



**AGENDA  
PAYETTE CITY COUNCIL  
May 23, 2011  
WORK SESSION & SPECIAL MEETING**

**HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING**

**GEORGIA HANIGAN      MARK HELEKER  
LEE NELSON            IVAN MUSSELL  
KATHY DODSON        LES COCHRAN**

**5:15 PM – Work Session ~**

1. ROLL CALL
2. OLD BUSINESS
3. NEW BUSINESS
  - A. PMDC – Scott Masingill
  - B. Child Care Ordinance..... 1
  - C. Poultry Ordinance..... 2
  - D. Proposed Gas & Oil Drilling Ordinance..... 4
4. GENERAL DISCUSSION
5. MAYOR’S INFORMATIONAL POINTS TO COUNCIL

**Special Meeting immediately following work session**

1. ROLL CALL
2. Special Events Permit  
~Payette School District – Picnic in the Park..... 22
3. Change Order #2 – KEPHA Construction  
~Library Expansion..... 27
4. Change Order #6 – KEPHA Construction  
~Fire Station..... 32
5. ADJOURN

**ORDINANCE 1344**

**AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING SECTION 5.37 CHILD CARE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

**Section 1.** A new Chapter 5.37 of the Payette Municipal Code is hereby created, which Chapter shall read as follows:

**CHAPTER 5.37**

**5.37.010 CHILD CARE**

**5.37.010** No person shall operate a Childcare Center, a Family Home Childcare or a Group Childcare, as those terms are defined in section 17.08.010 until that person has obtained a license from the State of Idaho and a Conditional Use Permit from the City. No permit for a Conditional Use Permit shall be issued by the City until a copy of the State license is provided to the City Clerk.

**Section 2.** This Ordinance may be published in summary form as permitted by Idaho Code.

**Section 3.** This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

**Section 4.** Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

**Section 5.** Any violation of this ordinance shall be a misdemeanor punishable in accordance with the misdemeanor statues of the State of Idaho.

**Section 6.** If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF PAYETTE, IDAHO

\_\_\_\_\_  
Jeffrey T. Williams, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cordova, City Clerk

## ORDINANCE 1345

**AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 6.04.090 IN CHAPTER 6.04 OF TITLE 6, TO AMEND POULTRY; REQUIRED CONFINEMENT; AND SECTION 17.24.050 IN CHAPTER 17.24 OF TITLE 17, TO AMEND BUILDING AND USE RESTRICTIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

**Section 1.** Section 6.04.090 of Title 6, Chapter 6.04 of the Payette Municipal Code is hereby amended to read:

### **6.04.090: POULTRY; REQUIRED CONFINEMENT:**

It is unlawful for any person to keep any chickens, ducks, geese, turkeys or other poultry within the city limits, except the same shall be confined within a shed or other enclosure sufficient to retain the same and prevent them from trespassing upon the streets, alleys and other property within the city limits. A limit of no more than 6 chickens, ducks, geese, turkey or other poultry is allowed, except as outlined in T-Transitional District. No roosters are allowed in the corporate city limits. (Prior code § 6-2-9)

### **17.24.050: BUILDING AND USE RESTRICTIONS:**

- A. The roofs of buildings shall not project to within four feet (4') of the side property line.
- B. If garages open on side streets, they shall be at least ten feet (10') from the side property line, and, if the opening is on an alley, the setback shall be eight feet (8') from the property line.
- C. No building of more than two (2) stories, except public shall be permitted except by approval of the planning and zoning commission.
- D. No permanent signboards of any kind shall be permitted.
- E. No animals, other than household pets, shall be permitted except as outlined in 6.04.090, Poultry: Required Confinement.
- F. Sidewalks shall be constructed in all residential areas either adjacent to street curbs or set back away from the curb so the outer edge of the sidewalk lies adjacent to the property line. The planning and zoning commission shall designate which option may be utilized. If the sidewalk is set back from the curb, a planting strip shall be maintained between the sidewalk and street curb. A planting strip is an area between a curb and sidewalk which is landscaped or maintained as a lawn.
- G. All dwelling units shall be at least twenty feet (20') in width and forty feet (40') in length. (Ord. 1204, 2002: Ord. 971 § 9, 1987: Ord. 887, 1978: Ord. 847, 1976: prior code § 11-6-1(C))

**Section 2.** This Ordinance may be published in summary form allowed by Idaho Code.

**Section 3.** This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

**Section 4.** Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

**Section 5.** If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the  
City of Payette, Idaho this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF PAYETTE, IDAHO

BY \_\_\_\_\_

Jeffrey T. Williams, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cordova, City Clerk

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 40  
SERIES OF 2006**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING  
CHAPTER 6, ARTICLE VI OF THE RIFLE MUNICIPAL CODE RELATING TO  
OIL AND GAS EXPLORATION AND PRODUCTION.

WHEREAS, Chapter 6, Article VI of the Rifle Municipal Code (the "Code" or "RMC") contains regulations and permitting provisions relating to oil and gas exploration and production within the City of Rifle; and

WHEREAS, the Local Government Land Use Control Enabling Act of 1974, §§29-20-101, *et seq.*, C.R.S., Article 23 of Title 31, C.R.S., and other applicable laws grant broad authority to the City to plan for and regulate the development and use of land on the basis of the impact thereof on the community and surrounding areas; and

WHEREAS, pursuant to Article V, section 35 of the Colorado Constitution, the General Assembly does not have authority to delegate to any special commission municipal functions properly within the scope of the City's jurisdiction, including land use planning and zoning authority as set forth in Article 23 of Title 31, C.R.S., general police powers set forth at C.R.S. §31-15-401, business regulation powers set forth at C.R.S. §31-15-501, and building and fire regulation powers set forth at C.R.S. §31-15-601; and

WHEREAS, the Colorado State law, through the Oil and Gas Conservation Act at Title 34, Article 60, C.R.S. (the "Act") regulates oil and gas exploration; and

WHEREAS, the Colorado courts have determined that while the Act preempts local law with respect to technical aspects of well permitting, it does allow local governments to impose and enforce land use regulations governing the surface effects of oil and gas operations, including requiring building permits, setbacks and fire protection and emergency plans as provided for at C.R.S. §34-60-106(15); and

WHEREAS, the increase in oil and gas exploration in the City of Rifle necessitates the implementation of amended municipal regulations that allow for protection of local health and safety, and mitigate conflicts between oil and gas development and current and proposed land use.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Chapter 6, Article VI of the Rifle Municipal Code is hereby repealed in its entirety and replaced with the following provisions.

**ARTICLE VI**  
**Oil and Gas Exploration and Production**

**6-6-10. Scope.**

Unless otherwise stated in this Article, this Article shall apply to any and all exploration, development or production of oil and/or gas within the City limits, notwithstanding any provisions to the contrary as stated in Chapter 16 of this Code pertaining to zoning. The provisions of these regulations shall apply to the construction, alteration, repair, erection, location and maintenance of any gas and/or oil well or related structures within the City limits.

**6-6-20. Purpose.**

The purpose of this Article is to provide for exploration and development of oil and gas within the City, to protect the health, safety, and welfare of the residents of the City, to provide for sound environmental and safety practices for oil and gas operations within the City, and to prevent damage to City streets and bridges. It is recognized that under state law the surface and mineral estates are separate and distinct interests in land and that one may be severed from the other. Owners of subsurface mineral interests have certain legal rights and privileges, including the right to use that portion of the surface estate reasonably necessary to extract and develop their subsurface mineral rights. The state has a recognized interest in fostering the efficient development, production, and utilization of oil and gas resources, and particularly in the prevention of waste and protection of the correlative rights of mineral interest owners and producers to a fair and equitable share of production profits. Similarly, owners of the surface estate have certain legal rights and privileges, including the right to be accommodated by the mineral lessee, which includes the right to require the lessee to use reasonably available alternatives, if the lessee's operation would impair or preclude uses by the surface estate owner. Municipal governments have a statutory and judicially recognized authority and responsibility to regulate land use within their jurisdiction. These regulations are intended to be an exercise of that land use authority of the City in a manner that upholds the balance between municipal and state interests. Nothing in this Article shall be construed as giving the City authority to enforce state or federal laws, rules, or regulations.

**6-6-30. Definitions.**

All terms used in this chapter that are defined in the Act or in Commission regulations and are not otherwise defined in this section, are defined as provided in the Act or in such regulations as of the effective date of this chapter. All other words used in this chapter are given their usual customary and accepted meaning, and all words of a technical nature, or peculiar to the oil and gas industry, shall be given that meaning which is generally accepted in said oil and gas industry. When not clearly otherwise indicated by the context, the following words and phrases used in this chapter have the following meanings:

*Act* means the Oil and Gas Conservation Act of the State of Colorado.

*Applicant* means that person, corporation or other legal entity possessing the legal right to develop the mineral resource or any other use proposed in connection thereof for the site in question; generally, the applicant will be the owner or lessee of the mineral estate.

