



Coeur d'Alene CITY COUNCIL MEETING

September 20, 2022

MEMBERS OF THE CITY COUNCIL:

Jim Hammond, Mayor

Council Members McEvers, English, Evans, Gookin, Miller, Wood

WELCOME
To a Regular Meeting of the
Coeur d'Alene City Council
Held in the Library Community Room at 6:00 P.M.
AGENDA

VISION STATEMENT

Our vision of Coeur d'Alene is of a beautiful, safe city that promotes a high quality of life and sound economy through excellence in government.

The purpose of the Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of Public Hearings. Any individual who wishes to address the Council on any other subject should plan to speak when **Item H - Public Comments** is identified by the Mayor. The Mayor and Council will not normally allow audience participation at any other time.

September 20, 2022

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Don Gilger with The Salvation Army Kroc Center.

C. PLEDGE OF ALLEGIANCE

D. AMENDMENTS TO THE AGENDA: Any items added less than forty-eight (48) hours prior to the meeting are added by Council motion at this time. [Action Item.](#)

E. PRESENTATIONS:

1. Mount Hink Presentation

Presented by: Phil Boyd, President, Welch Comer Engineers

*****ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS**

F. ANNOUNCEMENTS:

1. City Council
2. Mayor – Appointments of Stephen McCrea to the Library Board, and Councilmember Dan English to ignite cda.

G. CONSENT CALENDAR: Being considered routine by the City Council, these items will be enacted by one motion unless requested by a Councilmember that one or more items be removed for later discussion.

1. Approval of Council Minutes for the September 6, 2022, Council Meeting.
2. Approval of General Services/Public Works Committee Minutes for the September 12, 2022, Meeting.

3. Setting of the General Service/Public Works Committee Meeting for September 26, 2022.
4. Approval of Bills as Submitted.
5. Approval of Financial Report.
6. Approval of Final Plat for SS-22-11c, Riverstone Condominium
As Recommended by the City Engineer
7. Approval of **Resolution No. 22-043** -
 - a. Acceptance of a Utility easement for Water line from Celestino Fuentes and Rajeanne Lessard to the City, located at 3248 Barn Ct.
 - b. Acceptance of a Sewer Line Easement from Coeur d'Alene Memorial Gardens to the City, located at 7315 Government Way.

H. PUBLIC COMMENTS: (Each speaker will be allowed a maximum of 3 minutes to address the City Council on matters that relate to City government business. Please be advised that the City Council can only take official action this evening for those items listed on the agenda.)

I. OTHER BUSINESS:

1. **Presentation:** Utility Hearing to be held October 4, 2022

Staff Report by: Chris Bosley, City Engineer

2. **Council Bill No. 22-1012** – Approval of the termination of the revenue allocation area for the Lake District (Urban Renewal District) Revenue Allocation Area (RAA).

Staff Report by: Randy Adams, City Attorney

3. **Resolution No. 22-044** – Approval of the Police Lateral Officer Hiring and Incentive Program.

Staff Report by: Police Chief Lee White

J. PUBLIC HEARING: *Please sign up to testify at <https://www.cdavid.org/signinpublic/Signinformlist>*

1. (*Legislative*) Fiscal Year 2021-2022 Annual Appropriations Ordinance Amendment for Fiscal Year beginning October 1, 2021 through September 30, 2022.

Staff Report by: Vonnie Jensen, Comptroller

- a. **Council Bill No. 22-1013-** Approving Fiscal Year 2021-2022 Annual Appropriations Amendment

K. EXECUTIVE SESSION: Pursuant to Idaho Code 74-206 (j) To consider labor contract matters authorized under section 74-206A (1)(a) and (b).

L. ADJOURNMENT

PRESENTATIONS



To: City of CDA Mayor & City Council

From: Ex. Director Berns on Behalf of the ignite cda Board of Commissioners

Re. Atlas Project Site – Mt. Hink Area

Council Meeting Date: September 20, 2022

Prior to the September 20, 2022 City Council meeting where “Mt. Hink” will be discussed, ignite cda (Agency) was asked to provide Council with a brief history re. the Agency’s strategy for addressing the Mt. Hink site located within the project area.

As background, the Mt. Hink site (depicted below) is located in the northeast corner or the project site. Mt. Hink is comprised of a mixture of both suitable materials (i.e. materials that can be used on site for structural purposes / topsoil) and unsuitable materials (i.e. materials that can be used for certain landscaping uses but can’t be used for structural purposes / topsoil).



The “Mt.” designation associated with Mt. Hink pertains to the above ground visible portion of this area. However, the entire Mt. Hink area encompasses both the above ground visible area plus three (3) below ground pits ranging in depth from 25 to 45 feet below the Seltice Way road

elevation (Pits 2, 3 & 4 depicted below). The entire Mt. Hink site (above ground and below ground) is estimated to contain approximately 640,000 cubic yards of both suitable and unsuitable materials.



When the Atlas Urban Renewal District was formed in 2018, the initial strategy for the then City-owned Mt. Hink area was to leave it “as is” in a natural state until further strategies could be developed, including moving the unsuitable materials off site as opportunities arose.

In 2019, the following ideas were vetted re. the then City-owned Mt. Hink area:

- utilize Mt. Hink as a low maintenance natural-type public space
- convert Mt. Hink into more of a higher use recreational public space (possibly recreation ball fields)

The decision at that time was to not move forward with any Mt. Hink conversion plans due to lack of financial resources and the uncertainty as to how the fledgling Atlas Waterfront development would perform.

On June 17, 2020, the City transferred the Mt. Hink property asset to the Agency along with the majority of the former Atlas mill site property. Throughout 2020, the above ground area of Mt. Hink actually grew in size as materials from other portions of the project site were stockpiled to create room for development, which was the primary focus of the Agency at the time.

In 2021, development areas within the project site began to sell providing financial resources that could be utilized to address Mt. Hink. Also in 2021, former Mayor Widmyer began working with ITD on a vision to possibly create a new multiuse development on the ITD’s Ramsey Road property that would include both recreational uses as well as structural/building uses. The main impact of this proposed relationship that pertained to the Agency was the possibility of relocating the unsuitable Mt. Hink materials to a large open pit area located on the ITD site, thus both

reclaiming the ITD pit site for future possible City recreation use and reclaiming the Mt. Hink site for future development opportunities.

On February 10, 2022, the City of CDA, ignite cda & ITD entered into a Memorandum of Understanding (MOU) that permitted the Agency to relocate the unsuitable Mt. Hink materials to the ITD pit. Relocation of the unsuitable materials began in March 2022 and continues to date. The Agency entered into a contract with LaRiviere, Inc. to transfer the unsuitable Mt. Hink materials to the ITD site. The current cost of the Mt. Hink haul contract is just over \$8 million.

Given the large investment of reclaiming the Mt. Hink area, the Agency is considering potential development uses on the Mt. Hink site that would be value adding to the community. Uses under consideration at this time include:

- residential
- mix-use: commercial / residential
- mix-use: grocery store / commercial / residential

City of CDA Council Meeting

September 20, 2022



Objective

Update that Council on the Mt Hink development area and answer questions.

Agenda

Mt. Hink Development Plan Progression

What we are finding in Mt. Hink

Mt. Hink Development Pro-Forma



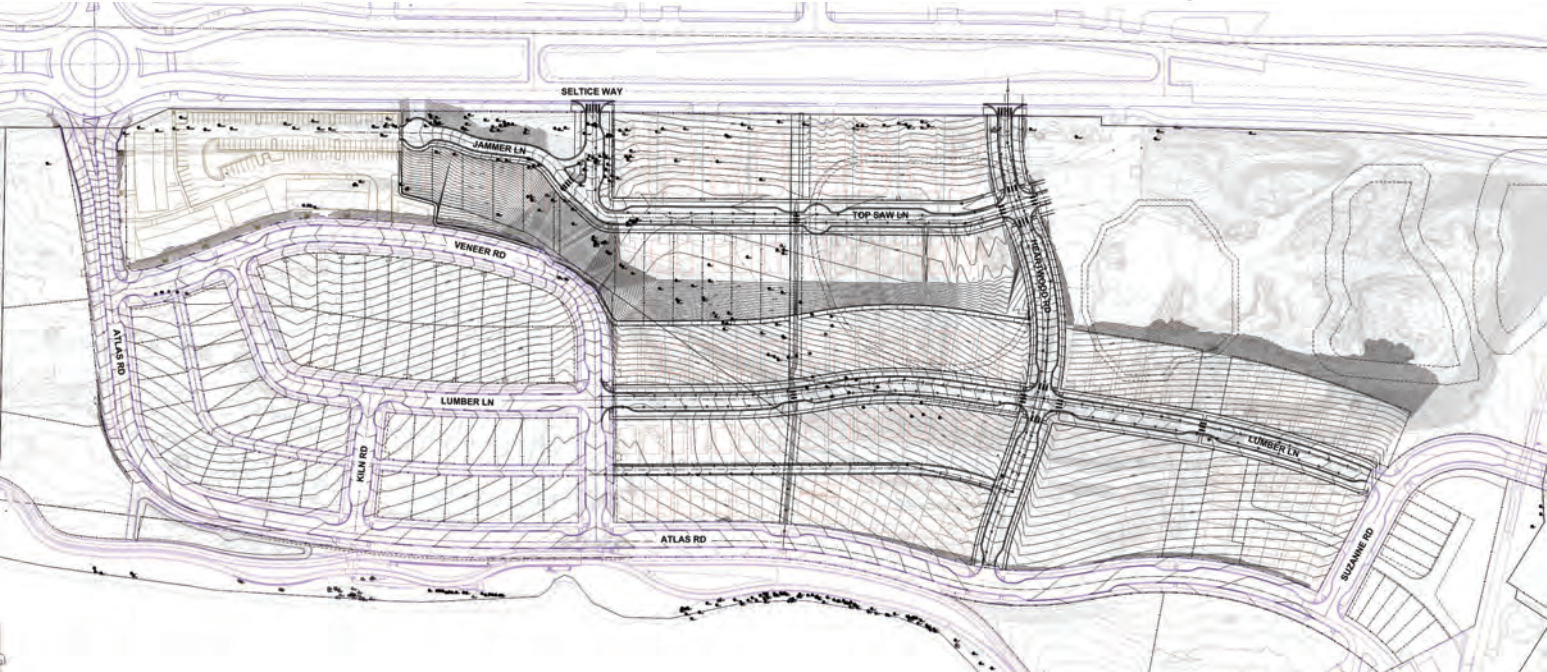
Ignite cda 2018 Financial Feasibility Report



Figure 4: Atlas Waterfront Project Land Development Concept Plan



2020 Masterplan Update with triangle parcel



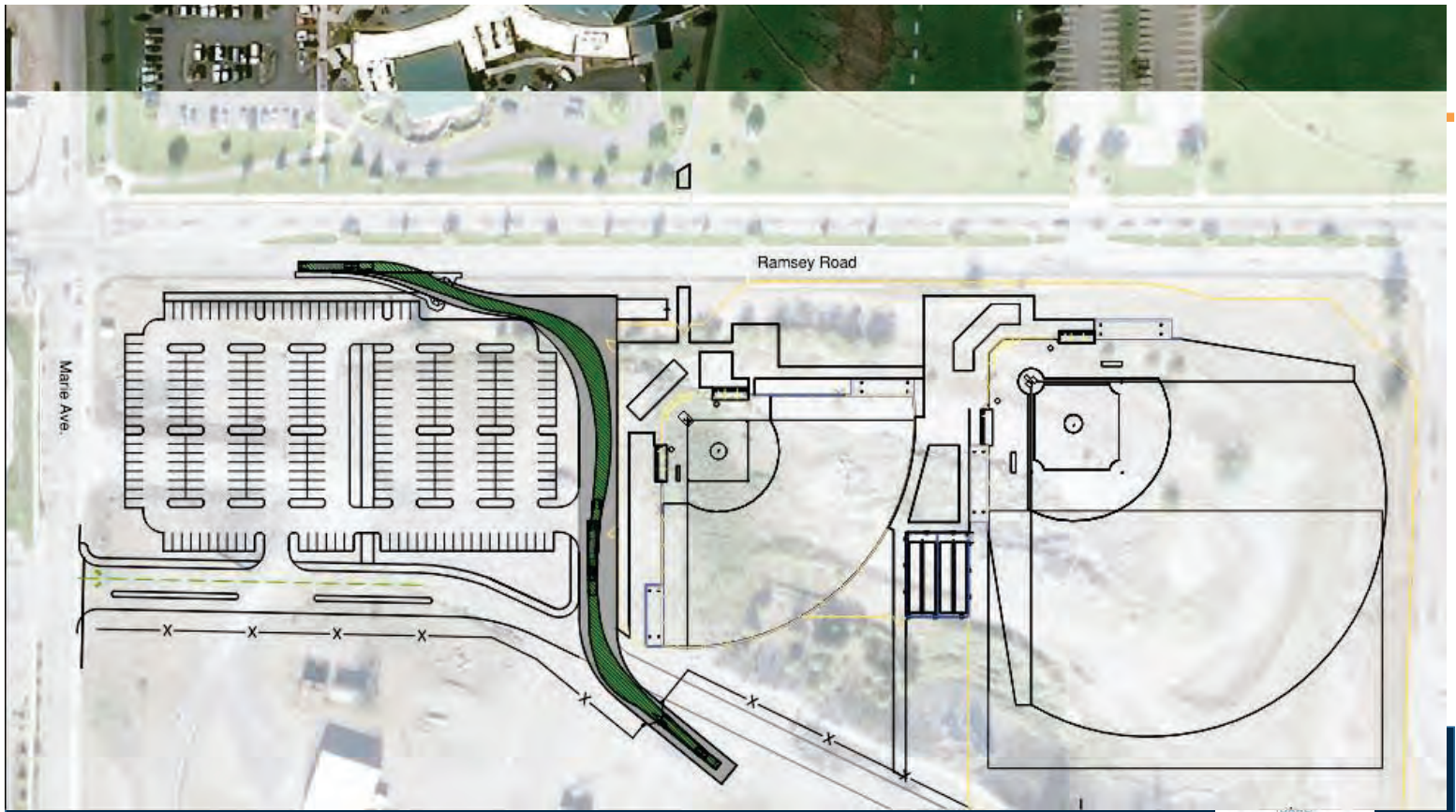
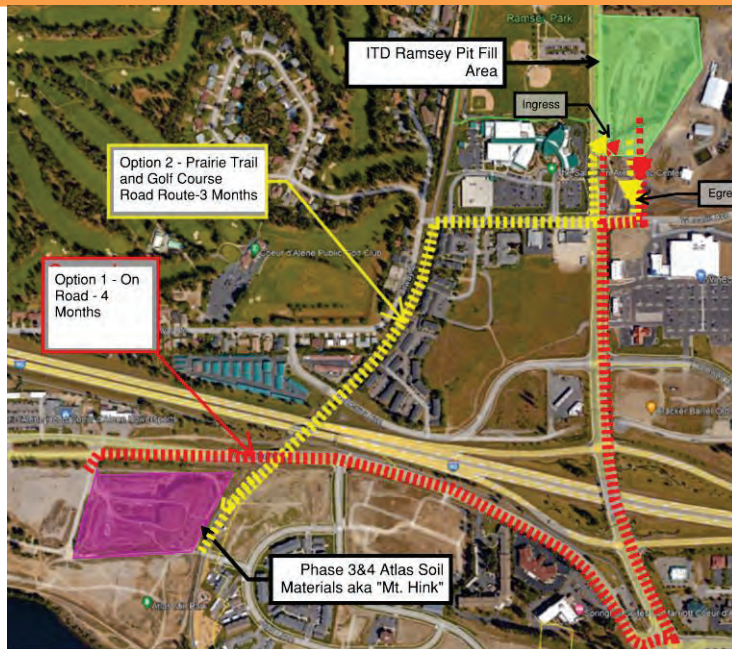
Fall 2021 ignite cda started to evaluate options

