	Business Cards - Marshal Gaston	56050 · Specialized Equipment	08 - Marshal	60.00
Mason's Trophies & Gifts LLC	Plaque 8x10 Marshal Heil	56050 · Specialized Equipment	08 - Marshal	76.50
Total Marshal				7,761.78
Dept. 09 - B & G				
Gardner, Robert	August - Rent 109 Cedar	58190 · Real Property Lease Exp	09 - B & G	125.00
Total B & G				125.00
Dept. 10 - Streets				
Pappas, Stefan	45 hours labor for fog sealing prep, flaggers, & pot hole repairs - \$45.00 per hr.	51073 · Contract Labor	10 - Streets	2,025.00
Napa Auto Parts	Supplies - disposable gloves, etc.	52090 · Supplies	10 - Streets	32.98
Napa Auto Parts	Credit - Core Deposit	52090 · Supplies	10 - Streets	-30.00
LL Green's Hardware	Supplies - Painting supplies - curb line per Casey	52090 · Supplies	10 - Streets	107.41
Valley Wide Cooperative	Supplies for Streets	52090 · Supplies	10 - Streets	254.47
Valley Wide Cooperative	Supplies - Gloves, chain oil, per Casey	52090 · Supplies	10 - Streets	144.61
Hillside Auto	Vehicle Maintenance & Repair - 2004 Ford P/U - clutch master & slave cylinder	52150 · Vehicle Maint & Repair	10 - Streets	1,569.51
Wells Fargo Vendor Financial Serv	Toolcat Installment	58150 · Equipment Lease	10 - Streets	552.81
LL Green's Hardware	Safety Vests	58230 · Safety Equipment	10 - Streets	68.97
Copy & Print LLC	Copies for fog seal treatment	58251 · LOT Street Repairs	10 - Streets	32.00
Copy & Print LLC	Posters for fog seal treatment	58251 · LOT Street Repairs	10 - Streets	299.85
Copy & Print LLC	Posters for fog seal treatment	58251 · LOT Street Repairs	10 - Streets	224.85
Total Streets				5,282.46

City of Bellevue
CLAIMS PAYABLE
July 11 - 24, 2023

Name	Memo	Account	Class	Amount
Dept. 20 - Water				
McHugh Bromley Attorneys at Law	F Representation in delivery calls & other water rights work - 6/2/23 - 6/30/23	51070 - Conjunctive Management	20 - Water	1,870.00
Digline Inc.	Monthly Fee	52050 - Professional Services	20 - Water	59.40
Copy & Print LLC	Door Hangers - Water Turnoff Notices	52090 - Supplies	20 - Water	13.50
Valley Wide Cooperative	Hose ends, tubing & clamps	52090 - Supplies	20 - Water	33.76
Wells Fargo Vendor Financial Serv	Toolcat Installment	58150 - Equipment Lease	20 - Water	138.20
			Total Water	2,114.86
Dept. 30 - Wastewater				
Allington, Frederick	Legal Services- Sewer Issues	51040 - City Attorney	30 - Wastewater	600.00
Galena-Benchmark Engineering	Gannett Ranch - Wastewater Meeting - 4/27/23	51073 - Contract Labor	30 - Wastewater	217.50
Digline Inc.	Monthly Fee	52050 - Professional Services	30 - Wastewater	59.40
Napa Auto Parts	Supplies - Sewer Plant	52090 - Supplies	30 - Wastewater	30.96
Valley Wide Cooperative	Supplies for Sewer Plant	52090 - Supplies	30 - Wastewater	24.12
Valley Wide Cooperative	Credit - returned supplies	52090 - Supplies	30 - Wastewater	-159.00
Wells Fargo Vendor Financial Serv	Toolcat Installment	58150 - Equipment Lease	30 - Wastewater	138.20
Keller Associates, Inc.	Reuse Permit Support - Project Management - 50% Complete	58210 - Plant Upgrades	30 - Wastewater	543.75
Keller Associates, Inc.	Reuse Permit Support - Permit Renewal Application - 65% Complete	58210 - Plant Upgrades	30 - Wastewater	4,407.25
			Total Wastewater	5,862.18
Grand Total - Claims Payables				49,175.25