*Building units* means a building or structure intended for human occupancy. Every guest room in a hotel/motel or bed and breakfast facility is equal to one building unit, and every five thousand square feet of building floor area in commercial facilities is equal to one building permit.

*Commission or "OGCC"* means the Oil and Gas Conservation Commission of the State of Colorado.

*Day* means a period of twenty-four consecutive hours.

*Injection well* means any hole drilled into the earth into which fluids are injected for the purposes of secondary recovery, storage, or disposal, pursuant to authorizations granted by the Commission.

*Oil and gas well* means any hole drilled into the earth for the purpose of exploring for or extracting oil, gas, or other hydrocarbon substances, including but not limited to directionally drilled wells.

*Operating plan* means a general description of a facility identifying purpose, use, typical staffing pattern, seasonal or periodic considerations, routine hours of operating, source of services, infrastructure, and any other information related to regular functioning of such facility.

*Operator* means the person designated by the working interest owners as operator and named in Commission Form 2 or a subsequently filed Commission Form 10.

*Owner* means any person with a working interest ownership in the oil and gas or leasehold interest therein.

*Production site* means the area surrounding proposed or existing production pits or other accessory equipment required for oil and gas production, at which may also be located tanks and tank batteries, exclusive of transmission and gathering pipelines.

*Re-entering* means accessing an existing well bore for either the original or amended purpose, provided that such well has not been abandoned.

*Sidetracking* means entering the same well head from the surface, but not necessarily following the same well bore, throughout its subsurface extent when deviation from such well bore is necessary to reach the objective depth because of an engineering problem.

*Twinning* means the drilling of a well within a radius of fifty feet from an existing well bore when the well cannot be drilled to the objective depth or produced because of an engineering problem, such as a collapsed casing or formation damage.

*Use tax* means the tax paid by a consumer for using, storing, distributing, or otherwise consuming tangible personal property or taxable services inside the City.

*Well* means an oil and gas well or an injection well, including but not limited to directional drilling wells (for example, any well hole drilled into the ground).

*Well site* means that area surrounding a proposed or existing well or wells and accessory structures and equipment necessary for drilling, completion, re-completion, work over, development, and production activities.

#### **6-6-40. Special Use Permit Requirements and Procedures**

- (a) Proposed new wells, redrilling certain wells, and other specific enhancements.
  - (1) Within all zone districts, it shall be unlawful for any person to drill a well, reactivate a plugged or abandoned well, or perform initial installation of accessory equipment or pumping systems unless a use by special use permit has first been granted by the City in accordance with the procedures prescribed herein.
  - (2) When such permit has been approved for a well, the twinning, sidetracking, or re-entering of such well for the purposes of deepening, re-completing, or reworking shall not require a subsequent approval under this chapter. If any twinning, sidetracking, deepening, recompleting or reworking of a well, or relocation of accessory equipment or gathering and transmission lines occurs, then the operator shall submit a revised site plan to the City depicting any changes from the approved special use permit. After review of the revised site plan, the City shall issue a Notice to Proceed as provided in Section 6-6-70. The approval of such permit does not relieve the operator from otherwise complying with all applicable regulatory requirements of the City, state, and federal governments.
  - (3) The special use permit is limited to the current proposed facilities as shown on the approved plan. To the extent the applicant desires, after initial completion of a well, to place additional equipment on a tank battery or wellhead location which was not shown in the approved plan, the applicant must, except in a situation where additional equipment is necessary for a period of fourteen (14) days or less, notify the City of installation of such additional equipment.

- (4) Within thirty (30) days after completion of operations, the applicant shall provide to the City as-built drawings showing all facilities, pipelines, flow lines, and gathering lines which the applicant has placed on the land subject to this permit.
  
- (b) Inspections. In recognition of the potential impacts associated with oil and gas drilling and well operation in an urban setting, all wells and accessory equipment and structures may be inspected by the City at reasonable times to determine compliance with the applicable provisions of this Article, the City's building and fire codes, and all other applicable City health or safety standards. For the purpose of implementing and enforcing the provisions of this Article, City personnel have the right to enter upon private property after reasonable notification to the operator, which provides the operator an opportunity to be present.
  
- (c) Inspection fee.
  - (1) The inspection fee set forth in Appendix A shall be payable per well for each year or part of a year during which such well has not been plugged and abandoned. No inspection fee shall be due for any year following the year in which a well is plugged or abandoned, unless a special use permit is granted with respect to such well. No inspection fee shall be due for any calendar year in which the fee for an application for special use permit, as provided in subsection (e) below, is paid. Any inspection fee which becomes due and payable after January 1 of each year shall be paid by the operator within thirty (30) days after receipt of an invoice from the City. An operator contesting the amount of the invoice may, upon payment of the invoice under protest, appeal directly to the City Council.
  
  - (2) If the operator fails to pay the inspection fee imposed by this Section when due, a penalty of ten percent (10%) shall be added to the amount of the fee due, together with interest on the amount due at a rate of one percent (1%) for each month or portion thereof for which the fee is unpaid. The City Manager may, in his or sole discretion, waive the penalty for good cause shown.
  
  - (3) The City may recover in an action at law the amount of the inspection or other fees and costs imposed by the provisions of this Section and penalty and interest due and unpaid under this Section as well as all costs, including attorney fees, incurred by the City if it prevails in enforcement of this Article.
  
- (d) Use tax. All operators must conform to applicable provisions of this Article and the Rifle Municipal Code concerning taxation.
  
- (e) Application fee. A nonrefundable fee as established in Appendix A shall be payable for each separate well shown on the site plan which shall accompany the application. The

oil and gas special use permit application fee is in addition to any other fees charged by the City.

(f) Additional fees. In addition to the above, the applicant for an oil and gas special use permit shall be responsible for all fees and charges incurred by the City in connection with such application, including, but not limited to, legal fees, planning fees, engineering fees and filing or recording fees.

#### **6-6-50. Site Plan Application Requirements**

An application for a special use permit pursuant to this Article shall be filed with the City Clerk and shall include the following information:

(a) Site plan requirements. The site plans for a well site submitted with an application for an oil and gas special use permit shall be submitted on one or more plats or maps, at a scale not less than 1" = 50', showing the following information:

- (1) The proposed location of production site facilities or well site facilities associated with the well in the event production is established, if applicable. Future development of the resource shall be considered in the location of the tank battery. Existing tank batteries and transmission and gathering pipelines within six hundred sixty (660) feet of the well site shall be shown.
- (2) The location of layout, including, without limitation, the position of the drilling equipment and related facilities and structures, if applicable.
- (3) True north arrow.
- (4) Existing improvements, if any, within a radius of six hundred sixty (660) feet of the proposed well.
- (5) Existing utility easements and other rights-of-way of record, if any, within a radius of six hundred sixty (660) feet of the proposed well.
- (6) Existing irrigation or drainage ditches within four hundred (400) feet of the well site or production site, if any.
- (7) Drainage and erosion control plans for the well site or production site and the area immediately adjacent to such site, if applicable.
- (8) Location of access roads.
- (9) Well site or production site and existing lease boundaries.

- (10) The names of abutting subdivisions or the names of owners of abutting, unplatted property within four hundred (400) feet of the well site or production site.
- (11) A legal description of the property and evidence of title or contractual right to the mineral estate in the form of a copy of a deed or contract of sale including the legal description of the property.
- (12) If indicated on OGCC Form 2A, a copy of the wetland permit obtained from the Army Corps of Engineers.

(b) Vicinity map requirements. The vicinity maps for a well site submitted with an application for an oil and gas special use permit shall be submitted on one or more plats or maps showing the following information:

- (1) Location of all existing water bodies and watercourses, including direction of water flow. This information shall be submitted on USGS 7.5 minute series or assessor base maps which indicate topographic detail and show all existing water bodies and watercourses with a physically defined channel within a four-hundred-foot radius of the proposed well.
- (2) Location of existing oil and gas wells or injection wells as reflected in OGCC records. This information shall be submitted on a map and shall include any and all wells within a one-thousand-foot radius of the proposed location for the well.
- (3) Location of all Building units within a one-thousand-foot radius of the wellhead or production facility.
- (4) Location of drill site and access from one or more roads. The information to be submitted shall be on OGCC Form 2 and shall include the parcel tax identification number.
- (5) Surface and mineral lease ownership within two hundred (200) feet of the wellhead.

(c) Narrative requirements. In addition to the site plans and the vicinity maps required in subsections (1) and (2) above, the application shall also include the following:

- (1) The operator's and surface owner's names and addresses, copies of any required OGCC Form 2, and, if applicable, Form 2A, and designation of agent, if applicable.