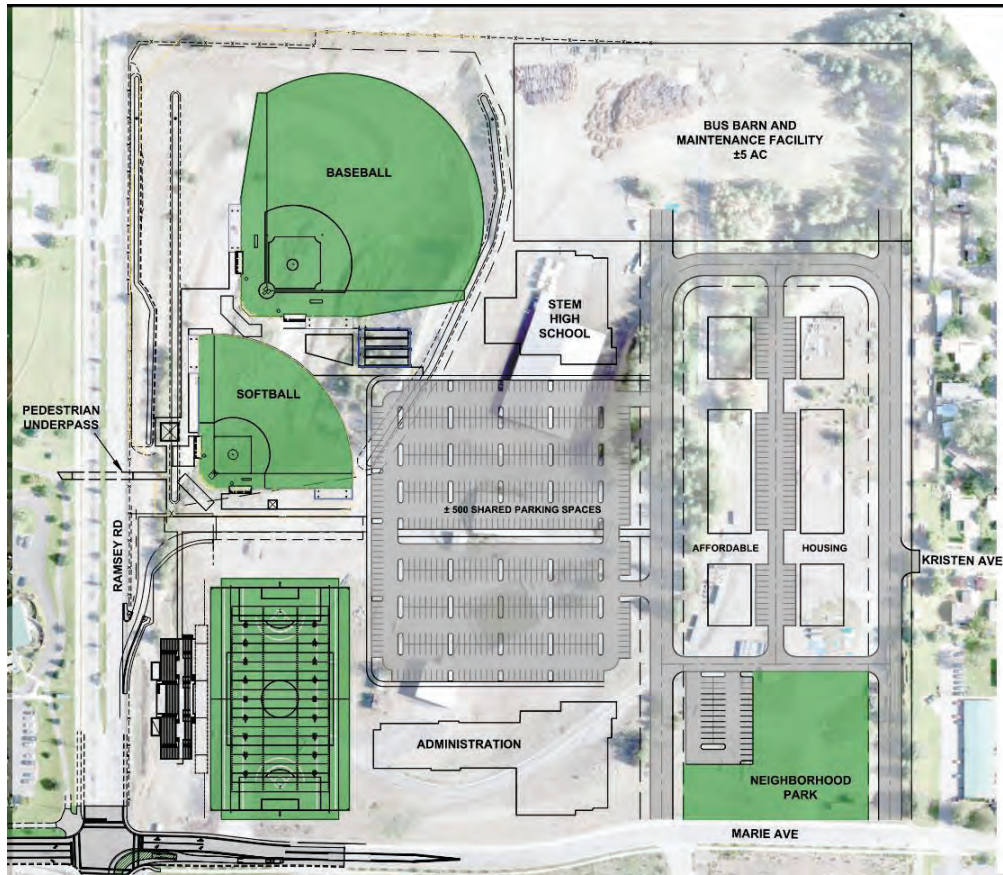


ITD's Ramsey Pit Opportunity

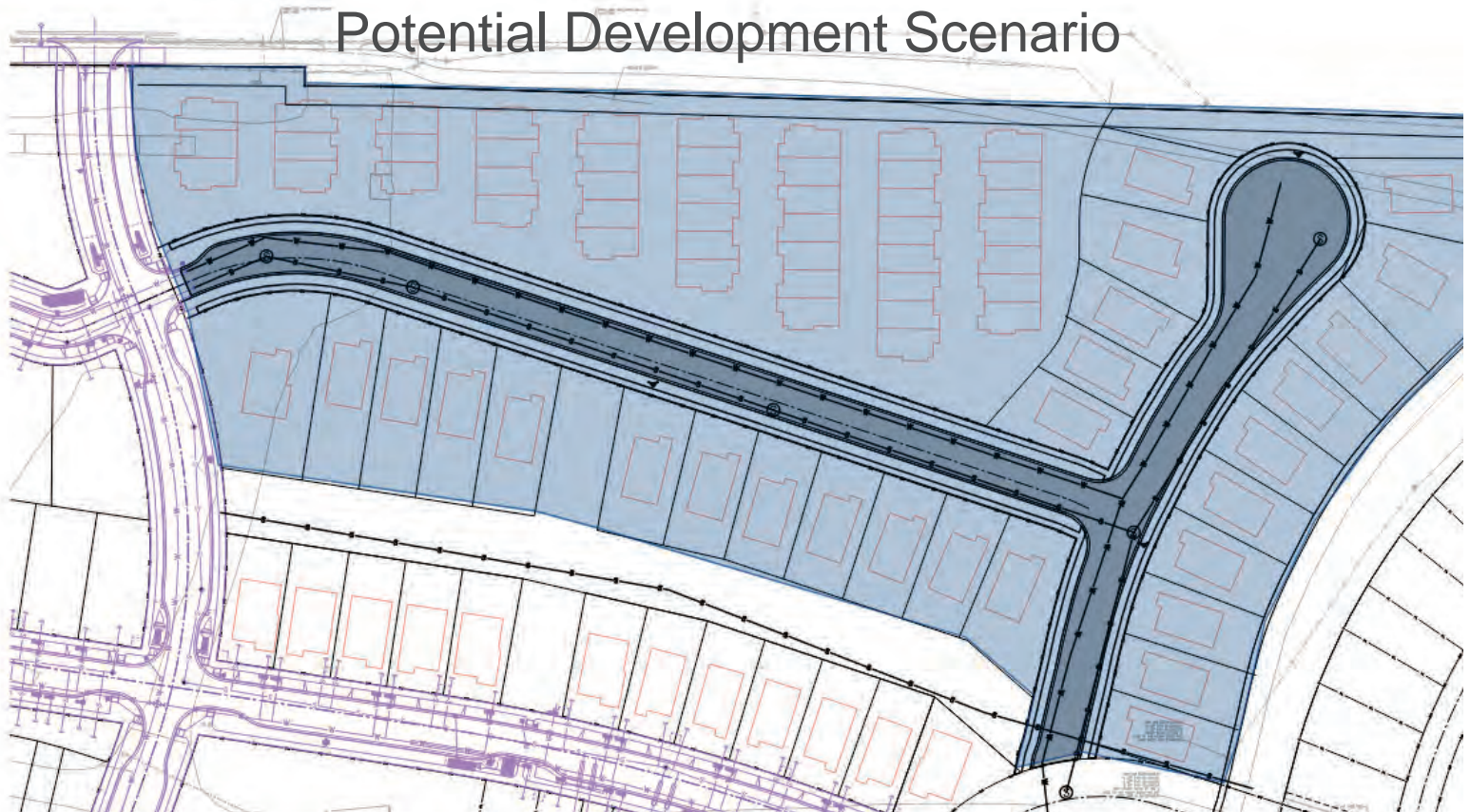


Mt. Hink Haul Route Options to ITD's Ramsey Pit

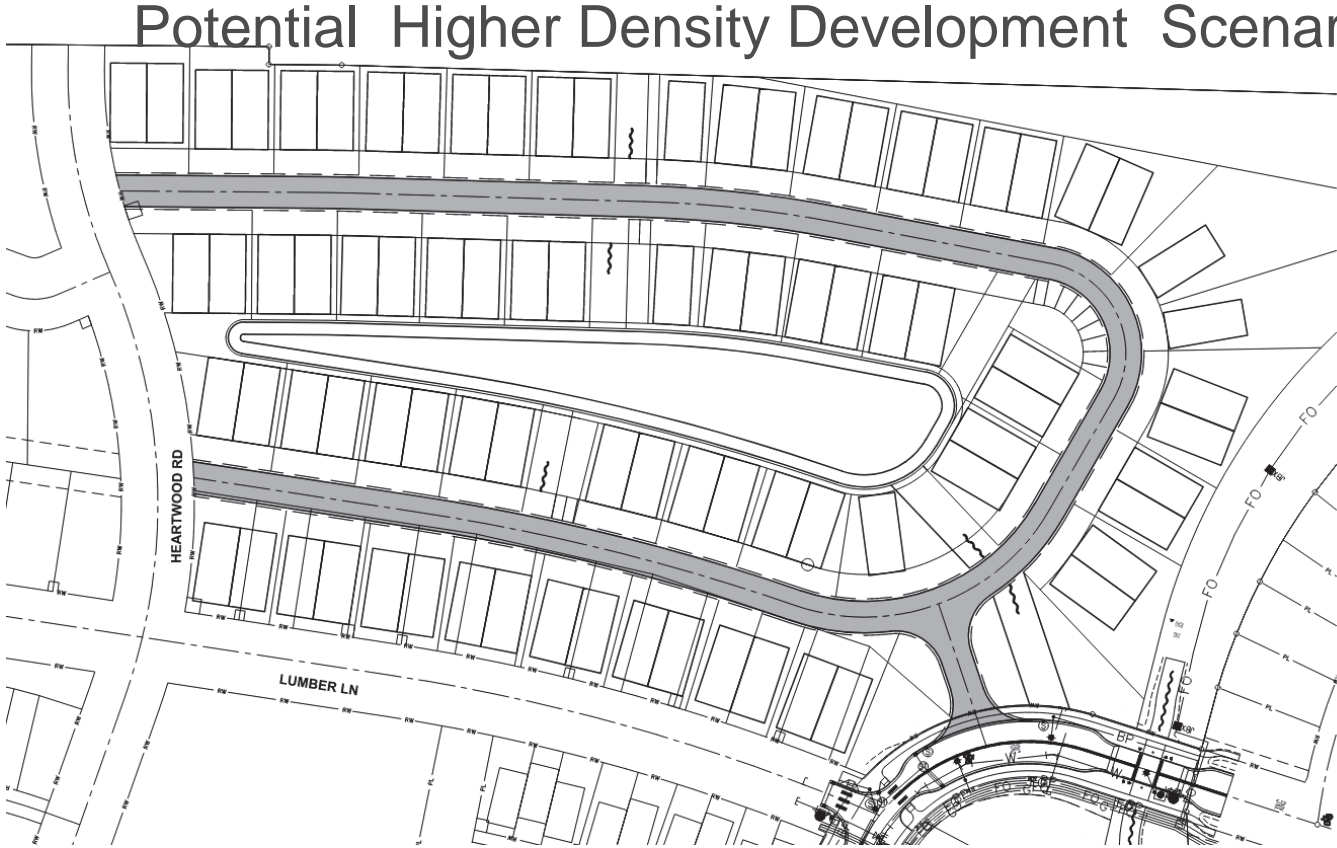




Potential Development Scenario

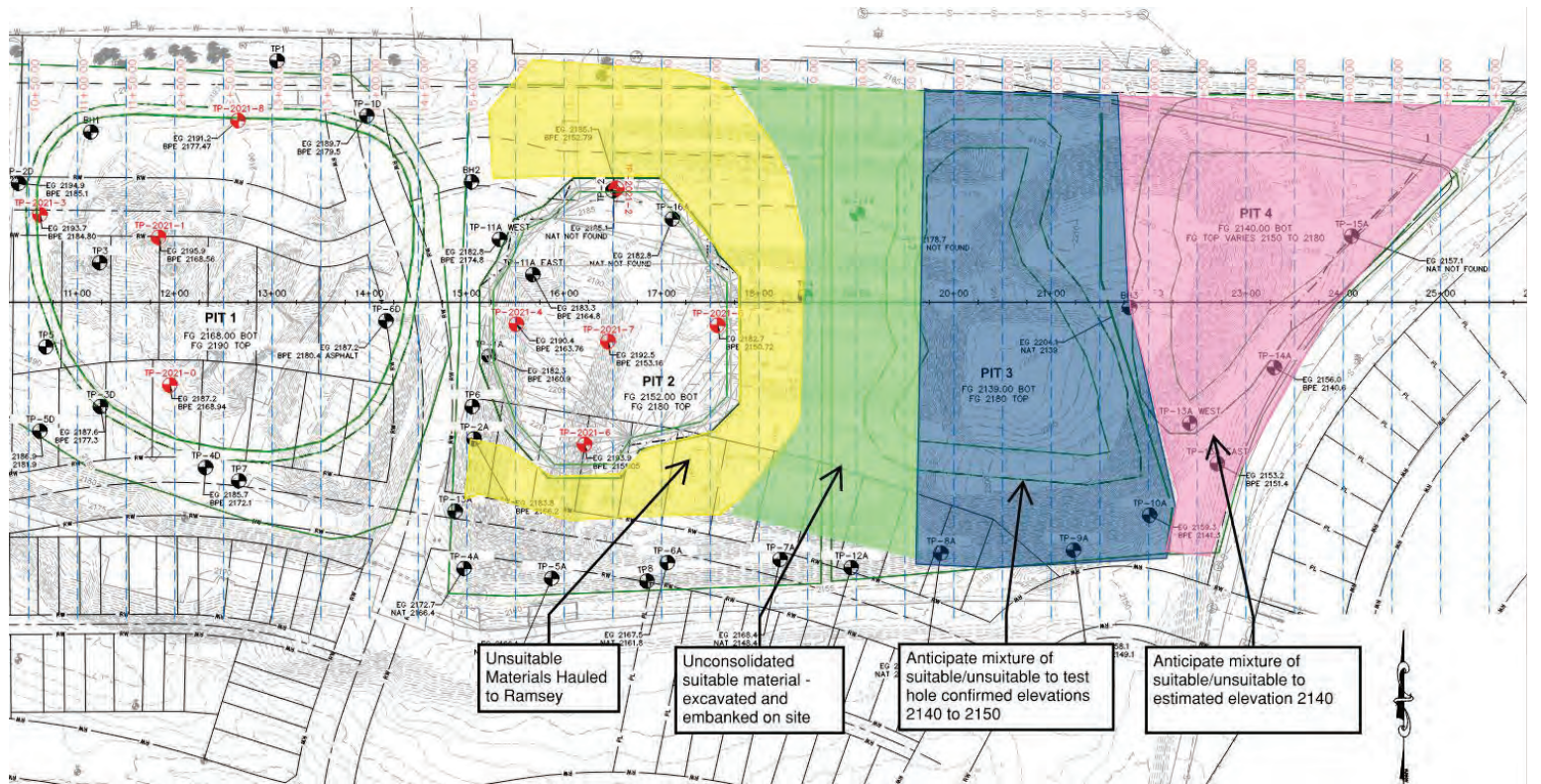
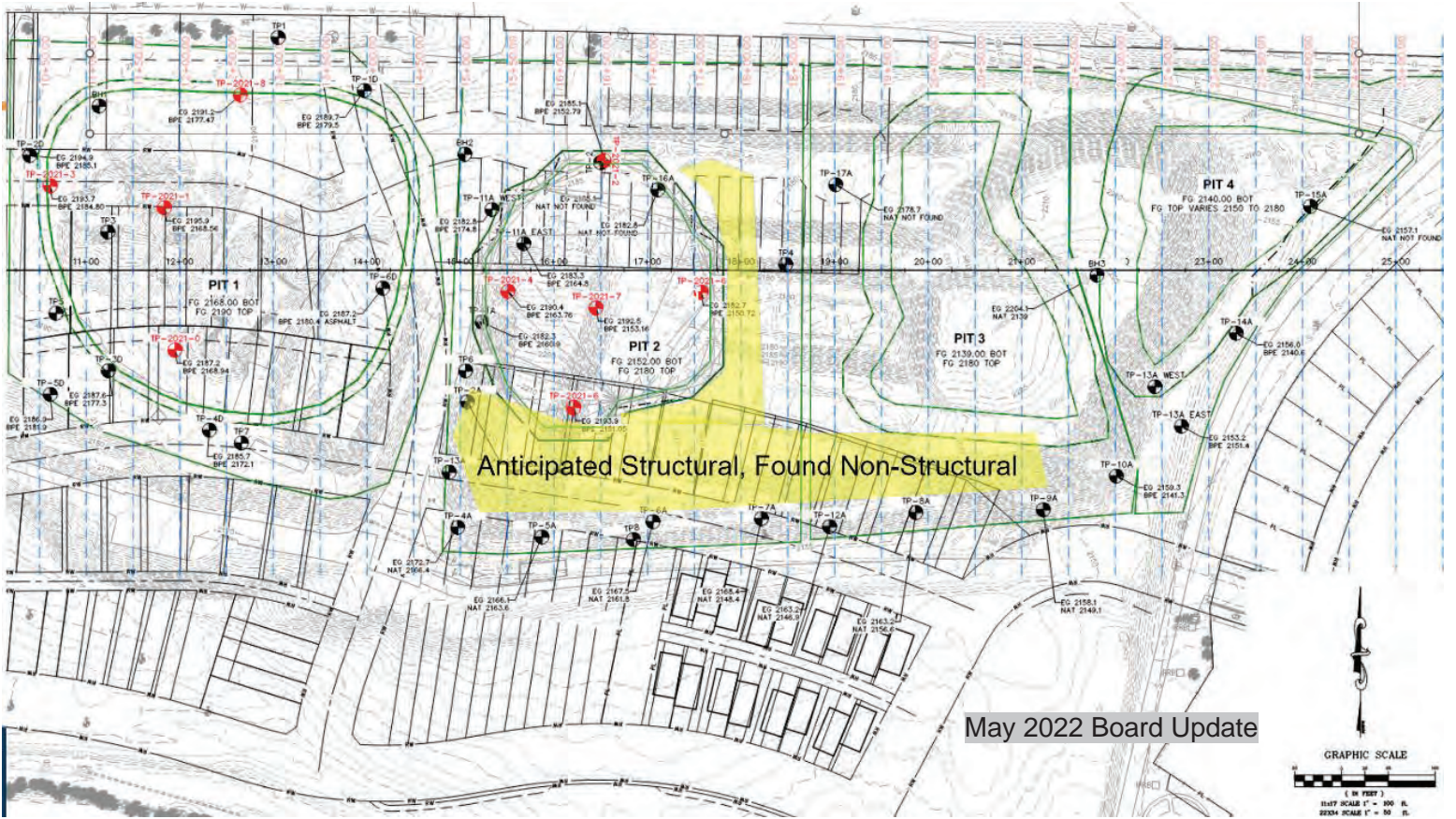


Potential Higher Density Development Scenario



Historic Pits and Soils Exploration







Mt. Hink (aka Phase 3) Proforma

	Phase 3 11.9	
Land Sales Revenue	<i>Area 11</i> <i>Area 20</i>	Estimated sale price in total
Land Sale Revenue Total		\$10,800,000
Development Costs*	g	\$ (10,300,000)
Net Revenue Prior to Land Reimbursement		\$ 500,000
Land Reimbursement Costs, RR ROW, Land and I-90 Fill (prorata share based on land area)		\$ (2,200,000)
Net Revenue		\$ (1,700,000)

Notes:

1. Land sales revenue based on current estimated market rates.
2. Density may decrease if more unsuitable soils are found.

Thank You.



ANNOUNCEMENTS

Memo to Council

DATE: September 8, 2022

RE: Appointment to Boards/Commissions/Committees

The following appointment is presented for your consideration for the September 20, 2022, Council Meeting:

STEPHEN MCCREA Library Board (Re-Appointment)

A copy of the data sheet has been placed by your mailboxes.

Sincerely,

Sherrie Badertscher
Executive Assistant

cc: Renata McLeod, City Clerk
 Michael Priest, Liaison to the Library Board

Memo to Council

DATE: September 15, 2022

RE: Appointment to Boards/Commissions/Committees

The following appointment is presented for your consideration for the September 20, 2022, Council Meeting:

DAN ENGLISH

ignite cda (Re-Appointment)

Sincerely,

Sherrie Badertscher
Executive Assistant

cc: Renata McLeod, City Clerk
Scott Hoskins, Liaison to the ignite cda Agency

CONSENT CALENDAR

MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM

September 6, 2022

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room on September 6, 2022, at 6:00 p.m., there being present the following members:

James Hammond, Mayor

Woody McEvers) Members of Council Present
Christie Wood)
Dan Gookin)
Kiki Miller)
Dan English)
Amy Evans) Via Zoom

CALL TO ORDER: Mayor Hammond called the meeting to order.

PLEDGE OF ALLEGIANCE: Councilmember Miller led the pledge of allegiance.

AMENDMENT TO THE AGENDA: Mayor Hammond announced that he will move Resolution No. 22-040, approving the agreement with Coeur d'Alene Firefighters Local No. 710, International Association of Firefighters (IAFF) on the agenda from I (1) to be heard after the Annual Appropriations Ordinance public hearing J (1).

PROCLAMATIONS:

Mayor Hammond proclaimed the Month of September 2022 as Recovery Month, noting the importance of providing support to those in need. Derek Rice with the Kootenai Recovery Center accepted the Proclamation and noted he was honored to be in front of the Council and thanked the Council for their support.

Mayor Hammond proclaimed September 10, 2022 as Suicide Prevention Awareness Day. Don Duffy, Regional Director of Panhandle Health District, accepted the proclamation and thanked the City for recognizing the tragedy of suicide.

MAYOR AND COUNCIL COMMENTS:

Mayor Hammond requested confirmation of the appointments of Tom Messina to the Parking Commission, Councilmember Woody McEvers and Bruce Hathaway to the CDA-TV Committee, and Michael G. McDowell to the Parks and Recreation Commission.

MOTION: Motion by Wood, seconded by Miller, to appointment Tom Messina to the Parking Commission, Councilmember Woody McEvers and Bruce Hathaway to the CDA-TV Committee, and Michael G. McDowell to the Parks and Recreation Commission. **Motion carried.**

CONSENT CALENDAR: Motion by McEvers, second by Miller, to approve the consent calendar.

1. Approval of Council Minutes for the August 16, 2022, Council Meeting.
2. Approval of General Services/Public Works Subcommittee Minutes for August 22, 2022.
3. Approval of Bills as Submitted.
4. Setting of General Services/Public Works Committee meeting for Monday, September 12, 2022, at 12:00 noon.
5. **Resolution No. 22-039** – A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FOLLOWING: FINAL PLAT FOR THE COMMONS AT HONEYSUCKLE, INCLUDING ACCEPTANCE OF PUBLIC INFRASTRUCTURE IMPROVEMENTS, A MAINTENANCE/WARRANTY AGREEMENT WITH SECURITY, AND A LANDSCAPE WORK AGREEMENT WITH SECURITY; UTILITY EASEMENT FOR WATER LINE; RENEWAL OF AN AGREEMENT WITH BLM FOR WATER MAIN EASEMENT TO SERVE A HYDRANT AT THE BLACKWELL ISLAND RECREATION SITE; DECLARATION OF TWO POLICE VEHICLES AS SURPLUS; SOLID WASTE BILLING SERVICES AGREEMENT WITH KOOTENAI COUNTY; AND LATERAL HIRING PROCESS FOR FIREFIGHTER/PARAMEDICS FOR THE FIRE DEPARTMENT.

ROLL CALL: Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye. **Motion Carried.**

PUBLIC COMMENTS:

Justin O’Connell spoke on suicide attempts and their relationship to COVID.

Greta Gissel noted that she was recently hired to fill the Executive Director position for the CDA2030 organization and is very honored to be here. She thanked the Council for their support of CDA2030 and reviewed their priority and actions within the implementation plan. She noted that they are discussing a merger with the Regional Housing and Growth Issues Partnership group. Ms. Gissel believes this will have a profound value in furthering the goals and actions set forth by the citizens.

Chris and Diane Helamicheal had questions regarding the reported Kootenai Health hospital crisis and wanted to see if there was a City response to it. The Mayor explained that the hospital has an elected Board of Trustees and clarified that the hospital board is a separate governing body and the City does not have control over it.