ITEM #6

Webb Landscape, Inc.
162 Glendale Rd
Bellevue, ID 83313



Office: 208-726-4927
Fax: 208-726-4767
www.webbland.com

ESTIMATE

To: Jeff Pfaeffle
Address:
Billing Info:

Date: June 15, 2023
Phone:
Email: pfaeffle@cox.net

Re: Strahorn Development Planting Replacement
Plan Set Date:

108	MOBILIZATION/DELIVERY FEES:		
		subtotal	450.00
108	PLANT MATERIAL REMOVED: *Includes removal of all dead plant material *Includes the removal of root balls		
		subtotal	2,106.00
500's	IRRIGATION ALLOWANCE: *Includes removing existing irrigation from dead plant material and reinstalling following the new plant material		
		subtotal	750.00
602	PLANT MATERIAL INSTALLED: *Includes labor to install *Exact replacement of existing plant material		
6	10 Gallon Aspen, 8'-10'		
2	15 Gallon Aspen, 8'-12'		
14	2" Caliper Aspen, B&B		
3	14' Pines, B&B		
25	Pounds Apex Fertilizer		
2.5	Gallons of Save-a-Tree		
		subtotal	12,473.00

Thank You,
Cooper Hayes
Project Manager

JOB TOTAL, ESTIMATED: \$ 15,779.00

Date: June 15, 2023

To: Jeff Pfaeffle

Re: Strahorn Development Planting Replacement

Plan Set Date:

0

JOB TOTAL, ESTIMATED: \$ 15,779.00

OUR COMMITMENT:

- ▶ Webb maintains the integrity of our brand through accountability for our projects with an emphasis on quality, efficiency, industry best practices and a mindful stewardship of environmental conservation.
- ▶ Webb is committed to our client relationships. We will not be party to dishonesty, distortion, or the misrepresentation of our brand.
- ▶ Webb strives to maintain a positive working relationship with every client by providing the highest level of comprehensive, year round service while sustaining the long term value for your property.

WEBB LANDSCAPE CONTRACT:

WARRANTIES & INCLUSIONS:

- ▶ First Season Limited Warranty on all plant material
- ▶ One tree & shrub fertilization for all new plantings at time of installation

GENERAL TERMS & POLICIES:

- ▶ Prices reflect the 2023 work season.
- ▶ Estimates are subject to change or cancellation after the end of the current growing season.
- ▶ Winter weather conditions may increase costs.
- ▶ This is a cost estimate based on information and/or plans provided to Webb.
- ▶ Any engineering, permitting, HOA approvals or subcontracted work not listed on this estimate is considered the responsibility of the contracting party.
- ▶ Final costs may vary according to on site changes, actual quantities installed and unknowns such as unforeseen underground conditions/situations.
- ▶ Final billing shall be imposed upon actual quantities used and labor to install.
- ▶ **Due to market conditions, material costs are likely to vary and are subject to change without notice**
- ▶ **Product warranties do not apply to items sourced or supplied by homeowners or agents other than Webb Landscape, Inc.**
- ▶ **No warranty on Douglas Fir, Subalpine Fir, Vanderwolf Pine, all annuals and all perennials.**
- ▶ **First season limited warranty is defined as starting April 1st, ending November 1st.**
- ▶ **The plant warranty only covers the replacement plant material and does not cover labor, equipment, trash or other incidentals**
- ▶ **A deposit of one-third of the estimate total is due prior to the start of the project.**
- ▶ **Invoicing will be submitted on a monthly basis as work progresses.**
- ▶ **A 1.5% monthly finance charge shall be imposed on any portion of account not paid within 30 days of each billing.**

“Limited hardscape warranty” is defined as: Original size and type of material. This warranty is not subject to "acts of God" or conditions outside of Webb's control. Including but not limited to floods, fires, vandalism, lightning, earthquakes.

“Limited plant warranty” is defined as: Original size and type of material. The warranty only covers a one time replacement per plant. This warranty is not subject to "acts of God" or conditions outside of Webb's control. Including but not limited to floods, fires, vandalism, lightning, deer/elk/rodent damage, diseases or insects that have no controls or cures. It is not intended to cover healthy plants that are perceived as unacceptable due to conditions that may have affected their foliar appearance on a temporary or seasonal basis (e.g. insect damage, leaf spot fungus, hail damage, wind damage, snow loads, graze damage, etc.). Webb will set up proper watering for grow-in of new installs at the time of completion. Changes to that schedule can and will void all warranties should the plant material not survive the grow-in period due to a lack of water. Properties and projects not maintained by Webb during the initial grow-in season may void limited plant warranty.