- (2) An operating plan, including the method of and schedule for the drilling, completion, production, abandonment and reclamation of the operation.
- (3) A list of all permits or approvals obtained or to be obtained from local, state, or federal agencies other than OGCC.
- (4) An emergency response plan that is mutually acceptable to the operator and the appropriate emergency response network that includes, but is not limited to, the location of the well, provisions for access by emergency response entities, and a list of local telephone numbers of public and private entities and individuals to be notified in the event of an emergency.
- (5) A plan for weed control at the well site.
- (6) A fire protection plan that is mutually acceptable to the operator and the appropriate fire district that includes planned actions for possible emergency events and other pertinent information. Prior to the application to the City, a proposed fire protection and emergency response plan shall be submitted to and reviewed by the fire district.
- (7) To the extent applicable, sources of water to be used in drilling operations of a proposed well, including the legal basis for the right to use such water.
- (8) Proposed sanitary facilities that must comply with Section 602(f) of the OGCC rules.
- (9) A noise, odor, and dust abatement plan, if applicable, to control impacts on adjacent properties.
- (10) An access and transportation route plan.

**6-6-60. Application Review Criteria.**

The City Council shall approve an application for an oil and gas special use permit for a well site if the application submitted by the applicant conforms to the following requirements:

- (a) The site plans for a well site application comply with the requirements of Section 6-6-60(1).
- (b) The vicinity maps for a well site application comply with the requirements of Section 6-6-60(2).
- (c) The narrative for a well site application complies with the requirements of Section

6-6-60(3).

(d) The well location and setbacks comply with Section 6-6-90, unless such setback requirements have been waived by the OGCC.

(e) When applicable, compliance with the provisions for mitigation of environmental impacts as required in Section 6-6-110.

(f) When applicable, compliance with the provisions for geologic hazards, flood plains, or floodway required in Section 6-6-130.

**6-6-70. Notice to Proceed.**

Prior to commencement of construction, drilling, redrilling, or enhanced recovery operations for which a use by special use permit has been previously granted, a "Notice to Proceed" shall be obtained from the City. A copy of any necessary state or federal permit issued for the operation shall be provided to the City.

**6-6-80. Building Permits Required.**

Building permits shall be obtained as required by the City's adopted Building and Fire Codes and all other applicable codes and regulations then in effect.

**6-6-90. Well and Production Facility Location and Setbacks.**

In all areas of the City, unless such requirements are otherwise waived by the OGCC, the following apply:

(a) A well site or production facility shall be setback not less than three hundred fifty (350) feet from any occupied building or occupied building permitted for construction, and shall be setback not less than one hundred fifty (150) feet from any public road, major above-ground utility or railroad, and one hundred fifty (150) feet from any surface property line, unless an exception has been granted by OGCC.

(b) Production sites shall be setback not less than three hundred fifty (350) feet from any occupied building or occupied building permitted for construction, and not less than five hundred (500) feet from an educational facility, assembly building, hospital, nursing home, board and care facility, or jail, and shall be setback not less than one hundred fifty (150) feet from any public right-of-way.

(c) If requested by the City, and if feasible, production tanks shall be located five hundred (500) feet from an educational facility, assembly building, hospital, nursing home, board and care facility, jail or designated outside activity area.

**6-6-100. Compliance with Environmental Regulations.**

The approval of an oil and gas special use permit shall not relieve the operator from complying with all current applicable City, county, state, and federal regulations and standards concerning air quality, water quality, and waste disposal.

**6-6-110. Environmental Impacts and Mitigation**

- (a) Noise impacts and mitigation.
  - (1) State law and regulations concerning noise abatements (Title 25, Article 12, C.R.S.) shall apply to all operations, together with applicable City ordinances, rules, and regulations.
  - (2) To the extent practicable, exhaust from all engines, motors, coolers, and other mechanized equipment associated with such operations shall be vented in a direction away from occupied buildings.
- (b) Visual impacts and aesthetics.
  - (1) Facilities shall be painted as follows:
    - (A) Uniform, non-contrasting, non-reflective color tones.
    - (B) Color matched to land, not sky, slightly darker than adjacent landscape.
    - (C) Exposed concrete colored to match soil color.
  - (2) To the maximum extent practical, oil and gas facilities shall be located away from prominent natural features such as distinctive rock and land forms, river crossings, and other landmarks.
  - (3) To the maximum extent practicable, oil and gas facilities shall be located to avoid crossing hills and ridges or silhouetting.
  - (4) To the maximum extent practicable, the applicant shall use structures of minimal size to satisfy present and future functional requirements.
  - (5) At all times, the applicant shall minimize removal of existing vegetation.
  - (6) To the maximum extent practicable, the applicant shall locate facilities at the

base of slopes to provide a background of topography and/or natural cover.

- (7) The applicant shall replace earth adjacent to water crossings at slopes at an angle which insures stability for the soil type of the site, to minimize erosion.
  - (8) Storage tanks and other facilities shall be kept clean, well-painted, and otherwise properly maintained, so that signs are legible and all flammable material is removed from the site.
  - (9) Where a well or tank battery does not comply with the required setback or other portions of this Article, or in areas of increased visual sensitivity determined by the City, the applicant shall submit a visual mitigation plan which shall include but not be limited to one (1) or more of the following standards:
    - (A) Exterior lighting shall be directed away from residential areas, or shielded from said areas to eliminate glare.
    - (B) Construction of buildings or other enclosures may be required where facilities create noise or visual impacts which cannot be mitigated because of proximity, density, and/or intensity of adjacent residential land use.
  - (10) One or more of the following landscaping practice may be required, where practical, on a site specific basis:
    - (A) Establishment and proper maintenance of adequate ground covers, shrubs, and trees.
    - (B) Shaping cuts and fills to appear as natural forms.
    - (C) Cutting rock areas to create irregular forms.
    - (D) Designing the facility to utilize natural screens.
    - (E) Construction of fences or walls, such as woven wood or rock, for use with or instead of landscaping.
- (c) Safety impacts and mitigation.

- (1) Adequate precautions shall be taken and necessary wellhead safety devices used at all times during the drilling, completion, recompletion, reworking, production, repair, and maintenance of the well.
  - (2) Adequate fire-fighting apparatus and supplies, approved by the Fire Department or appropriate fire district, shall be maintained on the drilling site at all times during drilling, completion, and repair operations. All machinery, equipment, and installations on all drilling sites within the City limits shall conform with such requirements as may be issued by the Fire Department or appropriate fire district.
  - (3) Any well located less than three hundred fifty (350) feet from an occupied building or in high density areas shall be equipped with blowout preventers during drilling.
- (d) Wildlife impacts and mitigation.
- (1) When oil and gas operations are located within a wildlife habitat area, the applicant shall consult with the Colorado Division of Wildlife and City staff to obtain recommendations for appropriate site specific and cumulative impact mitigation procedures. The operator shall implement such mitigation procedures as are recommended by the Colorado Division of Wildlife after consultation with the City.
  - (2) Endangered species. The applicant shall not engage in activities which, in the opinion of the Colorado Division of Wildlife, threaten endangered species.
  - (3) The following mitigation measures shall be included in the site specific mitigation procedures as required under subsection (d)(1) above, as appropriate:
    - (A) Avoid constructing drilling and construction activities during critical use periods (for example, near heron nests during nesting or wildlife winter ranges during winter).
    - (B) Avoid conducting on-site operations and maintenance activities during critical use hours.
    - (C) Confine vehicular access to established roads except under emergency circumstances.
    - (D) Forbid use of firearms in project areas.

- (E) Install gates which can be locked at the first property boundary crossed when accessing the facility from the closest public road.
- (F) Conduct work near watercourses in a manner that minimizes siltation and erosion and at a period of little or no flow.
- (G) Place pipes below channel scour depths in water courses to avoid partial diversion of channel discharges.
- (H) Stabilize excess material at watercourse crossings in place or remove off-site.
- (I) Complete fueling and lubrication of construction equipment or vehicles away from the well site.
- (J) Multiple sites. In lieu of a site specific mitigation review for each oil and gas operation facility, the applicant may submit to the City Planning Department a multi-site plan addressing cumulative impacts to wildlife from the total facilities.

(e) Weed Control. In addition to all other applicable local, state, and federal regulations, The applicant shall comply with the provisions of Chapter 7, Article IV of the Rifle Municipal Code regarding management of weeds and brush.

**6-6-120. Access Roads.**

(a) Tank battery access roads. Access roads to tank batteries shall be subject to review and approval by the City Engineer in accordance with the following minimum standards:

- (1) A graded gravel roadway having a prepared subgrade and an aggregate base course surface a minimum of six (6) inches thick compacted to a minimum density of ninety-five percent (95%) of the maximum density determined in accordance with generally accepted engineering sampling and testing procedures approved by the Public Works Department. The aggregate material, at a minimum, shall meet the requirements for Class 6, Aggregate Base Course as specified for aggregate base course materials in the Colorado Department of Transportation's "Standard Specifications for Road and Bridge Construction," latest edition. This standard may be waived by the City Engineer and the Fire Chief for good cause and if the spirit and intent of this Section are otherwise met.
- (2) Graded so as to provide drainage from the roadway surface and constructed to allow for cross drainage of waterways (i.e., roadside swales, gulches,

rivers, creeks, and the like) by means of an adequate culvert pipe. Adequacy of the pipe is subject to approval of the City Engineer.

- (3) Maintained so as to provide a passable roadway reasonably free of ruts and meeting the requirements of subsection (1) at all times.

