ORDINANCE NUMBER 940

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO DECLARING THE PLACEMENT OF THE WOOD RIVER Y ON THE PARK AND RIDE LOT SHALL CONFORM TO THE PROCEDURE OUTLINED IN RESOLUTION NO. 03-007 ("RESOLUTION"); PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Ketchum City Council passed the Resolution on February 13, 2003, which provided that the City would reserve a portion of the Park and Ride Lot for the Wood River Y.

WHEREAS, the Resolution stated that the City will match the initial $3.0 million of charitable pledges by timely seeking voter approval of a Revenue Bond in the amount of $3.0 million.

WHEREAS, the Resolution does not refer to the Wood River Y contracting to run the City Park or Recreation Department.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Ketchum, Idaho:

SECTION 1. Prior to the City transferring, conveying, leasing, or providing any contractual rights for the Wood River Y to occupy the Park and Ride land, the City shall appraise the Park and Ride land, and seek voter approval from a majority of the voters voting at a special election held by the City. The special election ballot shall inform the voters of the fair market value of the Park and Ride land thirty days prior to this election.

SECTION 2. Additionally, prior to the City providing money or credit to the Wood River Y, the City shall seek voter approval of a revenue bond not to exceed $3.0 million and the source of the revenue shall be the funds generated by the local option tax.

SECTION 3. The City shall be prohibited from privatizing, outsourcing or contracting with the Wood River Y to provide services or programs that are provided by the Ketchum Recreation Department.

SECTION 4. The City shall not be responsible for operating costs of the Wood River Y.

SECTION 5. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts hereof of this Ordinance shall be severable. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance.

SECTION 6. REPEALER CLAUSE. Any Ordinances or portion of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective upon its passage, approval and publication according to law.

PASSED by the City Council and APPROVED by the Mayor this 31st day of August 2004.

CITY OF KETCHUM

EDWARD SIMON, Mayor

ATTEST:

Sandra E. Cady, CMC
City Treasurer/Clerk

APPROVED AS TO FORM
AND CONTENT:

Benjamin W. Worst
City Attorney

Publish: Idaho Mountain Express
September 8, 2004

initiative petition, the mayor and council of the City of Ketchum, Idaho;

We, the undersigned citizens and legal voters of the City of Ketchum ("City), Blaine County, Idaho respectfully demand that the following proposed ordinance, to-wit:

AN ORDINANCE OF THE CITY OF KETCHUM, DECLARING THE PLACEMENT OF THE WOOD RIVER Y ON THE PARK AND RIDE LOT SHALL CONFORM TO THE PROCEDURE OUTLINED IN RESOLUTION NO. 03-007 ("RESOLUTION").

WHEREAS First: The City passed the "Resolution" on February 13, 2003 which provided that the City would reserve a portion of the Park and Ride Lot for the Wood River Y.

WHEREAS Second: The "Resolution" stated that the city will match the initial $3.0 million of charitable pledges by timely seeking voter approval of a Revenue Bond in the amount of $3.0 million.

WHEREAS Third: The "Resolution" does not refer to the Wood River Y contracting to run the City Park or Recreation Department.

NOW, THEREFORE BE IT ENACTED by the Mayor and City Council of Ketchum:

1. PRIOR TO THE CITY TRANSFERING, CONVEYING, LEASING, OR PROVIDING ANY CONTRACTUAL RIGHTS FOR THE WOOD RIVER Y TO OCCUPY THE PARK AND RIDE LAND, THE CITY SHALL APPRAISE THE PARK AND RIDE LAND, AND SEEK VOTER APPROVAL FROM A MAJORITY OF THE VOTERS VOTING AT A SPECIAL ELECTION HELD BY THE CITY. THE SPECIAL ELECTION BALL0T SHALL INFORM THE VOTERS OF THE FAIR MARKET VALUE OF THE PARK AND RIDE LAND THIRTY DAYS PRIOR TO THIS ELECTION.

2. ADDITIONALLY, PRIOR TO THE CITY PROVIDING MONEY OR CREDIT TO THE WOOD RIVER Y, THE CITY SHALL SEEK VOTER APPROVAL OF A REVENUE BOND NOT TO EXCEED $3.0 MILLION AND THE SOURCE OF THE REVENUE SHALL BE THE FUNDS GENERATED BY THE LOCAL OPTION TAX.

3. THE CITY SHALL BE PROHIBITED FROM PRIVATIZING, OUTSOURCING OR CONTRACTING WITH THE WOOD RIVER Y TO PROVIDE SERVICES OR PROGRAMS THAT ARE PROVIDED BY THE KETCHUM RECREATION DEPARTMENT.

4. THE CITY SHALL NOT BE RESPONSIBLE FOR OPERATING COSTS OF THE WOOD RIVER Y.

shall be submitted to the legal voters of the City of Ketchum, for their approval or rejection at an election to be called in accordance with Idaho Code Section 50-501(3), and each for himself or herself says: I have personally signed this petition; I am a legal voter of the City of Ketchum; my residence and post office are correctly written after my name.