ACCEPTANCE:

The pricing, specifications and conditions are satisfactory and accepted.
Webb Landscape, Inc. is hereby authorized to perform the work as specified.
Payments shall be made as outlined above.

Responsible Party

Date

**CITY OF BELLEVUE, IDAHO
RESOLUTION NO. 23-13**

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BELLEVUE, IDAHO,
APPOINTING MARIA PALOMERA TO SERVE AS
INTERIM CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 2 of Title 50 of Idaho State Statute provides that the Mayor shall appoint a City Clerk with the consent of the Common Council; and

WHEREAS, Maria Palomera currently serves as the Deputy City Clerk and will provide for a seamless continuation of duties; and

WHEREAS, the Mayor desires to appoint Maria Palomera as Interim City Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE IDAHO:

That Maria Palomera is hereby appointed to serve as Interim City Clerk.

PASSED by the Bellevue Common Council and signed by the Mayor on this 24th day of July 2023.

BY:

Kathryn Goldman, Mayor

ATTEST:

DEPUTY CITY CLERK

CITY OF BELLEVUE
BELLEVUE CITY COUNCIL
PUBLIC HEARING on June 12, 2023, at 5:30 p.m.

REGARDING: Amending the area of City Impact boundary map identifying an Area of City Impact within the unincorporated area of the county.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION
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REQUESTED ACTION: Request to consider the amended ACI map and ordinance #2023-04 to amend the Area of City Impact (ACI) boundary map identifying the Area of City Impact within the unincorporated area of the County.

History

On November 14, 2022, The Bellevue City Council made a finding to send the planning factors as required by Idaho Code to the Planning and Zoning Commission for their review and recommendation on the request for consideration to amend the current ACI with Blaine County.

On January 3, 2023, the Bellevue Planning and Zoning Commission held a public hearing and made a recommendation to the Council to amend the ACI map as requested by the landowner with conditions #1 and #2 below.

On February 13, 2023, the Bellevue City Council heard the Commissioners findings and continued the meeting on record to March 13, 2023.

On March 13, 2023, the Bellevue City Council continued the hearing on record to April 10, 2023 to allow for a workshop pertaining to the proposed boundary line by the applicant.

On March 28, 2023, the Bellevue City Council held a workshop with the interested parties to discuss the potential ACI Map amendment in a workshop setting.

On April 10, 2023, the Bellevue City Council continued the public hearing and voted to amend the ACI Map between the City of Bellevue and Blaine County as shown on Exhibit 1.

On June 12, 2023, the Bellevue City Council held a public hearing to adopt city ordinance #23-04 amending the Area of City Impact (ACI) boundary map identifying the Area of City Impact within the unincorporated area of the County.

I. GENERAL BACKGROUND AND PROCEDURAL HISTORY

1. **Notice** of this hearing was:
 - i. Posted on the door of Bellevue City Hall and the Bellevue Post Office & on the city website on June 7, 2023.
 - ii. Published in the Idaho Mountain Express on May 24, May 31 and June 7, 2023.
 - iii. Sent to all Political Subdivisions on May 31, 2023

Motion: I move that the notice for the ACI renegotiations is in compliance with applicable regulations of Idaho Code §74-204

2. Any disclosures (i.e. conflicts of interest, site visits or *ex parte* communications)?
3. Attached to this report are the following exhibits:

Exhibit A- Submitted Materials:

- A-1** Amended Map- WR Community Ventures
- A-2** Ordinance #2023-04 Amending ACI Map

Exhibit B—Department Head Comments

- B-1** Fire Chief: None were received at time of report
- B-2** Public Works: None were received at time of report

Exhibit C— Public Comments

- C-1:** None were received

Exhibit D – Agency Comments

- D-1:** None were received

II. RENEGOTIATION PROCESS- ID Code 67-6526(3)(b)

ID CODE§67-6526(3)(b): The City Council shall consider the three questions recommended by Idaho Code §67-6526(3)(b) for the renegotiation of the ACI between the County and Hailey.