(b) Wellhead access roads. Access roads to wellheads shall be subject to review by the City Engineer in accordance with the following minimum standards:

- (1) A graded gravel roadway having a prepared subgrade and an aggregate base course surface a minimum of six (6) inches thick compacted to a minimum density of ninety-five percent (95%) of the maximum density determined in accordance with generally accepted engineering sampling and testing procedures approved by the Public Works Department.
- (2) Graded so as to provide drainage from the roadway surface and constructed to allow for cross drainage of waterways (i.e., roadside swales, gulches, rivers, creeks, and the like) by means of an adequate culvert pipe. Adequacy of the pipe is subject to approval of the City Engineer.
- (3) Maintained so as to provide a passable roadway reasonably free of ruts and meeting the requirements of subsection (1) at all times.

(c) Public access roads. An extra-legal vehicle or load permit shall be required for all extra-legal vehicles or loads as defined in Sections 42-4-501 through 512, C.R.S., which use City streets. Said permit, if required, shall be obtained from the City prior to such use. The applicant shall comply with all City and state regulations regarding weight limitations on streets within the City, and the applicant shall minimize extra-legal truck traffic on streets within the City.

(d) All tank battery and wellhead access roads which intersect a paved City street or alley shall be paved to standards determined by the Public Works Director from the existing paved roadway to the edge of the public right-of-way. Such standards shall protect public streets, sidewalks, and curbs and gutters. No mud or gravel, except minor or nominal amounts, shall be carried onto City streets or sidewalks. If mud or gravel is carried onto City streets or sidewalks, the owner or operator shall ensure that the streets are properly cleaned.

(e) No public facilities such as curbs, gutters, pavement, water or sewer lines, etc., shall be damaged by vehicles entering or leaving the site. In the event of damage, the owner and operator, jointly and severally, shall indemnify the City for any reasonable repair costs.

**6-6-130. Geologic Hazard, Flood Plain, Floodway Restrictions.**

All equipment at oil or gas well drilling and production sites in geological hazard, floodplain, and floodway areas shall be anchored to the extent necessary to resist flotation, collapse, lateral movement or subsidence and to the extent necessary to comply with the Federal Emergency Management Act.

**6-6-140. Disposal of Drilling Mud and Exploration and Production Waste.**

All exploration and production waste, including drilling mud or other drilling fluids, shall be stored, handled, transported, treated, recycled, or disposed of in accordance with OGCC regulations, to prevent any significant adverse environmental impact on air, water, soil, or biological resources.

**6-6-150. Injection Wells and Aquifers.**

All use of aquifers for injection of water or other materials must comply with applicable OGCC application requirements and all applicable state and federal environmental laws.

**6-6-160. Seismic Operations.**

All persons shall comply with all OGCC rules with respect to seismic operations. Seismic operations shall occur within the City only between the hours of 7:00 a.m. and 7:00 p.m. In addition, the owner or operator shall provide a notice of intent to conduct seismic exploration at least seven (7) days prior to commencement of the data recording operations to the Planning Director and Fire Chief. Said notice shall include the following:

- (a) Method of exploration.
- (b) Map showing the proposed seismic lines, at a scale of at least one-half ( $\frac{1}{2}$ ) inch to the mile.
- (c) Name and permanent address of the seismic contractor.
- (d) Name, address, and telephone number of the seismic contractor's local representative.

**6-6-170. Signage.**

The well and tank battery owner or operator shall comply with all OGCC rules with respect to signage. In addition, the owner or operator shall maintain all signs in readable condition. Signs shall comply with Chapter 16, Article VIII of the Rifle Municipal Code and any applicable polices adopted by the Fire Department, except when any variations from these codes are required by OGCC regulations.

**6-6-180. Abandonment and Plugging of Wells; Notification Requirement.**

- (a) The operator shall comply with all OGCC rules with respect to abandonment and plugging of wells.
- (b) Operators of wells which are to be abandoned upon the completion of drilling and not put into production shall notify the Fire Department not less than two (2) hours prior to commencing plugging operations.
- (c) Operators of formerly producing wells shall notify the Fire Department not less than two (2) working days prior to removing production equipment or commencing plugging operations.
- (d) The operator shall provide copies of all OGCC plugging and abandonment reports to the City at the same time they are filed with the OGCC.

**6-6-190. Reclamation.**

The operator shall comply with all OGCC rules with respect to site reclamation. The OGCC Drill Site Reclamation Notice shall be filed with the City at the same time it is sent to the surface owner.

**6-6-200. Emergency Response Costs.**

The operator shall reimburse the City or the appropriate fire district for any emergency response costs incurred by the City or the fire district in connection with activity at the well site or production site.

**6-6-210. Unauthorized Construction Prohibited.**

Except as otherwise provided in this chapter, it is unlawful to construct, install, or cause to be constructed or installed, any oil and gas facility within the City unless approval has been granted by the City. The unlawful drilling or re-drilling of any well or the production therefrom is a violation of this Article.

**6-6-220. Violation and Enforcement.**

- (a) Except as otherwise provided in this Article, it is unlawful to construct, install, or use, or cause to be constructed, installed, or used, any oil, gas, or injection well, production site, or well site in violation of any provision of this Article or of the conditions and requirements of the oil and gas special use permit unless approval has been granted by the City Council. The unlawful drilling or re-drilling of any well or the production therefrom is a violation of this Article.

(b) **Penalty.** Any person, firm, corporation, or legal entity which constructs, installs, or uses or causes to be constructed, installed, or used, any oil, gas or injection well, well site or production site, or commits any act or omission in violation of any provision of this Article or of the conditions and requirements of the oil and gas special use permit, may be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than one (1) year, or by both such fine and imprisonment. Each day of such unlawful operation constitutes a separate violation.

(c) **Civil action.** In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, or used, or any land is or is proposed to be used, in violation of any provision of this Article or the conditions and requirements of the oil and gas special use permit, the City Attorney, in addition to the other remedies provided by law, ordinance, or resolution, may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful erection, construction, reconstruction, alteration, or use.

(d) **False or inaccurate information.** The City Council may revoke approval of an oil or gas special use permit if it is determined after a public meeting, held on at least ten (10) days' notice to the applicant, that the applicant provided information or documentation upon which approval was based, which the applicant, its agents, servants, and employees, knew, or reasonably should have known, was materially false, misleading, deceptive, or inaccurate.

(e) **Prospective application.** Unless specifically provided otherwise, this Article shall apply only to wells that are drilled in the City on and after the date this Article is adopted. The re-entering of a well in existence prior to the date of adoption of this Article, for purposes of deepening, re-completing or reworking, shall not require approval of an oil and gas special use permit as required by this Article.

(f) **Recovery of fees.** The City shall be entitled to recover from any party that violates or fails to comply with any provision of this Article, in addition to any other penalties or remedies which may be available, all damages, costs, expenses, expert witness fees, and attorney fees incurred by the City for enforcement of the provisions of this Article.

**6-6-230. Conflicting Provisions.**

In the event of a conflict between the provisions of this Article and any other provision of the Rifle Municipal Code, the provisions of this Article shall control.

**6-6-240. Severability.**

If any provision of this chapter is found by a court of competent jurisdiction to be invalid, the remaining provisions of this chapter will remain valid, it being the intent of the City Council that the provisions of this chapter are severable.

**Section 3.** The permit fee for oil and gas wells referenced in the Chapter 6 fees section of the Code at Appendix A, page Appx. A-4, row 12, is hereby repealed in its entirety and reenacted to read as follows:

6-6-40	Well inspection fee	\$500.00
	Application fee	\$1,000.00

**Section 4.** Section 16-3-270 of the Rifle Municipal Code is hereby repealed and reenacted to read as follows.

**16-3-270. Oil and natural gas exploration, development, and production.**

Oil and natural gas exploration, development, and production shall be permitted on approval of a special use application subject to the provisions of Chapter 6, Article VI of this Code.

INTRODUCED on December 6, 2006, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on December 20, 2006, passed with amendments, approved, and ordered published in full as required by the Charter.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# City of Payette

## Special Event Permit Application

### OFFICE USE ONLY

Council Action \_\_\_\_\_

Approved and Issued \_\_\_\_\_

Not Approved \_\_\_\_\_

\_\_\_\_\_  
City Clerk/Deputy City Clerk

#### Non Refundable Fees:

Application..... \$100.00  
Security Deposit..... \$100 refundable

Complete application must be received by the City Clerk no less than 30 days prior to the scheduled event to ensure application review by staff and still afford the opportunity for appeal (if necessary) prior to the planned event date.