A-3-22: A PROPOSED +/- 1.61 ACRE ANNEXATION FROM COUNTY AG SUBURBAN TO CITY R-12 REQUESTED BY APPLICANT: 15TH STREET INVESTMENTS, LLC.; LOCATION: 3525 N. 15TH STREET; PURSUANT TO COUNCIL ACTION ON MAY 17, 2022.

RESOLUTION NO. 22-041

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AN ANNEXATION AGREEMENT FOR PROPERTY LOCATED AT 3525 N. 15TH STREET WITH 15TH STREET INVESTMENTS, LLC., WHOSE ADDRESS IS 505 E. FRONT AVENUE, STE. 301, COEUR D'ALENE, IDAHO.

MOTION: Motion by McEvers, seconded by English, to approve **Resolution No. 22-041**, Approving an Annexation Agreement with 15th Street Investments, LLC for the annexation of +/- 1.61-acre parcel located at 3525 N. 15th Street; zoning from County Ag Suburban to City R-12 zoning district.

DISCUSSION: Councilmember Gookin expressed concern with the 5' set back requirements as the houses look too close together and it leaves no space for planting trees.

ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye.
Motion carried.

COUNCIL BILL NO. 22-1010

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 1, TOWNSHIP 50, NORTH, RANGE 4 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by Gookin, seconded by McEvers, to dispense with the rule and read **Council Bill No. 22-1010** once by title only.

ROLL CALL: McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye; Miller Aye.
Motion carried.

MOTION: Motion by McEvers, seconded by Miller, to adopt **Council Bill No. 22-1010**.

ROLL CALL: McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye; Miller Aye.
Motion carried.

RESOLUTION NO. 22-042

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDMENT 3 TO THE AGREEMENT FOR CDBG-CV GRANT FUNDS FOR CDAIDE.

STAFF REPORT: CDBG Specialist Chelsea Nesbit explained that \$5,326.65 currently remains in the City's CV Utility Subsistence Fund and \$3,048.51 currently remains in the CV Projects fund. There have been very limited requests for use of the utility subsistence funds and staff does not believe that will change and is requesting those funds be reallocated to CDAIDE CDBG-CV funding, bringing their funding to \$8,375. CDAIDE has spent down their previous allocated amount in its entirety, and has requested an increase in funding to continue their COVID Related Support for Coeur d'Alene Hospitality Workers Program. CDAIDE has submitted invoices and billings totaling \$3,470.99 which they have already paid out for qualified and eligible recipients and expenditures. They have shown a need and the capacity to spend down the remaining \$4,904.17 if this request is approved. The costs incurred prior to the agreement are eligible for reimbursement based on guidance from HUD related to the use of CDBG-CV funds to respond to urgent needs from COVID-19.

DISCUSSION: Councilmember McEvers asked if the funds can be carried forward. Ms. Nesbit noted that they can, but they do have a limited time to spend the funds, keeping in mind that the funds were meant to respond to the COVID virus, and response to it. She noted that CDAIDE serves the hospitality workers in our community. Councilmember English noted that the intent was to get the assistance out to the community and help people, which is what this group seems to be doing, so it makes sense to fund them.

MOTION: Motion by English, seconded by Wood, to approve **Resolution No. 22-042**, Approving an Amendment to the Agreement with CDAIDE for CDBG-CV Funding.

ROLL CALL: Gookin Aye; English Aye; Wood Aye; Evans Aye; Miller Aye; McEvers Aye.
Motion carried.

LEGISLATIVE PUBLIC HEARING: ANNUAL APPROPRIATIONS FOR FISCAL YEAR 2022-2023.

STAFF REPORT: City Administrator Troy Tymesen explained that the financial plan is an estimate of revenues and expenditures for the upcoming year. He noted that the new growth number is lower than expected and the budget includes the 3% property tax. He presented a graphic of the percentages of revenues classified by department as well as by fund or service and the revenues are classified by source. Included in the budget document as per Idaho Code 50-1002, are actual revenues and expenditures from the prior two (2) fiscal years, budgeted revenues and expenditures for the current fiscal year, and proposed revenues and expenditures for the upcoming fiscal year. The revenue includes new growth from property taxes, new growth from the closing of the Lake District, and the allowed 3% but no forgone property taxes. This will not cause an increase in taxes over all to City residents but most homeowners will see an increase due to the large increase in taxable valuation to residential property owners in comparison to

commercial property owners. He requested the approval of Council Bill No 22-1011, the Annual Appropriation for the fiscal year beginning October 1, 2022, in the amount of \$123,852,624.

DISCUSSION: Councilmember Wood noted that they should ensure that capital doesn't roll over into next year, and questioned what the budget would be without the capital. Mr. Tymesen noted that there is a five-year capital replacement program and they verify it is not budgeted annually, just for the year it is noted in the replacement schedule, unless a department asks for another vehicle next year and capital is inventoried and added to the future replacement schedule. Councilmember Gookin noted that he is concerned about capital expenses continuing each year, such as the Drainage Fund depreciation expense.

PUBLIC COMMENT: Mayor Hammond called for public comments.

Justin O'Connell noted other cities are not as well funded as Coeur d'Alene. He noted that the City has some big expenses and expressed concern about the cost of running the Library and its potential for turning into a homeless shelter.