A. In defining an area of city impact, the following factors shall be considered by the Council:

1.) Trade Area:

Is there a “trade area” that applies to the lands in or around Bellevue that are not currently in the Bellevue ACI? Trade Area is a term in Idaho Statute, which is a dated term to use today. “Trade Area”, excerpted from the Idaho Smart Growth ACI Toolkit, is a geographic area from which businesses or cities draw their customers. The logic for the trade area criterion is that if a city is providing services and goods to people outside their jurisdiction, then those people should be residents of the community in which these services are provided. People living outside a jurisdiction are using the city facilities, like roads and utilities, which support businesses. They use those facilities, just like the residents of the city, but without paying for those facilities like residents do through property taxes. Similarly, the city may be providing direct services such as library and parks that are used by people who live outside the city and may not be paying their fair share for the costs of those services.: **COUNCIL FINDING: New residents and businesses in this area would both travel north (to Hailey) or south (to Bellevue) depending on the nature of the trip. Additionally, middle school and high school services are all in Hailey, as are county services. Future residents might use both towns as their “trade area”.**

Additional considerations: As noted in the original ACI designation process, the subject parcel of land is much closer to Bellevue’s city center and services than Hailey’s city center and services. In fact, Bellevue’s business district on the west side of Highway 75 extends $\frac{3}{4}$ of the length of the subject parcel, well past the proposed ACI line. The council may wish to consider

how this ACI action will impact Bellevue's Business District that lies due west of the subject area.

2.) **Geographic factors:** The following is excerpted from the Idaho Smart Growth ACI Toolkit: "*Geographical Factors* can be both natural and manmade. Natural features can provide logical boundaries for an Area of City Impact. Maintaining the integrity of a natural system, by not splitting it into two (2) jurisdictions is also a factor to consider in drawing lines. The most relevant natural geographic features are water, landform, and ecosystems. Geography can also be described as the infrastructure that people place on the land. Most obvious are structures including roads, bridges, canals, and buildings. As described with trade area, a community's geographical location and proximity to other cities is a consideration, as well as clusters of development, neighborhoods, or districts. Less obvious, but equally important, is the land ownership patterns and regulatory provisions that influence the human geography". **COUNCIL FINDING: Lands to the south are all in one ownership. On the southwest, no clear geographic factor exists. On the southeast, the Woodside traffic light provides an infrastructure element that creates a break between Hailey and Bellevue.**

Additional considerations: As noted above in the Trade Area analysis, Bellevue's existing municipal boundary currently extends approximately 3/4ths of the length of the subject parcel. This municipal boundary is a human-made geographical factor and the Council may wish to consider how complementary zoning may be achieved on both sides of Highway 75 with the eventual annexation of the subject parcel.

3.) **Areas that can reasonably be expected to be annexed to the city in the future:** Hailey, Bellevue, and Blaine County have been discussing the ACI boundary on the south for over 15 years. Lands to the south were all under one ownership and are directly adjacent to Hailey City limits. Over the last 15 years, annexation proposals have been made by the previous property owner, alternately to both cities. Recently, however, the parcel of land was acquired by BC-1, LLC, (Doug and Skip Oppenheimer). The Oppenheimer Team and the Cities of Hailey and Bellevue have been working collaboratively to amend both Area of City Impact Maps to include this 228-acre parcel. **COUNCIL FINDING: The attached boundary map, and conceptual Plan prepared by the applicant's team illustrates how the division of land and proposed uses will occur between the two jurisdictions, in the event of future annexations. The City Council proposed an amended ACI Map to the applicant which is attached.**

III. DECISION

Motion: Upon a motion by _____ and a second by _____, and a unanimous vote, the Findings of Fact, Conclusions of Law and Decision for City Ordinance **#2023-04** amending the Area of City Impact (ACI) Boundary Map identifying an Area of City Impact within the unincorporated area of Blaine County, is APPROVED subject to the following condition:

CONDITION:

1. The Blaine County Board of Commissioners approves the ACI map and ordinance with the City of Bellevue.

IT IS SO ORDERED this _____ day of June 2023

Kathryn Goldman, Mayor

City Clerk