1. EVENT NAME Picnic in the Park

2. LOCATION OF EVENT (Be specific, i.e. west side of Kiwanis Park, all of Center Ave. between 9<sup>th</sup> & Main, 2 N. Main)

Kiwanis  Public Property  Private Property  
North side of Grand Shell in triangle / Central Park south side of Library

#### 3. 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.

Date(s) of Event	Hours	Estimated # of Attendees
<u>6-16 7-29-2011 Kiwanis</u>	Start Time: <u>12:00</u> End Time: <u>12:45</u>	All Day:
<u>6-16 7-29-2011 Central</u>	Start Time: <u>11:30</u> End Time: <u>12:15</u>	All Day:
Date of Set-Up	Start Time: End Time:	
	Start Time: End Time:	
Date of Tear Down	Start Time: End Time:	
	Start Time: End Time:	

4. FEES Please waive fees.

Special Event Permit Application Fee	\$100.00	* Separate Checks
Staff Per Diem Fee (as set by Council)	\$ _____	
Security Deposit	\$100.00	*Separate Checks
Additional Deposit Required	\$ _____	
TOTAL DUE	\$ _____	

#### 5. ORGANIZATION INFORMATION

Applicant Name Holly Cushman Title PSD Food Service Supervisor

Mailing Address 2077. 12th St.

Street Address Payette, Id 83661

Day Telephone 208-642-4751 Evening Telephone \_\_\_\_\_ Cell \_\_\_\_\_

FAX Number 208-642-4751 Email Address hcushman@payetteschools.org

Special Event Permit, continued.

Sponsoring Organization Payette S.D.

Non-profit?  Yes  No Tax Exempt # 82-6-000862

Federal Tax # \_\_\_\_\_ State Tax # \_\_\_\_\_

6. EVENT INFORMATION

New Event: Yes  No  Annual Event:  Yes  No Years Operating 10

Event Category: Commercial  Non-commercial

Estimated Gross Ticket Sales & Revenues (commercial event only) \_\_\_\_\_

Description of Event This event is designed to feed any child 1 year to 18 years of age during summer. Some students may not have meals available during summer months.

Additional Details \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. INSURANCE REQUIREMENTS

It is the responsibility of your Special Event organizers to maintain a COMPREHENSIVE GENERAL LIABILITY insurance policy with coverage of not less than \$1,000,000.00 combined single limit per occurrence. *Each policy shall be written as a primary policy, not contributing with or in excess of any coverage with the City may carry. A certificate naming the State of Idaho, Payette County, the City of Payette, as additional insured shall be delivered to the City of Payette 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 Fred A. Morton Agent Name Vicki Quacchia  
Address 2077. 9th St Payette Del Phone 321-9300  
83601

**HOLD HARMLESS CLAUSE**

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

(Attach any additional pages as needed)

**SPECIAL EVENT ACTIVITIES & CITY SERVICES REQUESTED**

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

NA		Check all Planned Activities	Check all Planned Activities
		<b>Street Closures &amp; Access/Parade</b> Detailed map listing areas of closure, parade Route is required. An ITD permit is required for Hwy 95 Organizer must notify all affected businesses, Churches, schools and neighborhoods	<b>Alcohol Served</b> (name of provider) Requires alcohol catering permit (PMC 5.15) <b>Beverages will be served</b> List Caterers
		<b>Security</b> (detail who, number of officers, times. Attach plan.)	<b>Medical Services</b> (Circle) First Aid and/or EMS Services Who is providing service? _____
		<b>Electricity/Generators</b> (Size _____) detailed electrical plan	<b>Lighting Plan:</b> attach plan
		<b>Water</b> Drinking / Washing (circle)	<b>Gray Water Barrel/Grease Barrel</b> (circle/detail # and locations)
		<b>Porta Toilets / Wash Stations</b> Quantity ADA Regular)	<b>Sanitation</b> – Trash bins, Dumpsters (circle / detail # and locations)
		<b>Canopies/Tents/Temporary Structures</b> (number and sizes) City of Payette Fire Department, Fire Code Enforcement	<b>Stages</b> (number and sizes)
		<b>Vendors</b> Items sold/solicitation	<b>Booths</b> Profit / Non-profit
		<b>Control/Shuttle Buses</b> (number of buses / locations / hours of operation, Attach plan)	<b>Barricades</b> How many / identify locations and attach
		Number of Staff working event <i>2 each side = 4</i>	Number of volunteers working
		K- 150 C- 80 <b>EVENT estimated attendance</b>	

I hereby certify that I have read and will abide by the laws, rules and regulations set forth by the City of Payette, Payette 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 Payette 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 Payette, its agents or employees are jointly negligent. I further agree to promptly reimburse the City of Payette and all of its agents for any clean up, loss or damage to City property resulting from this use, as well as permitting, staffing, equipment use/rental, property use/rental, clean up, inspections involving the use of public property, public employees or public equipment for the Special Event. In the event the deposit exceeds the actual charges, the City Clerk shall refund the balance to the applicant.

Permittee agrees to maintain access for emergency vehicles.

Event Organizer's Signature: Dally Cushman Date: 5/13/11

THIS PAGE FOR OFFICE USE ONLY

Date Application Received 5-16-11 Date Fees Paid NT

DEPARTMENT COMMENT/APPROVAL

FIRE: Steve Pastore

Check if special requirements attached:

APPROVED:  DENIED:

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

Est. Hours \_\_\_\_\_ x Hourly Rate \$ \_\_\_\_\_ = \$ \_\_\_\_\_

POLICE: Mark Cal

Check if special requirements attached:

APPROVED:  DENIED:

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

Est. Hours \_\_\_\_\_ x Hourly Rate \$ \_\_\_\_\_ = \$ \_\_\_\_\_

PARKS: Panama Fales

Check if special requirements attached:

APPROVED:  DENIED:

COMMENTS: PLEASE MOVE TO

BANCROFT PARK DUE

TO CONSTRUCTION.

Est. Hours \_\_\_\_\_ x Hourly Rate \$ \_\_\_\_\_ = \$ \_\_\_\_\_

STREETS: \_\_\_\_\_

Check if special requirements attached:

APPROVED:  DENIED:

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

Est. Hours \_\_\_\_\_ x Hourly Rate \$ \_\_\_\_\_ = \$ \_\_\_\_\_

CITY CLERK: \_\_\_\_\_

Check if special requirements attached:

APPROVED:  DENIED:

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

RISK MANAGEMENT: \_\_\_\_\_

Check if special requirements attached:

APPROVED:  DENIED:

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\$1,000,000 Insurance Certificate \_\_\_\_\_

Street Closure Information:

Street Closure Necessary? Yes No ITD Permit required? Yes No

Time of Street Closure: From \_\_\_\_\_ To \_\_\_\_\_

ITD Approval Received? Yes No N/A

Comments:



Form RD 1924-7  
(Rev. 2-97)

UNITED STATES DEPARTMENT OF AGRICULTURE  
RURAL DEVELOPMENT AND  
FARM SERVICE AGENCY

**CONTRACT CHANGE ORDER**

ORDER NO. Two (2)
DATE May 18, 2011
STATE Idaho
COUNTY Payette

CONTRACT FOR New Addition for Payette Public Library
OWNER City of Payette

To Atkins General Builders Inc. dba KEPHA Construction  
(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
Exploratory excavation to locate existing sewer line. (ASI #2, Item #1)	\$	\$ 1,783.86
TOTALS	\$	1,783.86
NET CHANGE IN CONTRACT PRICE	\$	1,783.86

JUSTIFICATION:

The existing sewer service was not where it was indicated on the survey.

The amount of the Contract will be (Decreased) (Increased) By The Sum Of: \_\_\_\_\_  
One Thousand Seven Hundred Eighty-Three Dollars and Eighty-Six Cents Dollars (\$ 1,783.86 ).

The Contract Total Including this and previous Change Orders Will Be: \_\_\_\_\_  
One Million Seventy-Eight Thousand Nineteen Dollars and Twenty-Two Cents Dollars (\$ 1,078,019.22 ).

The Contract Period Provided for Completion Will Be (Increased) (Decreased) (Unchanged): Unchanged 0 Days.

This document will become a supplement to the contract and all provisions will apply hereto.

Requested _____ (Owner)	_____ (Date)
Recommended _____ (Owner's Architect/Engineer)	<u>05/18/2011</u> (Date)
Accepted _____ (Contractor)	<u>05-18-2011</u> (Date)
Approved by Agency _____ (Name and Title)	_____ (Date)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture, Clearance Officer, STOP 7602, 1400 Independence Avenue, S.W., Washington, D.C. 20250-7602. Please DO NOT RETURN this form to this address. Forward to the local USDA office only. You are not required to respond to this collection of information unless it displays a currently valid OMB control number.

# Atkins General Builders, Inc.

dba KEPHA Construction  
3606 E. Newby Street  
Nampa, Idaho 83687

Phone: 208-461-2700  
Fax: 208-461-2702

**PROPOSED CHANGE ORDER**  
**No. 00002**

**TITLE:** Sewer change per ASI#02

**DATE:** 5/3/2011

**PROJECT:** Payette Library Addition

**JOB:** K100-11

**TO:** Attn: Dion Zimmerman  
Gowland Johanson & Zimmerman Arch.  
400 South Main  
Payette, Idaho 83661  
Phone: 208-642-4452 Fax: 208-642-4453

**CONTRACT NO:** K100-11-0906

**RE:** PCO

**To:** GOWJOHID

**From:** KEPHA

**Number:** 00002

## DESCRIPTION OF PROPOSAL

Provide additional excavation and exploration to locate the sewer line as per ASI #02, dated April 22, 2011.