Suzie Snedaker noted that she expects transparency and critical review of each transaction. She noted that the narratives in the budget are not needed and questioned the Downtown Association expense. She does not believe the Association is providing the maintenance they are obligated to do within the agreement with the City. Additionally, Impact Fees need to be increased as they haven't been in 14 years resulting in lost revenue from the construction that occurred in the meantime. She questioned the expense of CDA2030, and felt the Arts Commission should add a maintenance account, and hire an outside consultant. Ms. Snedaker would like the Person Field Master Plan to be completed. She noted that September hearings are an act of futility, she has reviewed each line item every year, and rarely others attend and or comment.

DISCUSSION: Councilmember English asked the status of the delinquent taxes and penalties being withheld by the County. Mr. Tymesen anticipated that if they weren't released, the City would lose approximately \$70,000. He clarified that the sanitation fund has not raised rates since the contract began and it still cash flows. He does anticipate that expenses will be less than noted and will not change what is requested tonight. He confirmed that there is a contract with the Downtown Association, noting that they are testing paint on a light pole at 2nd and Sherman and are working on replacing lights with LED. Regarding Impact Fees, he noted that the City recently sent out a request for proposals that were due today and should be done by spring. Mr. Tymesen noted that the Arts Commission does have a maintenance fund and he respects the effort put forward by Ms. Snedaker. Councilmember McEvers asked what the fund balance currently is, with Mr. Tymesen noting it is at 17% of the General Fund, which is approximately \$10 Million. Councilmember Wood asked if the AIC revenue projections are in the proposed budget. Mr. Tymesen noted that the state liquor, gas, and sales tax projections are included in the budget and based on the AIC projections, as they have proven to be the best estimate over the years. Councilmember Gookin asked about the line item from interest earnings, with Mr. Tymesen noting it is moving in a favorable direction, but not as high as in previous years. Councilmember Gookin suggested that the budget narratives are no longer needed and that he doesn't like any government funding for non-profits. He believes there are wants, not needs included in the budget and that upon being at the cusp of a recession he doesn't think the City

should take the 3%. He does think the hearing at the last possible moment is not right, noting that the state sets up the timeline; but encouraged public input as it is important. Discussion ensued regarding the correlation between taking the 3% and the increase or not in individual property taxes. Councilmember Wood noted that she is not prepared to make a motion on the budget due to ongoing Police Association and Fire Union negotiations.

MOTION: Motion by Wood, seconded by Gookin, to table the Budget Ordinance approval until after Executive Session. **Motion carried.**

DISCUSSION: Councilmember McEvers noted that as he looks at his personal property taxes within the City, he divides the City tax into a daily expense, which comes up to \$1.47 a day. This cost covers police, fire, parks, water, wastewater, street maintenance, and snow removal, which he thinks it is a value. He noted that the Council has always been conservative and proud of it; however, it is catching up to the City and now the expenses are changing. Councilmember McEvers stated that he feels the department narrative are a good reminder of what the departments do and what their goals are, so he likes them. Councilmember Miller noted that the garbage collection fee is not going to increase and questioned how that is set out in the contract. Mr. Tymesen explained that the contract has a maximum per year allowed increase and invoices are reviewed monthly to ensure the contract is followed. Councilmember Miller asked for clarification regarding the Police Department capital project not showing its total funding. Mr. Tymesen explained that not all the funds will be spent within the fiscal year, so the remaining funds will be shown the following year and reminded the Council that the Urban Renewal District closing will occur.

EXECUTIVE SESSION:

MOTION: Motion by Gookin, seconded by Wood, to enter into Executive Session pursuant to Idaho Code 74-206 (j) to consider labor contract matters authorized under section 74-206A (1)(a) and (b).

ROLL CALL: Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye.
Motion carried.

The City Council entered Executive Session at 7:45 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney. Council returned to regular session at 8:29 p.m.

MOTION: Motion by Gookin, seconded by Miller, to dispense with the rule and read **Council Bill No. 22-1011** once by title only.

ROLL CALL: English Aye; Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin Aye.
Motion carried.

MOTION: Motion by Wood, seconded by McEvers, to adopt **Council Bill 22-1011**.

ROLL CALL: English Aye; Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin No.
Motion carried.

COUNCIL BILL NO. 22-1011

AN ORDINANCE ENTITLED "THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022" APPROPRIATING THE SUM OF \$123,852,624 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF COEUR D'ALENE FOR SAID YEAR; LEVYING A SUFFICIENT TAX UPON THE TAXABLE PROPERTY WITHIN SAID CITY FOR GENERAL REVENUE PURPOSES FOR WHICH SUCH APPROPRIATION IS MADE; LEVYING SPECIAL TAXES UPON THE TAXABLE PROPERTY WITH SAID CITY FOR SPECIAL REVENUE PURPOSES WITHIN THE LIMITS OF SAID CITY OF COEUR D'ALENE, IDAHO; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene, Kootenai County, Idaho:

Section 1: That the sum of \$123,852,624 be and the same is hereby appropriated to defray the necessary expenses and liabilities of the City of Coeur d'Alene, Kootenai County, Idaho, for the fiscal year beginning October 1, 2022.

Section 2: That the objects and purposes for which such appropriations are made are as follows:

GENERAL FUND EXPENDITURES:

Mayor and Council	\$259,163
Administration	320,486
Finance Department	1,398,397
Municipal Services	3,000,885
Human Resources	452,421
Legal Department	1,361,438
Planning Department	759,266
Building Maintenance	694,637
Police Department	22,112,121
Fire Department	13,325,161
General Government	626,300
Streets / Engineering	7,858,838
Parks Department	3,041,376
Recreation Department	815,215
Building Inspection	1,123,236
TOTAL GENERAL FUND EXPENDITURES:	<u>\$57,148,940</u>

SPECIAL REVENUE FUND EXPENDITURES:

Library Fund	\$1,948,445
Community Development Block Grant	780,243
Impact Fee Fund	554,446
Parks Capital Improvements	463,614

Annexation Fee Fund	355,000
Cemetery Fund	363,711
Cemetery Perpetual Care Fund	86,000
Jewett House	139,700
Reforestation/Street Trees/Community Canopy	120,000
Public Art Funds	468,500
TOTAL SPECIAL FUNDS:	<u>\$5,279,659</u>
ENTERPRISE FUND EXPENDITURES:	
Street Lighting Fund	\$760,130
Water Fund	14,326,675
Wastewater Fund	23,738,871
Water Cap Fee Fund	3,850,000
WWTP Cap Fees Fund	2,777,660
Sanitation Fund	5,520,365
City Parking Fund	1,864,965
Drainage Fund	2,504,858
TOTAL ENTERPRISE EXPENDITURES:	<u>\$55,343,524</u>
FIDUCIARY FUNDS:	\$3,492,454
STREET CAPITAL PROJECTS FUNDS:	1,707,964
DEBT SERVICE FUNDS:	880,083
GRAND TOTAL OF ALL EXPENDITURES:	<u><u>\$123,852,624</u></u>

Section 3: That a General Levy of \$23,654,549 on all taxable property within the City of Coeur 'Alene be and the same is hereby levied for general revenue purposes for the fiscal year commencing October 1, 2022.

Section 4: That a Special Levy upon all taxable property within the limits of the City of Coeur d'Alene in the amount of \$2,809,349 is hereby levied for special revenue purposes for the fiscal year commencing October 1, 2022.

RESOLUTION NO. 22-040

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH THE COEUR D'ALENE FIREFIGHTERS LOCAL NO. 710, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS.

STAFF REPORT: Within the staff report, Mr. Tymesen explained that the proposed Agreement with the Fire Union represented classifications for a term commencing October 1, 2022, and ending September 30, 2024. Highlights of the Agreement include: 6% market adjustment increase in year one, and 3% market adjustment increase in year two; a one-time \$5,000 payment to each person represented by the Union, payable in January 2023, based on

savings in the cost of self-contained breathing apparatuses to be purchased with ARPA funds; the inclusion of an EMS Officer as a recognized classification in the bargaining unit; change “Fire Inspector” to “Deputy Fire Marshal” as a recognized classification in the bargaining unit; provides specific staffing requirements for ambulances; clarifies Shift Transfer procedures and policies; provides for sick leave use for new employees in advance of accrual; adjustment to the VEBA benefit; clarifies lost duty time deduction in certain circumstances; include Union representation in the hiring process for the Fire Chief; modifies vacation leave based on staffing; and modifies accruals; and clarifies tuition reimbursement policy.

MOTION: Motion by Gookin, seconded by Miller, to approve **Resolution No. 22-040**, Approving an Agreement with Coeur d’Alene Firefighters Local No. 710, International Association of Firefighters (IAFF).

ROLL CALL: Evans Aye; Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye.
Motion carried.

LEGISLATIVE PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) YEAR END CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER).

STAFF REPORT: CDBG Community Development Specialist Chelsea Nesbit explained that the City receives an annual direct allocation of HUD Community Development Block Grant (CDBG) funds. Every year the City is required to complete a Consolidated Annual Performance Evaluation Report (CAPER), allowing the public two weeks to share public comment. The CAPER provides an overview of past year project outcomes and spending priorities. The 2021 CAPER highlights accomplishments that took place April 1, 2021, to June 30, 2022, including funds from Plan Years (PY) 2020 and 2019. The 2021 Plan Year was extended to June 30, rather than its typical March 31 end date, due to the change in our Plan Year start date to July 1. No public comments have been received to date.

PUBLIC COMMENT: Mayor Hammond called for public comments, with none being heard, public comments were closed.

DISCUSSION: Councilmember McEvers noted that within the five-year goals, it seems that it has been difficult to fund the rental goal. Ms. Nesbit noted that there have been no community grants from groups meeting the rental housing goal; however, the COVID funds did help. Idaho Housing and Finance Association is doing a state level program but housing is a hard goal to meet.

MOTION: Motion by Wood, seconded by Gookin, to approve the Community Development Block Grant 2021 Consolidated Annual Performance Evaluation Report (CAPER). **Motion carried.**

ADJOURNMENT: Motion by McEvers, seconded by Miller, that there being no other business, this meeting be adjourned. **Motion carried.**

The meeting adjourned at 9:04 p.m.

James Hammond, Mayor

ATTEST:

Renata McLeod
City Clerk

DRAFT

September 12, 2022
GENERAL SERVICES/PUBLIC WORKS COMMITTEE
MINUTES
12:00 p.m., Library Community Room

COMMITTEE MEMBERS

Council Member Amy Evans, Chairperson
Council Member Christie Wood
Council Member Councilmember English

STAFF

Troy Tymesen, City Administrator
Randy Adams, City Attorney
Hilary Patterson, Community Planning Director
Renata McLeod, Municipal Services Director
Sean Holm, Senior Planner

Item 4. Provide Feedback on Possible Amendments to the Short-Term Rental (STR) Ordinance
(Staff will bring this item for further discussion to a Joint Council/Planning Commission Workshop)

Municipal Services Director Renata McLeod stated staff was seeking input on possible amendments to the Short-Term Rental (STR) Ordinance, hiring a STR compliance company to assist with permitting and code enforcement, and increasing violation fees. She said Idaho Code § 67-6539 was signed into law in 2017 with the purpose of prohibiting a city or county from enacting or enforcing an ordinance that has the express or practical effect of prohibiting STRs or vacation rentals. She noted it granted the authority for a jurisdiction to implement **“reasonable regulations as it deems necessary to safeguard the public health, safety and general welfare in order to protect the integrity of residential neighborhoods in which STRs or vacation rentals operate.”** It also classified short-term or vacation rentals as a “residential land use” for zoning purposes. She said the City adopted the existing STR Ordinance (Chapter 17.08, Article X. STRs) in 2017, and the City had been receiving an increasing number of complaints about STRs from neighboring properties. She mentioned there were also concerns about the housing shortage and the impact STRs may be having on the availability of long-term rentals. She noted STR permits were issued for one-year and they expire in March of each year.

Senior Planner Sean Holm said there was an analysis done by Host Compliance in August 2021, which showed there were 645 STR units within the city of Coeur d’Alene. As of August 2021, there were 228 permitted STRs. He noted as of today, there were 381 permitted STRs in the City. Of those permit holders, 184 had a homeowner’s exemption, which equates to 48% of the permits belonging to locals who lived on the property where the STR was located. He mentioned the City had a 32% increase in permits in ten months. He mentioned when the City passed its STR Ordinance, it was done with the intention of taking a light touch in regard to enforcement, yet the current estimate of illegal STRs was 697. He noted staff had received a number of emails both for and against revising the code, and they would be held until the public hearing was held.

Community Planning Director Hilary Patterson said the City Council had directed staff to bring forward options to evaluate and possibly amend the STR Ordinance. She noted reasons for amending the code included a well-documented housing crisis, a lack of available for-rent and for-sale housing units, the strain on the residential long-term rental market by having a significant number of STRs that were not

available for long-term rentals, the growing number of STRs in the community, the high number of unpermitted STR units, and complaints from residents about the high concentration of STRs in certain neighborhoods impacting their quality of life and integrity of neighborhoods. She said staff had researched similar codes for communities throughout Idaho and the U.S. to explore other possible ways to mitigate impacts on residential neighborhoods and for permitting requirements. Staff also met with several STR compliance companies (Host Compliance, GOV-OS, etc.) to learn about their services and to have a snapshot assessment of the total number of STRs operating within the City. She said staff had prepared a STR “pick list” document of options. She said items for consideration included: duration of stay, parking, ownership, type of unit allowed, zoning, location and quantity, occupancy, ADUs, fees, enforcement, and increasing permit fees/violation fees. She said staff was seeking input and guidance from the General Services/Public Works Subcommittees prior to scheduling a joint workshop with City Council and the Planning Commission where there would be an opportunity for public comment. She said the draft ordinance incorporated the following potential amendments for discussion: limiting STRs to owner-occupied properties within residential zones (no owner-occupancy limitations in commercial zones), requiring a minimum 2-night stay, removing the 14-day exemption, clarifying what qualifies as a residential unit for STRs, and increasing the violation fees. She noted the first offense would be treated as a civil penalty and subsequent offenses were subject to a civil penalty of \$3,000. She said violators would also be subject to a misdemeanor citation which carried a fine of up to \$1,000 and/or imprisonment up to 180 days. She said staff would appreciate input on the before mentioned items, and additionally, would like direction on whether to require the following changes: requiring off-street parking in residential zones before issuing a STR permit, limiting the number of cars allowed based on the number of off-street parking spaces, and requiring inspections by City staff with the initial permit to verify permit information and check for life-safety issues (fee to be charged for inspections). She said it would be important to hire a STR compliance company to assist with enforcement as there was not enough staffing capacity currently in the City to keep up with enforcement, checking rental sites, and enforcing violations and collections. She said if Council would like to add an inspection by City staff with the initial permit, that may require hiring an additional staff member as well. The employee or compliance company costs could be covered by higher permit fees. She noted at the August 22, GS/PW Committee meeting, Subcommittee Members were supportive of the proposed changes presented and had requested more information on the code compliance companies, hiring a company for STR permitting and code enforcement, and increasing the violation fees. She said the current STRs were having a large impact on the City’s neighborhoods. She noted the next steps would be stakeholder outreach, joint workshop with the City Council and Planning Commission, Planning Commission public hearing, City Council public hearing, and adoption of the new ordinance by Jan 2023.