Item	Description	Stock#	Quantity	Units	Unit Price	Tax Rate	Tax Amount	Net Amount
00001	Locate sewer line per ASI #02		1.000	LS	\$1,560.00	0.00%	\$0.00	\$1,560.00

Unit Cost: \$1,560.00

Unit Tax: \$0.00

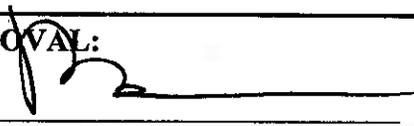
**Unit Total: \$1,560.00**

**Subtotal: \$1,560.00**

Description	Markup Percent	Markup Amount
General Conditions	6.500%	\$101.40
Insurance	1.250%	\$19.50
Overhead & Profit	5.000%	\$78.00
Bonds	1.600%	\$24.96

**Total Cost: \$1,783.86**

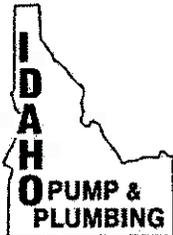
**APPROVAL:**

By:   
L. Brian Atkins

By: \_\_\_\_\_  
Dion Zimmerman

Date: 5/3/2011

Date: \_\_\_\_\_



**IDAHO PUMP & PLUMBING, CORP.**

2500 S. Empire Way • Boise, Idaho 83709 • Phone: 208-562-1181 • Fax: 208-562-1184

April 26, 2011

Atkins General Builders  
Attn: Brian Atkins  
3606 E. Newby St.  
Nampa, ID 83687

Re: Payette City Library

ASI#02

Our proposal is as follows:

Change to redirect sewer line: \$1560.00

This cost is for the backhoe work and labor performed to locate the existing sewer line to date. To run the sewer line the way you intend to now, will be a wash with our existing bid.

Total Bid: \$1560.00

If you have any questions, please contact our office.

Sincerely yours,

  
Kenneth A. Erickson, Estimator



Project: Payette Library Addition  
Payette, ID

Job #: Job #0906

**ASI #02**

**NOTICE TO CONTRACTORS :**

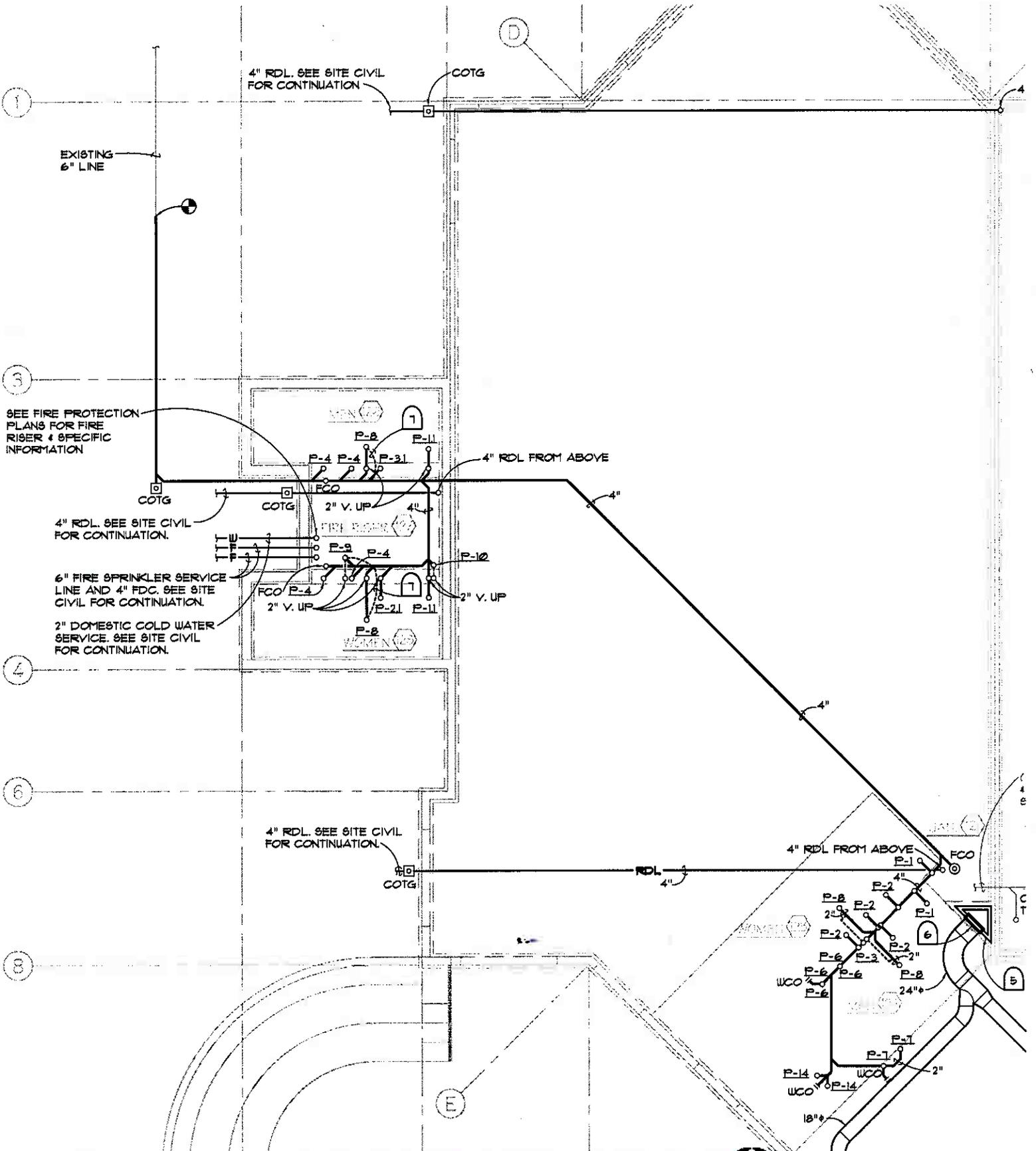
This Architect's Supplemental Instructions shall supplement, amend and become a part of the Bidding Documents, the drawings and specifications. The items set forth govern the work insofar as they apply and take precedence over the original drawings and specifications.

1. Provide pricing to redirect new plumbing fixtures as shown in attached sketch 10072-M21-sk1 to the existing sewer main line previously used for the demolished toilets in lieu of the sewer line originally believed to be south of the existing building.

Dion Zimmerman  
Author

April 22, 2011  
Date

**END OF ASI #02**



**4 BASEMENT MECHANICAL PLAN - NEW**  
 SCALE: 1/8" = 1'-0"



# CHANGE ORDER #6



**PROJECT:**  
 PAYETTE CITY / RURAL FIRE STATION  
 PAYETTE, IDAHO 83661

**OWNER:**  
 CITY OF PAYETTE  
 700 CENTER AVENUE  
 PAYETTE, IDAHO 83661

**CONTRACTOR:**  
 ATKINS GENERAL BUILDERS DBA KEPHA CONSTRUCTION  
 3606 EAST NEWBY STREET  
 NAMPA, IDAHO 83687

**ARCHITECT:**  
 GOWLAND JOHANSON ZIMMERMAN  
 ARCHITECTURE, INC.  
 400 SOUTH MAIN STREET  
 PAYETTE, IDAHO 83661

THE FOLLOWING CHANGES TO THE PLANS AND SPECIFICATIONS SHALL BECOME A PART OF THE CONTRACT DOCUMENTS:

ITEM #1	RELOCATE SHOWER VALVES AS PER CLINT BENSON'S DIRECTIVE TO CONFORM TO THE INTERNATIONAL PLUMBING CODE IN LIEU OF THE ANSI (ADA) CODE (ASI #8, ITEM #1)	\$ 308.55
ITEM #2	THREE ADDITIONAL VEHICLE EXHAUST SYSTEMS IN TRUCK BAYS #9 (ASI #9, ITEM #2)	\$ 64,277.79
ITEM #3	FOUR ADDITIONAL AIR HOSE REELS IN TRUCK BAYS #9 (ASI #9, ITEM #1)	\$ 2,095.67
ITEM #4	THREE ADDITIONAL ELECTRICAL RECEPTACLES & EXTENSION CORD REELS IN TRUCK BAYS #9 AND ELECTRICAL WORK FOR ADDITIONAL VEHICLE EXHAUST SYSTEMS (ASI #9, ITEMS #1 & #2)	\$ 7,240.18
TOTAL CONTRACT VALUE CHANGE		\$ 73,922.19
TOTAL CONTRACT TIME CHANGE		0 DAYS

RECEIVED

MAY 19 2011

CITY OF PAYETTE

ORIGINAL CONTRACT AMOUNT	\$ 1,666,311.00
CHANGE ORDER #1 AMOUNT	\$ 2,657.60
CHANGE ORDER #2 AMOUNT	\$ 12,154.57
CHANGE ORDER #3 AMOUNT	\$ 4,084.63
CHANGE ORDER #4 AMOUNT	\$ 1,805.98
CHANGE ORDER #5 AMOUNT	\$ 8,977.27
CHANGE ORDER #6 AMOUNT	\$ 73,922.19
NEW CONTRACT AMOUNT	\$ 1,769,913.24

ORIGINAL SUBSTANTIAL COMPLETION DATE	JULY 25, 2011
CHANGE ORDER TIME CHANGE	0 DAYS
NEW SUBSTANTIAL COMPLETION DATE	JULY 25, 2011

# CHANGE ORDER #6



  
\_\_\_\_\_

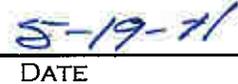
ARCHITECT

  
\_\_\_\_\_

DATE

  
\_\_\_\_\_

CONTRACTOR

  
\_\_\_\_\_

DATE

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
DATE

# Atkins General Builders, Inc.

# PROPOSED CHANGE ORDER No. 00010

3606 E. Newby Street  
Nampa, Idaho 83687

Phone: 208-461-2700  
Fax: 208-461-2702

**TITLE:** Move Shower Valves ASI #8

**DATE:** 5/11/2011

**PROJECT:** Payette City/Rural Fire Station

**JOB:** K200-10

**TO:** Attn: Dion Zimmerman  
Gowland Johanson & Zimmerman Arch.  
400 South Main  
Payette, Idaho 83661  
Phone: 208-642-4452 Fax: 208-642-4453

**CONTRACT NO:** KEPHAMAIN

**RE:** PCO

**To:** GOWJOHID

**From:** KEPHA

**Number:** 00010

**DESCRIPTION OF PROPOSAL**

Relocate shower valves per ASI #8

Item	Description	Stock#	Quantity	Units	Unit Price	Tax Rate	Tax Amount	Net Amount
00001	Relocate shower valves		1.000	LS	\$274.00	0.00%	\$0.00	\$274.00

Unit Cost: \$274.00

Unit Tax: \$0.00

**Unit Total: \$274.00**

**Subtotal: \$274.00**

Description	Markup Percent	Markup Amount
General Conditions	4.760%	\$13.04
Insurance	1.250%	\$3.43
Overhead & Profit	5.000%	\$13.70
Bonds	1.600%	\$4.38

**Total Cost: \$308.55**

**APPROVAL:**

By:   
L. Brian Atkins

By: \_\_\_\_\_  
Dion Zimmerman

Date: 5-11-11

Date: \_\_\_\_\_

INSELMAN PLUMBING & EXCAVATING CO., INC.  
8131 E. EXECUTIVE DR.  
NAMPA, ID 83687  
208-467-4416/208-463-8551(fax)

May 5, 2011

To: Kepha Construction

Re: Payette Fire Station ASI #8

Attn: Brian & Roger

Here is the cost to change locations of shower valves as per ASI #8.

	Material	\$ 74.97
	6% Sales Tax	4.50
	12% Markup	9.00
		-----
		\$ 88.47
3	Hrs. Labor	180.00
	Additional Permit	5.53
		-----
		\$ 274.00

Total Price of \$274.00

Sincerely,

Lane Rich



Project: Payette Fire Station  
Payette, ID

Job #: Job #1001

**ASI #08**

**NOTICE TO CONTRACTORS :**

This Architect's Supplemental Instructions #08 shall supplement, amend and become a part of the Bidding Documents, Drawings, and Specifications. The items set forth govern the work insofar as they apply and take precedence over the original Drawings and Specifications.

1. Install all shower controls and hand showers on the end wall opposite the seat in lieu of the back wall as indicated on the Drawings.
2. Modify the column and pier at the main entrance to correct their misalignment. (See attached **ASI08-SK-01**)

Houston Head  
Author

April 28, 2011  
Date

**END OF ASI #08**

# Atkins General Builders, Inc.

# PROPOSED CHANGE ORDER

No. 00011

3606 E. Newby Street  
Nampa, Idaho 83687

Phone: 208-461-2700  
Fax: 208-461-2702

**TITLE:** Exhaust / Cord Reels ASI #09

**DATE:** 5/12/2011

**PROJECT:** Payette City/Rural Fire Station

**JOB:** K200-10

**TO:** Attn: Houston Head  
Gowland Johanson & Zimmerman Arch.  
400 South Main  
Payette, Idaho 83661  
Phone: 208-642-4452 Fax: 208-642-4453

**CONTRACT NO:** KEPHAMAIN

**RE:** PCO

**To:** GOWJOHID

**From:** KEPHA

**Number:** 00011

### DESCRIPTION OF PROPOSAL

Provide and install (3) additional vehicle exhaust systems, (4) additional air hose reels and electric hose reels per ASI #09 and ASI09-SK-01 dated May 5, 2011.

Item	Description	Stock#	Quantity	Units	Unit Price	Tax Rate	Tax Amount	Net Amount
00001	Additional vehicle exhaust systems.		1.000	LS	\$57,080.00	0.00%	\$0.00	\$57,080.00
00002	Additional air hose reels		1.000	LS	\$1,861.00	0.00%	\$0.00	\$1,861.00
00003	Additional Electric hose reels and hook up of vehicle exhaust systems		1.000	LS	\$6,429.43	0.00%	\$0.00	\$6,429.43

Unit Cost: \$65,370.43

Unit Tax: \$0.00

**Unit Total:** \$65,370.43

**Subtotal:** \$65,370.43

Description	Markup Percent	Markup Amount
General Conditions	4.760%	\$3,111.63
Insurance	1.250%	\$817.13
Overhead & Profit	5.000%	\$3,268.52
Bonds	1.600%	\$1,045.93

**Total Cost:** \$73,613.64

### APPROVAL:

By:   
L. Brian Atkins

By: \_\_\_\_\_  
Houston Head

Date: 5/12/2011

Date: \_\_\_\_\_



4744 Fenton St. Boise, ID 83714  
 Ph 208-377-3240 Fax 208-378-1126

# Estimate

Date	Estimate #
5/10/2011	08-950

<b>Name / Address</b>
Kepha Construction 3606 E. Newby Street Nampa, ID 83687

<b>Job Name</b>
PAYETTE FIRE STATION - ASI #09\

Description	Total
<p>1) KMD proposes to install the existing vehicle exhaust system 1 bay to the north.</p> <p>2) KMD proposes to furnish and install 3 additional Magna Rail vehicle exhaust track systems in the bays south of the 3 existing systems. This new system will mimic the existing system 100%.</p> <p>3) Quote includes air balance by Robar Technical Services</p> <p>EXCLUSIONS: Electrical</p>	\$7,080.00
<b>Quote Valid for 30 Days.</b>	<b>Total</b> \$57,080.00

Signature

Public Works # 16988 B-4 Exp. 8/31/11 - HVAC Lic. # 6372 Exp. 4/30/13 - Contractor Lic. # RCE-22806

INSELMAN PLUMBING & EXCAVATING CO., INC.  
8131 E. EXECUTIVE DR.  
NAMPA, ID 83687  
208-467-4416/208-463-8551 (fax)

May 11, 2011

To: Kepha Construction

Re: Payette Fire Station ASI #9

Attn: Brian & Roger

Here is the cost to add four hose reels as per ASI #9.

	Material	\$ 893.04
	6% Sales Tax	53.59
	12% Markup	107.17
		-----
		\$ 1,053.80
12	Hrs. Labor	720.00
	Man Lift Rental	50.00
		-----
		\$ 1,823.80
	Additional Permit	37.20
		-----
		\$ 1,861.00

Total Price of \$1,861.00

Sincerely,

Lane Rich

FRUITLAND ELECTRIC INC.

PROPOSAL

P.O. BOX 427  
424 SW 3RD ST.  
FRUITLAND, ID. 83619  
Ph: (208) 452-4970 / (541) 889-7355  
Fax: (208) 452-6149  
Email: frd\_electric@fmmc.com

To: ATKINS GENERAL BUILDERS, INC  
DBA KEPHA CONSTRUCTION  
3606 E NEWBY STREET  
Nampa, ID 83687

PHONE (208) 461-2700 DATE 5/10/2011

JOB NAME / LOCATION  
PAYETTE FIRE STATION  
HWY 95 AND 7TH AVE N  
Payette, ID 83661

Attn:

JOB NUMBER 0029074

We hereby submit specifications and estimates for:

- 1) ADD (3) CORD REELS
  - 2) CHANGE MR2 & MR3 TO 7 1/2 HP MOTOR CKTS
  - 3) THIS BID FACTORS IN USING EXSTING BID MATERIALS WERE POSSIBLE
- ASI # 09 CHANGE

WE PROPOSE hereby to furnish material and labor -- complete in accordance with the above specifications, for the sum of:

\*SIX THOUSAND FOUR HUNDRED TWENTY-NINE AND 43 / 100 dollars(\$ 6,429.43 )

Payment to be made as follows:

Due upon completion

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Worker's Compensation Insurance.

Authorized Signature \_\_\_\_\_

Note: This proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL -- The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work specified. Payment will be made as outlined above.