DISCUSSION:

Councilmember English noted this issue had brought many comments and concerns from the public. He mentioned there were always ways to share input with the Council such as by email and letters. He said Council should be mindful of how they’d like to approach the STR issue. He would like to take a hard look at the owner-occupied requirement, consider grandfathering in prior permit holders, and remove the 2-night requirement. He said he was in agreement with hiring a company to monitor the STR activity. He asked if there was a code for bed and breakfast (B&B) establishments and if they had parking requirements, with Ms. Patterson responding the City had a code section which outlined B&B requirements, and City Attorney Randy Adams clarifying the STR code excluded B&Bs. Councilmember English said the initial level of work to start compliance would be different than later

maintenance needs. He was leery of the misdemeanor charge and would like actual numbers of the STRs above and below FWY I-90.

Councilmember Wood noted she was not in favor of a misdemeanor charge, yet was in favor of enforcement. She recommended the creation of a City STR Committee which could hear case violations. She said she was not in favor of hiring an outside company and preferred a City staff member be hired using the STR funding. She mentioned she would like further discussion on grandfathering in current permittees. She said the impact on the community was public servants not able to locate housing. She noted it was not fair to those that were following the rules and suggested a lottery system for permits. She wondered what the magic number of allowable permits was. She said the City should move forward quickly on a moratorium on issuing new permits. She mentioned it was important for Council to be careful, find a balance, and be effective. She asked how similar was the county's language to what the City was proposing, with Ms. Patterson responding they had met with the county when researching code compliance companies, yet wasn't sure of their code and would research it.

Councilmember Evans stated there was time to get the ordinance right. She noted Council was reading all public comment emails they had received. She said she would like to explore a STR Committee to review violations. She asked for clarification regarding parking requirements, with Ms. Patterson responding there currently was no requirement for off-street parking for STRs. Ms. Patterson noted a solution may be to limit the number of parking/vehicles when renting. Councilmember Evans noted there could be different requirements dependent on location. She would like to explore options to limit the number of STRs by block and/or defined neighborhood (Garden, Fort Grounds, etc.), more information on STR compliance companies and their scope of work versus what an internal hire would provide, and grandfathered permittees. She asked what were the top complaints received on STRs, with Mr. Holm responding noise, parking, trash, and occupancy. Councilmember Evans asked how owner-occupied language in regard to family member was monitored, with Ms. Patterson responding they would verify home-owner's exemptions from the county tax assessor.

Ms. Patterson asked the Committee if there was support in regard to inspections when issuing permits, with Councilmember Evans responding she was in favor.

Ms. McLeod summarized the feedback received today were to explore options on owner-occupied and grandfathering, information on the scope of services from code compliance companies, budget comparison between City staff versus code compliance company, exclude misdemeanor citations, establish a STR Committee, parking options by geographic areas, methodology for limiting the number of permits (lottery, etc.), inspection options, create an effective code, and bring back information on a moratorium on new permits.

The meeting adjourned at 12:47 p.m.

Respectfully submitted,
Sherrie L. Badertscher
Recording Secretary

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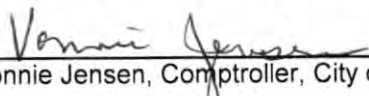
SEP 9 2022

CITY OF COEUR D'ALENE
Treasurer's Report of Cash and Investment Transactions

CITY CLERK

FUND	BALANCE 7/31/2022	RECEIPTS	DISBURSE- MENTS	BALANCE 8/31/2022
<u>General-Designated</u>	\$4,220,646	\$21,343	\$56,820	\$4,185,169
<u>General-Undesignated</u>	19,757,516	7,064,400	9,363,826	17,458,090
<u>Special Revenue:</u>				
Library	487,636	16,929	147,240	357,325
CDBG	(18,724)	103,018	160,643	(76,349)
Cemetery	213,139	64,998	46,678	231,459
Parks Capital Improvements	451,270	23,891	11,978	463,183
Impact Fees	6,386,858	31,709		6,418,567
Annexation Fees	357,213	15,857		373,070
American Recovery Plan	8,454,589			8,454,589
Cemetery P/C	1,116,443	13,506	28,536	1,101,413
Jewett House	157,928	11,845	7,870	161,903
Reforestation	25,526	41		25,567
Street Trees	163,250	3,859	306	166,803
Community Canopy	2,727	4		2,731
Public Art Fund	63,855	101	500	63,456
Public Art Fund - ignite	485,217	770	55,756	430,231
Public Art Fund - Maintenance	133,994	213	1,899	132,308
<u>Debt Service:</u>				
2015 G.O. Bonds	98,487	6,488		104,975
<u>Capital Projects:</u>				
Street Projects	(589,763)		55,136	(644,899)
<u>Enterprise:</u>				
Street Lights	119,037	64,986	58,791	125,232
Water	523,277	869,422	733,598	659,101
Water Capitalization Fees	6,794,767	147,577		6,942,344
Wastewater	14,460,030	1,439,970	3,048,120	12,851,880
Wastewater - Equip Reserve	1,491,698	27,500		1,519,198
Wastewater - Capital Reserve	3,500,000			3,500,000
WWTP Capitalization Fees	5,953,558	89,974		6,043,532
WW Property Mgmt	55,403			55,403
Sanitation	1,755,326	569,537	535,437	1,789,426
Public Parking	703,622	120,767	10,351	814,038
Drainage	1,554,845	110,396	154,561	1,510,680
Wastewater Debt Service	645,643	2,233,643	2,232,617	646,669
<u>Fiduciary Funds:</u>				
Kootenai County Solid Waste Billing	260,067	267,761	261,708	266,120
Police Retirement	443,542	15,600	33,321	425,821
Sales Tax	1,759	3,684	1,759	3,684
BID	279,826	24,899	1,200	303,525
Homeless Trust Fund	595	753	595	753
GRAND TOTAL	\$80,510,802	\$13,365,441	\$17,009,246	\$76,866,997

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE, ON THE CASH BASIS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


Vonnice Jensen, Comptroller, City of Coeur d'Alene, Idaho

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 ELEVEN MONTHS ENDED
 August 31, 2022

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SEP 9 2022

CITY CLERK

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 8/31/2022	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$260,153	\$222,555	86%
	Services/Supplies	9,692	7,227	75%
Administration	Personnel Services	220,154	200,742	91%
	Services/Supplies	2,920	1,437	49%
Finance	Personnel Services	719,191	638,395	89%
	Services/Supplies	579,455	570,273	98%
Municipal Services	Personnel Services	1,289,332	1,169,690	91%
	Services/Supplies	931,896	551,564	59%
	Capital Outlay			
Human Resources	Personnel Services	356,011	312,758	88%
	Services/Supplies	78,871	69,779	88%
Legal	Personnel Services	1,256,687	1,139,656	91%
	Services/Supplies	56,853	35,882	63%
Planning	Personnel Services	657,218	596,680	91%
	Services/Supplies	57,300	50,345	88%
	Capital Outlay			
Building Maintenance	Personnel Services	368,824	275,804	75%
	Services/Supplies	239,075	255,601	107%
	Capital Outlay	95,000	110,199	116%
Police	Personnel Services	15,896,728	13,356,283	84%
	Services/Supplies	1,768,232	1,646,396	93%
	Capital Outlay	329,840	300,821	91%
Fire	Personnel Services	10,829,600	9,936,410	92%
	Services/Supplies	692,976	648,753	94%
	Capital Outlay	25,000	129,405	518%
General Government	Services/Supplies	47,180	51,676	110%
	Capital Outlay			
Police Grants	Personnel Services	77,961	66,489	85%
	Services/Supplies		30,848	
	Capital Outlay			
CdA Drug Task Force	Services/Supplies	35,000	125,307	358%
	Capital Outlay			
Streets	Personnel Services	3,220,429	2,866,676	89%
	Services/Supplies	1,860,134	937,068	50%
	Capital Outlay	90,000	115,552	128%
Parks	Personnel Services	1,919,367	1,500,954	78%
	Services/Supplies	698,100	530,329	76%
	Capital Outlay			


CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
ELEVEN MONTHS ENDED
August 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 8/31/2022	PERCENT EXPENDED
Recreation	Personnel Services	574,567	514,420	90%
	Services/Supplies	180,850	116,228	64%
	Capital Outlay			
Building Inspection	Personnel Services	964,436	878,968	91%
	Services/Supplies	39,928	111,307	279%
	Capital Outlay			
Total General Fund		<u>46,428,960</u>	<u>40,072,478</u>	<u>86%</u>
Library	Personnel Services	1,388,065	1,241,008	89%
	Services/Supplies	228,000	190,058	83%
	Capital Outlay	180,000	129,476	72%
CDBG	Personnel Services	72,250	66,029	91%
	Services/Supplies	478,122	368,473	77%
Cemetery	Personnel Services	209,640	185,986	89%
	Services/Supplies	117,400	105,175	90%
	Capital Outlay	87,000	91,762	105%
Impact Fees	Services/Supplies	769,000	(216,435)	-28%
Annexation Fees	Services/Supplies	175,000	175,000	100%
Parks Capital Improvements	Capital Outlay	465,460	356,441	77%
Cemetery Perpetual Care	Services/Supplies	166,500	150,936	91%
Jewett House	Services/Supplies	26,353	12,449	47%
Reforestation	Services/Supplies	6,500	63	1%
Street Trees	Services/Supplies	112,000	53,229	48%
Community Canopy	Services/Supplies	1,500	180	12%
Public Art Fund	Services/Supplies	461,300	254,842	55%
		<u>4,944,090</u>	<u>3,164,674</u>	<u>64%</u>
Debt Service Fund		<u>878,408</u>	<u>878,407</u>	<u>100%</u>

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
ELEVEN MONTHS ENDED
August 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 8/31/2022	PERCENT EXPENDED
LaCrosse Ave / NW Blvd	Capital Outlay		1,502	
Seltice Way Sidewalks	Capital Outlay			
Traffic Calming	Capital Outlay	40,000	10,693	
Kathleen Avenue Widening	Capital Outlay	755,000	1,235,652	164%
US 95 Upgrade	Capital Outlay			
15th Street	Capital Outlay		2,275	
LHTAC Pedestrian Safety	Capital Outlay	605,000	24,917	
Downtown Signal Imprvmnts	Capital Outlay			
Atlas Waterfront Project	Capital Outlay			
NW Blvd Traffic Signals	Capital Outlay			
		1,400,000	1,275,039	91%
Street Lights	Services/Supplies	658,900	587,885	89%
Water	Personnel Services	2,497,479	2,057,991	82%
	Services/Supplies	5,095,931	1,820,169	36%
	Capital Outlay	4,713,500	2,865,383	61%
Water Capitalization Fees	Services/Supplies	2,650,000		
Wastewater	Personnel Services	3,034,430	2,535,835	84%
	Services/Supplies	7,949,068	4,710,723	59%
	Capital Outlay	9,735,000	2,606,012	27%
	Debt Service	4,194,992	1,668,891	40%
WW Capitalization	Services/Supplies	3,840,853		
WW Property Management	Services/Supplies		26,098	
Sanitation	Services/Supplies	4,562,297	3,858,269	85%
Public Parking	Services/Supplies	1,718,619	650,487	38%
	Capital Outlay			
Drainage	Personnel Services	229,876	218,582	95%
	Services/Supplies	1,001,862	373,056	37%
	Capital Outlay	890,000	293,498	33%
Total Enterprise Funds		52,772,807	24,272,878	46%
Kootenai County Solid Waste		2,900,000	2,467,895	85%
Police Retirement		192,235	170,557	89%
Business Improvement District		176,000	51,200	29%
Homeless Trust Fund		8,000	7,541	94%
Total Fiduciary Funds		3,276,235	2,697,193	82%
TOTALS:		\$109,700,500	\$72,360,669	66%

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE, ON THE CASH BASIS, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


 Vonnie Jensen, Comptroller, City of Coeur d'Alene, Idaho

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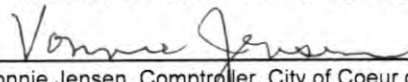
SEP 9 2022

CITY CLERK

City of Coeur d'Alene
Cash and Investments
8/31/2022

Description	City's Balance
U.S. Bank	
Checking Account	4,073,133
Checking Account	72,772
Checking Account	65,823
Investment Account - Police Retirement	420,595
Investment Account - Cemetery Perpetual Care Fund	1,087,588
Idaho Central Credit Union	
Certificate of Deposit	281,489
Idaho State Investment Pool	
State Investment Pool Account	68,860,720
Spokane Teacher's Credit Union	
Certificate of Deposit	1,001,603
Numerica Credit Union	
Certificate of Deposit	1,001,924
Cash on Hand	
Treasurer's Change Fund	1,350
Total	<u><u>76,866,997</u></u>

I HEREBY SWEAR UNDER OATH THAT THE AMOUNTS REPORTED ABOVE
ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



Vonnie Jensen, Comptroller, City of Coeur d'Alene, Idaho

CITY COUNCIL STAFF REPORT

DATE: September 20, 2022
FROM: Dennis J. Grant, Engineering Project Manager
SUBJECT: **SS-22-11c, Riverstone Condominium, Final Plat Approval**

DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a one (1) lot, eighteen (18) unit residential condominium subdivision.

HISTORY

Applicant: John Stone, Manager
Cornerstone Place, LLC
2187 N. Main Street
Coeur d'Alene, Idaho 83814

Location: 1579 W. Riverstone Drive

FINANCIAL ANALYSIS

There are no financial issues with this development.

PERFORMANCE ANALYSIS

This is a condominium plat of Lot 1, Block 2, Village at Riverstone, located in Coeur d'Alene. The one (1) lot contains eighteen (18) condominium units. All infrastructure improvements were addressed during the construction of the residential units on the subject property, and the property is now fully developed and ready for final plat approval.

DECISION POINT RECOMMENDATION

City Council approval of the final plat document

RESOLUTION NO. 22-043

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FOLLOWING: GRANT OF UTILITY EASEMENT FOR WATER LINE BY CELESTINO FUENTES AND RAJEANNE LESSARD; AND GRANT OF SEWER LINE EASEMENT BY COEUR D'ALENE MEMORIAL GARDENS.

WHEREAS, it has been recommended that the City of Coeur d'Alene accept the easements and take the other action listed below, pursuant to the terms and conditions set forth in the agreements and other documents attached hereto as Exhibits "A" and "B" and by reference made a part hereof as summarized as follows:

- A) Grant of Utility Easement for Water Line by Celestino Fuentes and Rajeanne Lessard for ingress and egress for the improvement, operation, and maintenance of the water line, ten (10') feet in total width, over and through the property situated at 3248 E. Barn Ct;
- B) Grant of Sewer Line Easement by Coeur d'Alene Memorial Gardens, Inc., for a twenty-five (25') foot wide sewer line easement for maintenance, repair, and replacement in the Easement Area of property described as a Portion of the Northeast Quarter of Section 26, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such agreements and take the other action.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City accept the easements, as set forth in substantially the form attached hereto as Exhibits "A" and "B" and incorporated herein by reference, with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said easements so long as the substantive provisions of the agreements and the other action remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such documents as may be required on behalf of the City.

DATED this 20th day of September, 2022.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

Motion by _____, Seconded by _____, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER WOOD Voted

_____ was absent. Motion _____.

UTILITY EASEMENT FOR WATER LINE

KNOW ALL MEN BY THESE PRESENTS, that Celestino Fuentes and Rajeanne Lessard, with the principle place of residence at 3248 E Barn ct, the **GRANTOR**, for and in consideration of providing one (1) one-inch (1") water service,, and other good and valuable consideration, paid by the City of Coeur d'Alene, Kootenai County, State of Idaho, receipt of which is acknowledged, do hereby grant, quitclaim and convey unto the **CITY OF COEUR D'ALENE**, a municipal corporation, the **GRANTEE**, whose address is 710 Mullan Avenue, Coeur d'Alene, Idaho, 83814, its successors and assigns, an easement, together with the rights of ingress and egress for the improvement, operation and maintenance of the water line, ten (10) feet in total width, over and through the property situated in Kootenai County with an address of 3248 E Barn Ct, which easement is described in Exhibit "A" attached hereto and incorporated herein by reference.

The **GRANTOR** further agrees to keep the easement clear of all buildings, structures, and other obstructions, not to include the storage of removable items. The **GRANTOR** agrees that all underground facilities installed by or for the **GRANTEE** shall remain the property of the **GRANTEE**, removable by the **GRANTEE** at its option.

Should it be necessary for the **GRANTEE** to remove fencing, remove or damage any asphalt, concrete or their surfacing for the maintenance or repair of the underground facility, the **GRANTEE** shall repair and restore them to their original condition at the expense of the **GRANTEE**.

TO HAVE AND TO HOLD such easement for public purposes so long as the same shall be used, operated and maintained as such.

IN WITNESS WHEREOF, the **GRANTORS** have caused this instrument to be executed this 29 day of August, 2022.



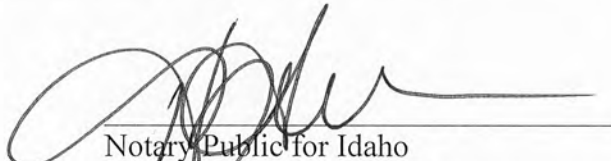
Celestino Fuentes


Rajeanne Lessard

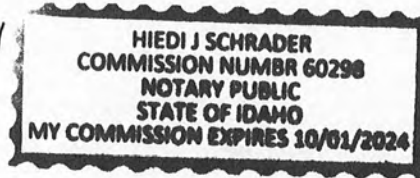
STATE OF IDAHO)
) ss.
County of Kootenai)

On this 29 day of August, 2022 before me, a Notary Public, personally appeared Celestina Fentes & Rajanna Lewis known to me to be the Owners, of 3248 Bern CT, and the persons who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Notary Public for Idaho
Residing at Coeur d'Alene
My Commission Expires: 10/01/2024





J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

EXHIBIT A

LEGAL DESCRIPTION OF A UTILITY EASEMENT

FUENTES TO THE CITY OF COEUR D' ALENE

LOT 3, RAY'S SUBDIVISION

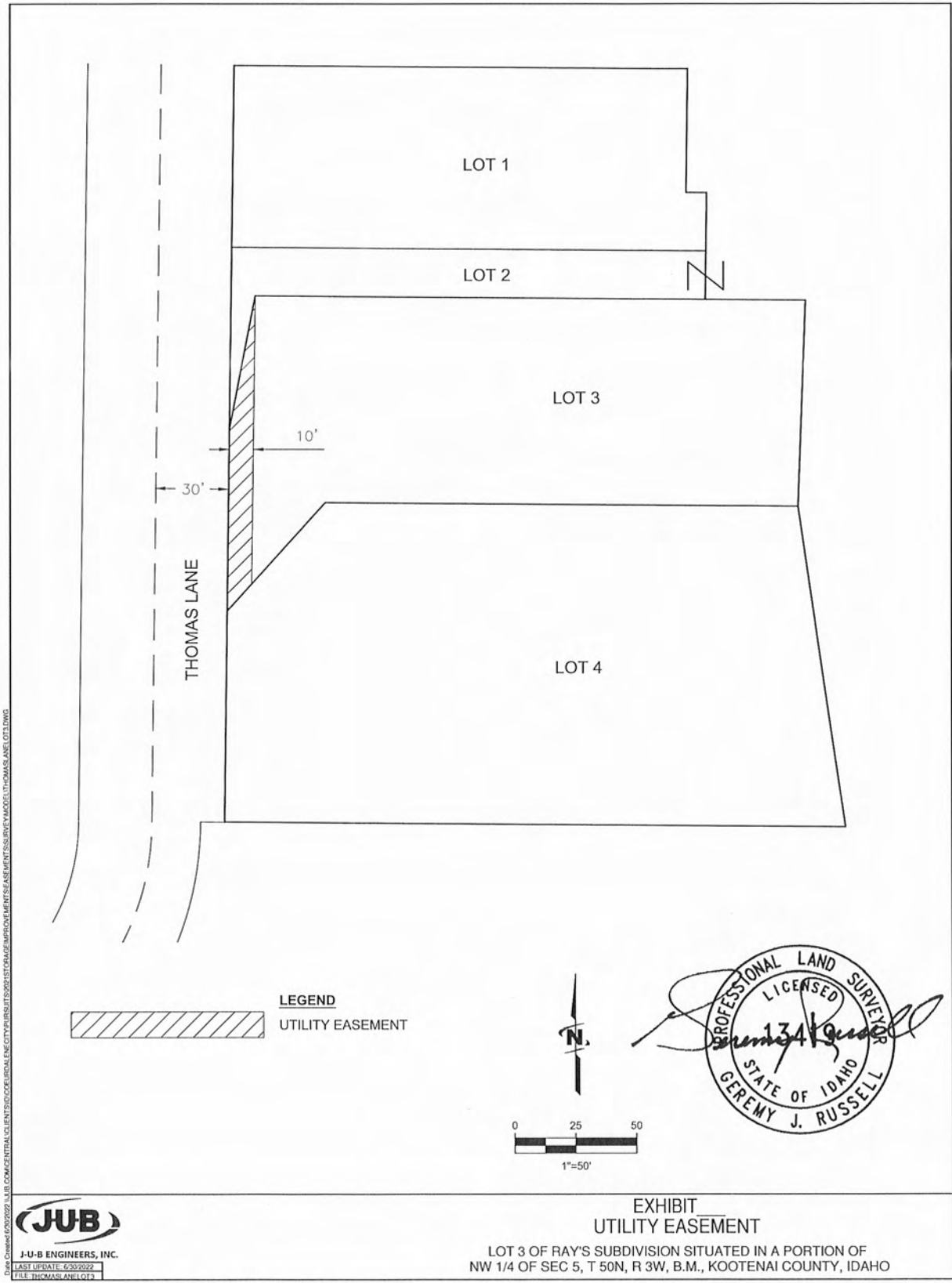
June 30, 2022

The West 10 feet of Lot 3 of Ray's Subdivision, according to the plat thereof recorded in Book G, Page 146 as Instrument Number 1361568, records of Kootenai County, Idaho, the westerly line of said 10-feet to be coincident with the easterly right-of-way line of Thomas Lane as it was dedicated on said plat.

SUBJECT TO: Existing rights-of-way and easements of record and/or appearing on said abovedescribed parcel.

Digitally signed on:
06/30/2022





Plot Date: 6/20/2022 4:35 PM Plotted By: Stephanie Nelson
 J:\Users\stephanie.nelson\My Documents\Projects\2022\STORAGE IMPROVEMENTS\EASEMENT\SUBDIVISION\MODELS\THOMAS LANE_0731.DWG
 LAST UPDATE: 6/20/2022
 FILE: THOMAS ANELOT3



RECORDING REQUESTED BY:

DAUGHARTY LAW GROUP
Paul W. Daugharty
505 E. Front Ave., Suite 301
Coeur d'Alene, ID 83814

SEWER LINE EASEMENT

THIS SEWER LINE EASEMENT (“Easement”) is made and entered this 29 day of July 2022, by and between COEUR D’ALENE MEMORIAL GARDENS, INC., an Idaho corporation whose address is 7315 N. Government Way, Coeur d’Alene, ID 83815 (“Grantor”) and CITY OF COEUR D’ALENE, a municipal corporation whose address is 710 E. Mullan Avenue, Coeur d’Alene, ID 83814 (“Grantee”).

1. **Grant of Sewer Line Easement.** Grantor is the owner of Tax Number 24170 and Blocks 3 and 4 of Restlawn Memorial Park, as recorded at Book D of Plats, Page 88, Records of Kootenai County, located in the northeast quarter of Section 26, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho. Grantor has agreed to grant a twenty-five (25’) foot wide sewer line easement to Grantee. Grantor and Grantee have agreed upon the location of the sewer line easement as described on Exhibit A and depicted on Exhibit B attached hereto and incorporated herein by reference (collectively “Easement Area”). Grantor hereby grants to Grantee and its successors and assigns a perpetual and permanent sewer line easement for use of the Easement Area for installation of a sewer line and any ongoing maintenance, repair and replacement of the Easement Area as deemed necessary by Grantee.
2. **Right of Entry.** Grantee, and its agents and subcontractors, shall upon providing notice to Grantor, have the right at times as may be necessary to enter upon, occupy and use the Easement Area to install, lay, construct, reconstruct, repair, remove, replace, use, renew, operate and maintain sewer lines and appurtenances and to operate thereon all necessary machinery and equipment to efficiently prosecute the work.
3. **Appurtenances.** The parties hereto intend the easement granted herein shall run with the land and shall be for the benefit of the parties hereto, their successors and assigns, and shall burden their respective parcels perpetually.
4. **Governing Law.** The Easement shall be governed by and interpreted in accordance with the laws of the State of Idaho.
5. **Attorney’s Fees.** In the event any party brings any action against the other party to interpret or enforce this Easement or for damages for the alleged breach hereof,

SEWER LINE EASEMENT - 1

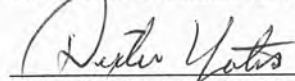
the prevailing party in such action shall be entitled to reasonable attorney's fees and costs as awarded by the Court in addition to all other recoverable costs and damages.

6. **Counterparts.** This Easement may be executed by the parties hereto in several counterparts and each such counterpart will be deemed an original and all such counterparts together will constitute one and the same agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument on the date first written above.

GRANTOR:

COEUR D'ALENE MEMORIAL GARDENS, INC.



DEXTER YATES, President

STATE OF IDAHO)

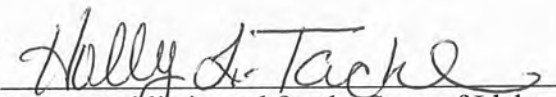
ss.

County of Kootenai)

On this 29 day of July 2022, before me, the undersigned Notary Public in and for said state, personally appeared, DEXTER YATES, known or identified to me to be the President of COEUR D'ALENE MEMORIAL GARDENS, INC., an Idaho corporation, that he executed the foregoing instrument on behalf of said company, and acknowledged to me that such company executed the same.

WITNESS my hand and official seal.

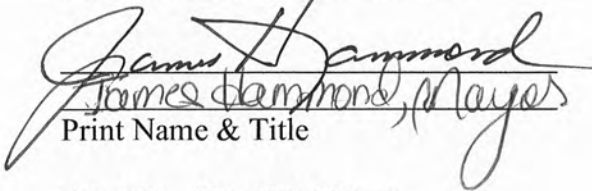




Notary Public in and for the State of Idaho
Residing at Kootenai County
My commission expires: 05/22/2023

GRANTEE:

CITY OF COEUR D'ALENE


James Hammond, Mayor
Print Name & Title

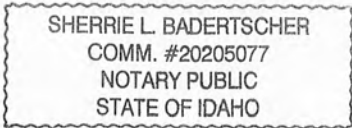
STATE OF IDAHO)

ss.

County of Kootenai)

On this 29 day of July 2022, before me, the undersigned Notary Public in and for said state, personally appeared, James Hammond, known or identified to me to be the Mayor of the CITY OF COEUR D'ALENE, the municipal corporation that executed this the foregoing instrument on behalf of said municipal corporation, and acknowledged to me that the CITY OF COEUR D' ALENE executed the same.

WITNESS my hand and official seal.