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

**PROPOSAL**

FRUITLAND ELECTRIC INC.  
P.O.BOX 427  
424 SW 3RD ST.  
FRUITLAND, ID. 83619  
(208) 452-4970

PROPOSAL #: 0029074  
DATE: 5/10/2011  
ELECTRICIAN: BID PROPOSAL  
CUSTOMER #: KEPHA  
WRITTEN BY: DAVE

**BILL TO:**  
ATKINS GENERAL BUILDERS, INC  
DBA KEPHA CONSTRUCTION  
3606 E NEWBY STREET  
Nampa, ID 83687  
CONFIRM TO:

**LOCATION OF WORK:**  
PAYETTE FIRE STATION  
HWY 95 AND 7TH AVE N  
Payette, ID 83661

COMMENT: ASI # 09

CUSTOMER P.O.: ASI # 09

TERMS: DUE UPON RECEIPT

**TYPE OF WORK AND DESCRIPTION**

ITEM #	DESCRIPTION	EA.	ORDERED	SHIPPED	PRICE	AMOUNT
<b>Materials</b>						
2510GN	THHN 10 STRD.GREEN	EA	150.00	0.00	0.33	49.50
2510BK	THHN 10 STRD.BLACK	EA	350.00	0.00	0.33	115.50
331	EMT CONDUIT 1/2 100' BDL.	EA	60.00	0.00	0.39	23.40
SCN1	# STEEL SET SCREW CONN.1/2	EACH	6.00	0.00	0.43	2.58
SCP1	# STEEL SET SCREW CPLG 1/2	EA	3.00	0.00	0.43	1.29
2512BK	THHN 12 STRANDED BLACK	EA	80.00	0.00	0.32	25.60
2512WE	THHN 12 STRANDED WHITE	EA	80.00	0.00	0.32	25.60
2512GN	THHN 12 STRANDED GREEN	EA	80.00	0.00	0.32	25.60
BOW4SDWFBSPL	4 SQ.BRKT.METAL BX.DEEP COMBO	EA	3.00	0.00	2.59	7.77
MR158	MUDRING 1G 5/8 RAISED	EA	3.00	0.00	0.70	2.10
PAS7310	TWIST LOK 20A 125/250 3W RECEP	EA	3.00	0.00	27.59	82.77
PAS7311	TWIST LOK 20A 125/250 3W MALE	EA	3.00	0.00	27.80	83.40
SQDQOB335	# QOB BOLT ON 30A 3P BRKR.	EA	2.00	0.00	342.16	684.32
CORD REELS			3.00	0.00	1,300.00	3,900.00
<b>Total Materials</b>						<b>5,029.43</b>

**Details**

- 1) ADD (3) CORD REELS
  - 2) CHANGE MR2 & MR3 TO 7 1/2 HP MOTOR CKTS
  - 3) THIS BID FACTORS IN USING EXSTING BID MATERIALS WERE POSSIBLE
- ASI # 09 CHANGE

**Labor**

IDAHO LABOR	6.00	0.00	95.00	570.00
IDAHO LABOR	2.00	0.00	65.00	130.00
IDAHO LABOR	6.00	0.00	95.00	570.00
IDAHO LABOR	2.00	0.00	65.00	130.00
<b>Total Labor</b>				<b>1,400.00</b>

NET ORDER:	6,429.43
LESS DISCOUNT:	0.00
FREIGHT:	0.00
SALES TAX:	0.00
<b>ORDER TOTAL:</b>	<b>6,429.43</b>



Project: Payette Fire Station  
Payette, ID

Job #: Job #1001

**ASI #09**

**NOTICE TO CONTRACTORS :**

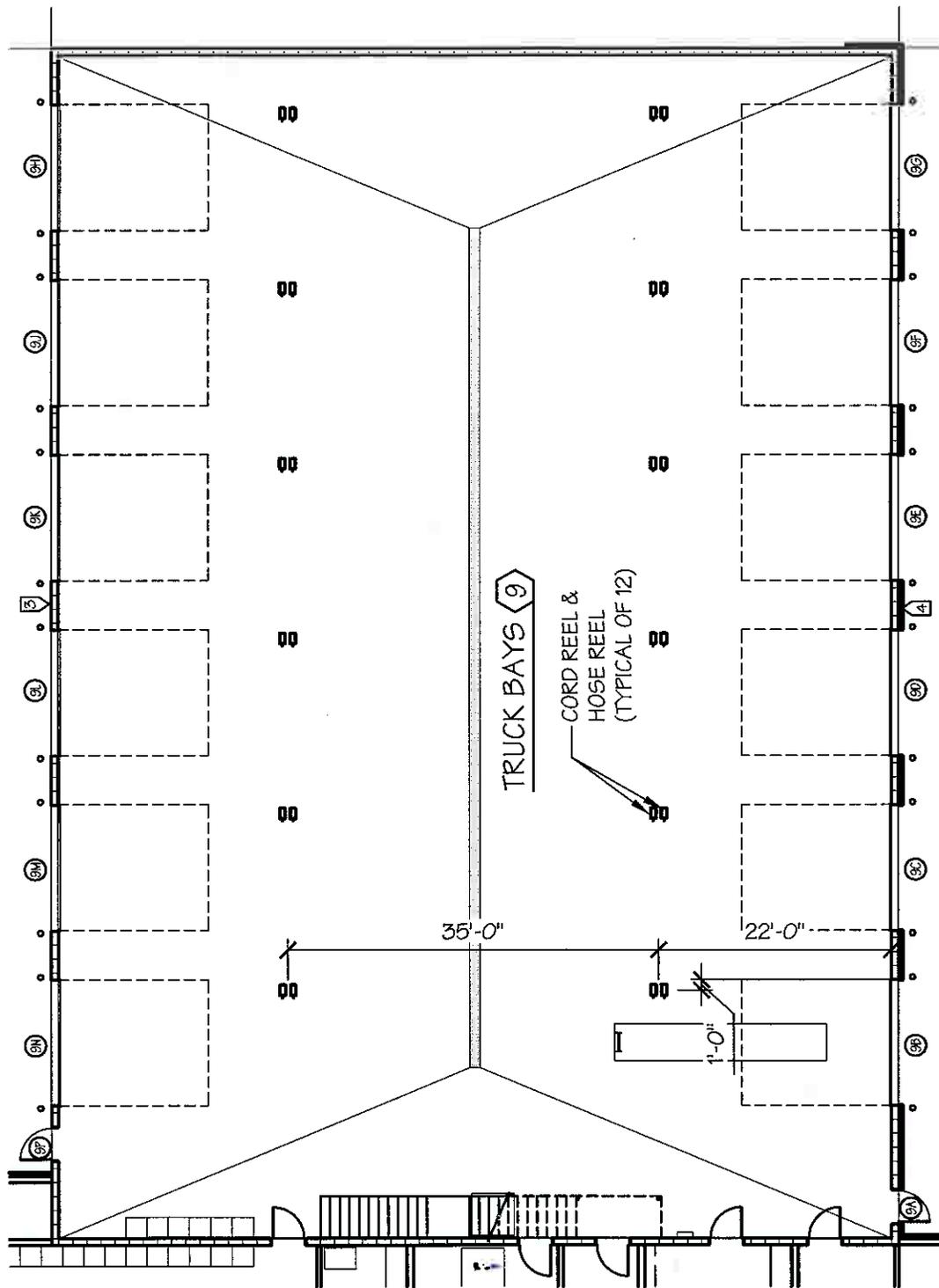
This Architect's Supplemental Instructions #09 shall supplement, amend and become a part of the Bidding Documents, Drawings, and Specifications. The items set forth govern the work insofar as they apply and take precedence over the original Drawings and Specifications.

1. Provide pricing to furnish and install four additional ceiling mounted compressed air hose reels (P2.0, Key Note 30) and three additional ceiling mounted receptacles and cord reels (E2.0P, Keyed Note 13) at Truck Bays #9. See attached **ASI09-SK-01** for revised layout.
2. Provide pricing to furnish and install three additional Magna Rail Vehicle Exhaust Systems in the truck bays. Mimic the layout of the existing exhaust systems. Exhaust systems shall be inclusive of all required equipment, including required mechanical and electrical connections. Coordinate new exhaust systems with other trades that may be affected. The new layout shall provide for an exhaust system to the north of each truck bay. The new layout shall have bays 1 through 3 on one 7.5 hp exhaust fan and bays 4 through 6 on another 7.5 hp exhaust fan.

Houston Head  
Author

May 5, 2011  
Date

**END OF ASI #09**



# ASI09-SK-01

Date: 05-05-11  
 Job No: 1001  
 Scale: 1/16" = 1'-0"  
 Drawn By: HLH  
 Checked By: DDZ



**Gowland · Johanson · Zimmerman**  
 400 S. Main St. Payette, ID 83661 phone (208) 642-4452 fax (208) 642-4453  
 10159 W. Overland Rd. Boise, ID 83709 phone (208) 475-0945 fax (208) 642-4453

REVISED  
 CORD & HOSE  
 REEL LAYOUT

SK-1