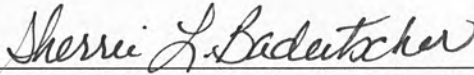

Notary Public in and for the State of Idaho
Residing at Sprial Lake, ID
My commission expires: 12/28/2026

EXHIBIT A

Sewer and Maintenance Easement Description

A strip of land, 25-feet x 200-feet, lying over a portion of Tax Number 24170 and Blocks 3 and 4 of Restlawn Memorial Park, as recorded at Book D of Plats, Page 88, Records of Kootenai County, Idaho, located in the northeast quarter of Section 26, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Commencing at the East Quarter corner of said Section 26 from which the Northeast Quarter bears North 01°04'23" East a distance of 2675.62 feet; thence along the East line of said northeast quarter, North 01°04'23" East a distance of 667.74 feet; thence leaving said East line, North 88°55'32" West a distance of 59.76 feet to the West Right-of-Way Government Way being a 2.5 inch aluminum cap marked "PLS 12318" being the **True Point of Beginning**;

thence along the South line of Tax Number 17480, North 89°52'11" West a distance of 173.15 feet to the southwest corner of said Tax Number 17480 marked by an iron rod in concrete, said point also being the southeast corner of Lot 2, Block 1 of Heritage Square, as recorded in Book L of Plats, Page 683, Records of Kootenai County, Idaho;

thence along the South line of said Lot 2, Block 1, North 89°40'06" West a distance of 27.17 feet;

thence leaving said South line of Lot 2, Block 1, South 00°19'54" West a distance of 25.00 feet;

thence South 89°47'27" East a distance of 200.00 feet to a point on said West Right-of-Way of Government Way;

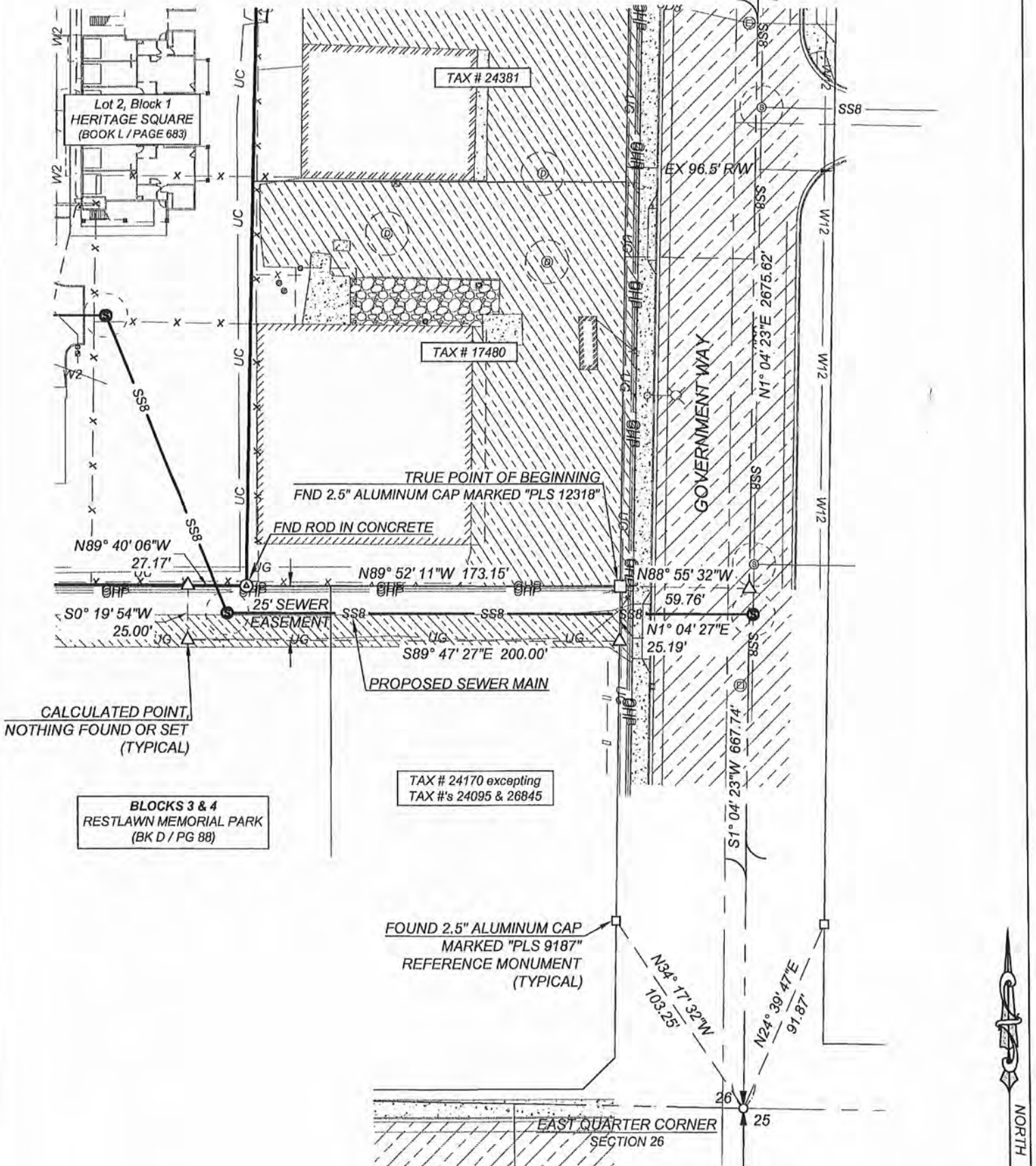
thence along said West Right-of-Way, North 01°04'27" East a distance of 25.19 feet to the **True Point of Beginning**;

said Easement containing 5,014 square feet of land, more or less.



EXHIBIT B

NORTHEAST CORNER
SECTION 26



PORTION OF NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 51 NORTH,
RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO

22-002.1 - SSWR ESMT XBT
June 21, 2022
SCALE: 1" = 60'

OTHER BUSINESS

**CITY COUNCIL
STAFF REPORT**

DATE: SEPTEMBER 20, 2022

FROM: CHRIS BOSLEY – CITY ENGINEER

SUBJECT: FY 2022 LHSIP UTILITY HEARING

=====

DECISION POINT:

Should Council require that the utility companies accommodate the Rectangular Rapid Flashing Beacon project, Key Number 22874, and relocate the utility facilities as required by the respective franchise agreements?

HISTORY:

Under the Local Highway Safety Improvement Program (LHSIP), the City was awarded \$560,593 through the Local Highway Technical Assistance Council (LHTAC) to provide safety improvements. The grant will fund pedestrian safety improvements and ADA compliance at several needed locations throughout the City. The Idaho Transportation Department requires the City to hold a Utility Hearing or obtain Utility Hearing Waivers from all utilities. In recent years, not all utility companies have been willing to sign a Utility Hearing Waiver, making Utility Hearings a requirement.

FINANCIAL ANALYSIS:

Utilities that are permitted within the right-of-way under a franchise utility agreement will be required to move their facilities at no cost to the City. Costs for other affected utilities to be adjusted and/or relocated, such as water meters and storm grates, which are expected to be minor, will be included in the project.

PERFORMANCE ANALYSIS:

Relocation of utility facilities will allow the project to advance to construction.

DECISION POINT/RECOMMENDATION:

Council should require the utility companies to accommodate the Rectangular Rapid Flashing Beacon project, Key Number 22874, and relocate their utility facilities as required by the respective franchise agreements.

FY 2022 LHSIP Utility Hearing



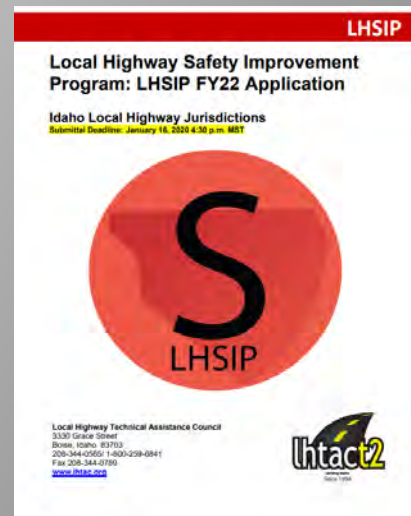
City of
Coeur d'Alene
IDAHO

September 20, 2022

FY 2022 LHSIP Grant

Local Highway Safety Improvement Program

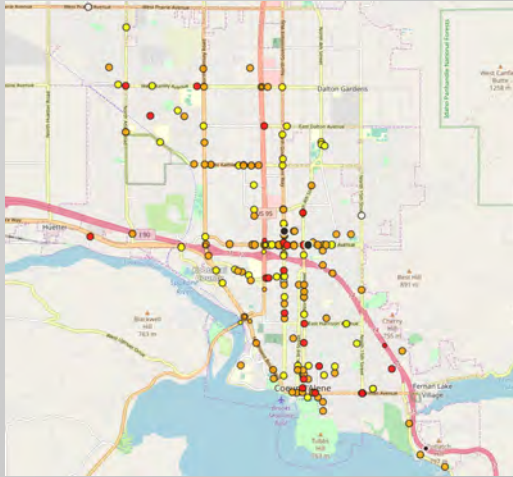
- Scoring based on Benefit-Cost Ratio
- Aimed at reducing Fatal or Serious Injury Type A Crashes
- 7.34% Local Match Requirement
- Rectangular Rapid Flashing Beacons provide best Benefit-Cost Ratio



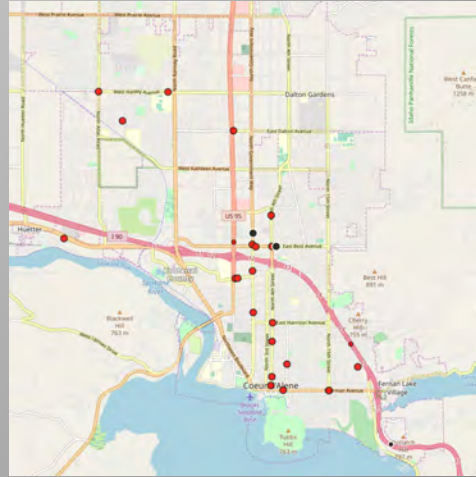
FY 2022 LHSIP Grant

5-Yr Crash Data

Pedestrian & Bicycle



Type A & Fatal



FY 2022 LHSIP Grant

Rectangular Rapid Flashing Beacons



Proposed Locations

Hanley Ave & Madellaine Dr



Proposed Locations

Hanley Ave @ Lake City High School



Proposed Locations

Bosanko Ave & Howard St



Proposed Locations

Riverstone Drive: 3 Locations



Centennial Trail Crossing



Near Bardenay



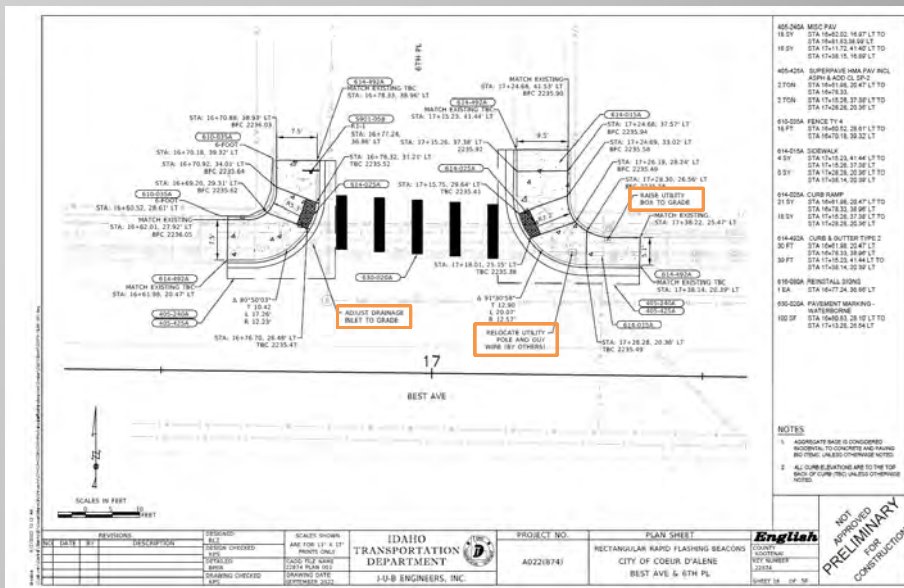
Beebe Boulevard

Proposed Locations

Best Ave & 7th St



Utility Relocations



FY 2022 LHSIP Grant

POSSIBLE ACTIONS after hearing is closed:

1) *Motion made by Council:*

Based on the testimony provided, I move to require the utility companies accommodate the project and relocate the utility facilities as required for the Rectangular Rapid Flashing Beacon project, Key Number 22874.

2) *Table the Action:*

If Utility testimony is provided that leaves the Council with additional unresolved questions preventing the above motion, the Chair may choose to table the issues to a set date/council meeting for further discussion with the appropriate utilities.

**CITY COUNCIL
STAFF REPORT**

DATE: September 20, 2022
FROM: Randy Adams, City Attorney
SUBJECT: Termination of Lake District RAA

DECISION POINT: Should the City Council approve an ordinance terminating the Second Amended and Restated Midtown-Northwest Boulevard-Downtown Urban Renewal/Revenue Allocation Area (the “Lake District RAA”)?

HISTORY: The Urban Renewal Plan for the Midtown, Northwest Boulevard, and Downtown Urban Renewal Project Area was adopted by Ordinance No. 2842 on December 16, 1997 (the “Lake District Plan”). By Ordinance 3154 adopted on November 18, 2003, the Plan was amended and restated. A Second Amended and Restated Lake District Plan was adopted by Ordinance No. 3337 on August 19, 2008. The First Amendment to the Second Amended and Restated Lake District Plan was adopted by Ordinance No. 3542 on July 13, 2016, and the Second Amendment was adopted by Ordinance No. 3625 on December 14, 2018. To complete the termination of the Lake District Revenue Allocation Area (“Lake District RAA”), the City Council is required to adopt an ordinance terminating the revenue allocation area no later than December 31, 2022, pursuant to Idaho Code § 50-2903(5). A substantial portion of the identified improvements and/or projects within the Lake District RAA (also known as the “Project Area”) have been completed and the City’s Urban Renewal Agency, ignite cda, passed Resolution 2022-02 terminating the Project Area on June 15, 2022.

The termination date for the Lake District RAA, as set forth in the amended Lake District Plan, was December 31, 2021, except for revenues to be received in 2022 as authorized by Idaho Code § 50-2905(7). Ignite cda expects all obligations and all expenses from the remaining projects and/or improvements to be completed under the Lake District Plan to be incurred and satisfied by the end of ignite cda’s current fiscal year, September 30, 2022. Ignite cda further states that it will have sufficient funds on deposit for the payment of all final bonds, obligations, project costs, and administrative fees.

FINANCIAL ANALYSIS: The increment value of the terminating Lake District RAA will be included in the net taxable value of the City when calculating subsequent property tax levies pursuant to Idaho Code § 63-803. The increment value will also be included in subsequent notification of taxable value for each taxing district affected pursuant to Idaho Code § 63-1312. This year, the closing of the Lake District RAA will bring the City \$930,787 in revenue. In addition, ignite cda intends to convey the following parcels to the City on or before September 30, 2022, but no later than December 31, 2022: 839 N. 3rd Street (surface parking lot); 845 N. 4th Street (surface parking lot); and 316 E. Sherman Avenue (Rotary Centennial Park).

PERFORMANCE ANALYSIS: The termination ordinance was prepared by the attorneys for ignite cda and has been reviewed by the City's attorney. This ordinance provides that the Lake District RAA is thereby terminated. The ordinance further provides that any surplus funds of the Lake District RAA will be remitted to the County Clerk prior to the end of ignite cda's 2022 fiscal year (September 30, 2022) or following the final accounting of ignite cda's 2022 fiscal year on or before April 1, 2023. Said surplus funds shall be distributed to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area. Any other remaining funds in subsequent fiscal years received by ignite cda from delinquent taxes after September 30, 2022, shall be disbursed in the same manner each fiscal year.

DECISION POINT/RECOMMENDATION: Council should approve the ordinance terminating the Second Amended and Restated Midtown-Northwest Boulevard-Downtown Urban Renewal/Revenue Allocation Area (the "Lake District RAA).

CITY OF COEUR D'ALENE, IDAHO

ORDINANCE NO. 22-1012

COUNCIL BILL NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO, IMMEDIATELY TERMINATING THE REVENUE ALLOCATION AREA FOR THE LAKE DISTRICT PROJECT AREA; REQUIRING DISTRIBUTION OF ANY SURPLUS DETERMINED TO EXIST PURSUANT TO SECTION 50-2909, IDAHO CODE; AUTHORIZING THE CITY CLERK OR THE COEUR D'ALENE URBAN RENEWAL AGENCY D/B/A IGNITE CDA, TO FILE THE ORDINANCE, TOGETHER WITH THE BOUNDARY MAP, WITH THE OFFICE OF THE COUNTY RECORDER, THE COUNTY ASSESSOR, AND THE IDAHO STATE TAX COMMISSION AS PROVIDED IN SECTION 63-215, IDAHO CODE; PROVIDING THAT A COPY OF THIS ORDINANCE SHALL BE GIVEN TO EACH OF THE TAXING ENTITIES AFFECTED BY SAID REVENUE ALLOCATION AREA; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 97-151, dated August 5, 1997, the City Council ("City Council") and Mayor of the City of Coeur d'Alene, Idaho (the "City") created an urban renewal agency, the Coeur d'Alene Urban Renewal Agency, formerly dba Lake City Development Corporation, and now dba ignite cda (the "Agency") authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the "Law"), and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (hereinafter the "Act"), upon making the findings of necessity required for creating said Agency;

WHEREAS, the City Council ("City Council") of the City of Coeur d'Alene, Idaho ("City"), after notice duly published, conducted a public hearing on the Urban Renewal Plan for Midtown, Northwest Boulevard, and Downtown Urban Renewal Project Area (the "Lake District Plan");

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 2842 on December 16, 1997, approving the Lake District Plan, making certain findings and establishing the Lake District revenue allocation area (the "Project Area");

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Amended and Restated Lake District Plan (the "Amended and Restated Lake District Plan");

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 3154 on November 18, 2003, approving the Amended and Restated Lake District Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Second Amended and Restated Lake District Plan (the "Second Amended and Restated Lake District Plan");

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 3337 on August 19, 2008, approving the Second Amended and Restated Lake District Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the First Amendment to the Second Amended and Restated Lake District Plan (the “First Amendment to the Second Amended and Restated Plan”);

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 3542 on July 13, 2016, approving the First Amendment to the Second Amended and Restated Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Second Amendment to the Second Amended and Restated Lake District Plan (the “Second Amendment to the Second Amended and Restated Plan”);

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 3625 on December 14, 2018, approving the Second Amendment to the Second Amended and Restated Plan and making certain findings;

WHEREAS, the Lake District Plan, as amended, collectively will be referred to as the “Lake District Plan” and the corresponding Lake District revenue allocation area, as amended, will be referred to as the “Project Area;”

WHEREAS, the Lake District Plan contained a revenue allocation financing provision pursuant to the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended (the “Act”);

WHEREAS, the termination date for the Project Area, as set forth in the Lake District Plan, is December 31, 2021, except for revenues to be received in 2022, as authorized pursuant to Idaho Code § 50-2905(7);

WHEREAS, a substantial portion of identified improvements and/or projects have been completed in the Project Area, and the Agency intends to terminate the Project Area;

WHEREAS, the Agency expects all obligations and all of the expenses from any remaining projects and/or improvements to be completed under the Lake District Plan, and as identified in the Lake District Supplemental Termination Budget (FY2022) attached hereto as Exhibit B to Attachment 1, to be incurred and satisfied by the Agency’s current fiscal year ending September 30, 2022, with the exception of (1) possible carryover costs from current projects; and/or (2) unexpected construction delays. An estimate of the remaining obligations, project costs and other administrative fees and costs are set forth in the Termination Plan attached hereto as Exhibit A to Attachment 1;

WHEREAS, as further described in the Termination Plan attached hereto as Exhibit A to Attachment 1, the Agency has conveyed certain real property parcels to private developers for

development pursuant to a competitive process as outlined in Idaho Code § 50-2011 and the terms of certain disposition and development agreements, specifically 813-823 N. 4th Street; the former BNSF right-of-way property and a small portion of Area 12 of the Atlas Waterfront Project. The Agency will continue to monitor the on-going developments for compliance with the terms of the applicable disposition and development agreement through construction and completion of the development, which for each parcel, project completion is anticipated to occur after September 30, 2022;

WHEREAS, the Agency will request the Kootenai County Treasurer to not distribute to the Agency any Lake District Plan revenue allocation funds from delinquency tax payments in calendar year 2023, or subsequent years, generated from the 2021 assessed values, or earlier. To the extent any Lake District Plan revenue allocation funds are received by the Agency in calendar year 2023, or later, the Agency will return those funds to the Kootenai County Treasurer for distribution to the taxing districts;

WHEREAS, the Agency will have sufficient funds on deposit for payment of all final bonds, obligations, project costs and administrative fees;

WHEREAS, the Agency has reviewed the remaining improvements and/or projects and based on projected revenues and expenses of the Lake District Plan, has determined there are sufficient funds for payment of all final project costs and Agency expenses and has further determined the revenue allocation area can be terminated on or before December 31, 2022;

WHEREAS, pursuant to Exhibit A and Exhibit B attached to Attachment 1, the Agency estimates no surplus will be available for remittance to the County Treasurer for distribution to the taxing districts on or before September 30, 2022;

WHEREAS, pursuant to Exhibit A, and as identified on Exhibit C attached to Attachment 1, the Agency intends to dispose of certain Agency owned parcels located within the Project Area to developers selected pursuant to a competitive selection process or to the City;

WHEREAS, as further described in Exhibit A, and as shown on Exhibit C attached to Attachment 1, the Agency intends to convey the following parcels to the City on or before September 30, 2022, but no later than December 31, 2022: 839 N. 3rd Street (surface parking lot); 845 N. 4th Street (surface parking lot); and 316 E. Sherman Avenue (Rotary Centennial Park);

WHEREAS, as further described in Exhibit A, and as shown on Exhibit C attached to Attachment 1, the Agency, pursuant to a competitive selection process as outlined in Idaho Code § 50-2011, selected a proposal for development from Atlas Riverfront LLC seeking, in part, to purchase Area 13 of the Atlas Waterfront Project (“Area 13”) for \$2,361,000. The Agency and Atlas Riverfront LLC entered into an agreement to negotiate exclusively and are currently negotiating the terms of a disposition and development agreement. It is anticipated the Agency and Atlas Riverfront LLC will enter into a disposition and development agreement on or before September 30, 2022, with closing and conveyance to occur on or before September 30, 2023. In that case, any non-obligated surplus funds resulting from the sale proceeds following payment of outstanding project costs and obligations will be disbursed to Kootenai County for distribution to

the taxing entities on or before September 30, 2023. Should the property transfer fail to close by September 30, 2023, pursuant to the terms of the disposition and development agreement, Area 13 will be conveyed to the City;

WHEREAS, following the end of fiscal year 2022, the Agency will conduct a final accounting of the Project Area, which may result in an additional surplus disposition to the County Clerk for distribution to the taxing districts;

WHEREAS, the Agency on June 15, 2022, adopted Resolution No. 2022-02 recommending the City Council adopt an ordinance terminating the revenue allocation area on or before December 31, 2022. A copy of Agency Resolution No. 2022-02 is attached hereto as Attachment 1;

WHEREAS, a copy of the boundary map of the revenue allocation area is attached hereto as Attachment 2.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COEUR D'ALENE:

Section 1: That the above statements are true and correct.

Section 2: That the revenue allocation area contained in the Lake District Plan, as more particularly shown in Attachment 2, is hereby terminated, consistent with the termination provisions set forth in the Act.

Section 3: That the tax year 2022 revenues from the increment value as levied upon within the revenue allocation area are not needed for the payment of any Agency indebtedness or Agency projects to be completed before September 30, 2022.

Section 4: That any surplus funds will be remitted to the County Clerk prior to the end of the Agency's 2022 fiscal year on or before September 30, 2022, or following the final accounting of the Agency's 2022 fiscal year on or before April 1, 2023, to be distributed to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area. *See* I.C. 50-2909(4). Further, any other remaining funds in subsequent fiscal years received by the Agency from delinquent taxes after September 30, 2022, shall be disbursed in the same manner each fiscal year.

Section 5: That a copy of this Ordinance shall be sent to and/or filed with the Kootenai County Assessor's Office, the County Auditor/Recorder, and the Idaho State Tax Commission, together with a boundary map, to provide notice of termination of the revenue allocation area in the Lake District Plan by either the City Clerk or Agency representatives.

Section 6: At least one-half, plus one of the City Council members finding good cause, the City Council hereby dispenses with the rule that this Ordinance be read on three

different days; two readings of which shall be in full, and have hereby adopted this Ordinance, having considered it at one reading.

Section 7: That this Ordinance shall be in full force and effect immediately upon its adoption, approval, and publication.

Section 8: The Summary of this Ordinance, a copy of which is attached hereto as Attachment 3, is hereby approved.

Section 9: All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

Section 10: SAVINGS CLAUSE: This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

APPROVED, ADOPTED and SIGNED this ____ day of _____, 2022.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

ATTACHMENT 1

AGENCY TERMINATION RESOLUTION NO. 2022-02

ATTACHMENT 2
REVENUE ALLOCATION AREA MAP

ATTACHMENT 3

TERMINATION ORDINANCE SUMMARY

4890-1316-6630, v. 1

SUMMARY OF ORDINANCE NO. 22-1012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO, IMMEDIATELY TERMINATING THE REVENUE ALLOCATION AREA FOR THE LAKE DISTRICT PROJECT AREA; REQUIRING DISTRIBUTION OF ANY SURPLUS DETERMINED TO EXIST PURSUANT TO SECTION 50-2909, IDAHO CODE; AUTHORIZING THE CITY CLERK OR THE COEUR D'ALENE URBAN RENEWAL AGENCY D/B/A IGNITE CDA, TO FILE THE ORDINANCE, TOGETHER WITH THE BOUNDARY MAP, WITH THE OFFICE OF THE COUNTY RECORDER, THE COUNTY ASSESSOR, AND THE IDAHO STATE TAX COMMISSION AS PROVIDED IN SECTION 63-215, IDAHO CODE; PROVIDING THAT A COPY OF THIS ORDINANCE SHALL BE GIVEN TO EACH OF THE TAXING ENTITIES AFFECTED BY SAID REVENUE ALLOCATION AREA; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COEUR D'ALENE:

Section 1: That the above statements are true and correct.

Section 2: That the revenue allocation area contained in the Lake District Plan, as more particularly shown in Attachment 2, is hereby terminated, consistent with the termination provisions set forth in the Act.

Section 3: That the tax year 2022 revenues from the increment value as levied upon within the revenue allocation area are not needed for the payment of any Agency indebtedness or Agency projects to be completed before September 30, 2022.

Section 4: That any surplus funds will be remitted to the County Clerk prior to the end of the Agency's 2022 fiscal year on or before September 30, 2022, or following the final accounting of the Agency's 2022 fiscal year on or before April 1, 2023, to be distributed to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area. *See* I.C. 50-2909(4). Further, any other remaining funds in subsequent fiscal years received by the Agency from delinquent taxes after September 30, 2022, shall be disbursed in the same manner each fiscal year.

Section 5: That a copy of this Ordinance shall be sent to and/or filed with the Kootenai County Assessor's Office, the County Auditor/Recorder, and the Idaho State Tax Commission, together with a boundary map, to provide notice of termination of the revenue allocation area in the Lake District Plan by either the City Clerk or Agency representatives.

Section 6: At least one-half, plus one of the City Council members finding good cause, the City Council hereby dispenses with the rule that this Ordinance be read on three different days; two readings of which shall be in full, and have hereby adopted this Ordinance, having considered it at one reading.

Section 7: That this Ordinance shall be in full force and effect immediately upon its adoption, approval, and publication.

Section 8: The Summary of this Ordinance, a copy of which is attached hereto as Attachment 3, is hereby approved.

Section 9: All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

Section 10: SAVINGS CLAUSE: This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

ATTACHMENTS TO THE ORDINANCE

Attachment 1 Agency Resolution No. 2022-02, including as exhibits the Termination Plan setting forth an estimate of remaining project costs and other administrative fees and costs, together with an estimate of any surplus that may be available for distribution, and a proposed Termination Budget

Attachment 2 Revenue Allocation Area Map

Attachment 3 Ordinance Summary

The full text of the Ordinance 22-1012 is available at the offices of the City Clerk, City Hall, 710 E. Mullan Avenue, Coeur d'Alene, Idaho.

This summary has been approved by the Coeur d'Alene City Council at its meeting of September 20, 2022.

Renata McLeod, City Clerk

I, Randall Adams, City Attorney for the City of Coeur d'Alene, Idaho, hereby declare and certify that in my capacity as City Attorney of the city of Coeur d'Alene, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, I have reviewed a copy of the above Summary of Ordinance, have found the same to be true and complete, and said Summary of Ordinance provides adequate notice to the public of the contents, including the exhibits, of Ordinance No. _____.

DATED this _____ day of _____ 2022.

Randy Adams, City Attorney
Coeur d'Alene, Idaho

4859-2570-0134, v. 1



June 16, 2022

City of Coeur d'Alene
Attn: Jim Hammond, Mayor
Attn: Renata McLeod, City Clerk
City Hall
710 E. Mullan Avenue
Coeur d'Alene, ID 83814
jhammond@cdaid.org
cityclerk@cdaid.org

Kootenai County
Attn: Board of County Commissioners
Attn: Bela Kovacs, County Assessor
Attn: Jim Brannon, County Clerk/Auditor
Attn: Steve Matheson, County Treasurer
[Insert Address]
bkovacs@kcgov.us
jbrannon@kcgov.us
smatheson@kcgov.us
bocc@kcgov.us

Highway District #4 - Worley
Attn: Corrinne Johnson, Chair
12799 W. Ness Road
Worley, ID 83876
worleyhwy@worleyhwy.com

Highway District #3 – Eastside-71
Attn: Graham Christensen, Chair
6095 East Mullan Trail
Coeur d'Alene, ID 83814
graham@es-hd.com

Post Falls Highway District
Attn: Jeff Tyler, Chair
5629 E. Seltice Way
Post Falls, ID 83854
contactus@postfallshd.com

Lakes Highway District #2
Attn: Rodney A. Twete, Chair
11341 N. Ramsey Road
Hayden, ID 83835
info@lakeshighwaydistrict.com

Kootenai County Ambulance District
Attn: Woody McEvers, Chair
4381 West Seltice Way
Coeur d'Alene, ID 83814
info@kcemss.org

Kootenai County Hospital District
Attn: Katie Brodie, Chair
2003 Kootenai Health Way
Coeur d'Alene, ID 83814
comments@kh.org

North Idaho Junior College
Attn: Dr. Michael Sebaaly, Interim President
Attn: Board of Trustees
1000 W. Garden Avenue
Coeur d'Alene, ID 83814
Mike.Sebaaly@nic.edu
board@nic.edu

Coeur d'Alene School District #271
Attn: Rebecca Smith, Chair
Attn: Dr. Shon Hocker, Superintendent
1400 N. Northwood Center Court
Coeur d'Alene, ID 83814
rebecca.smith@cdaschools.org
shon.hocker@cdaschools.org

June 16, 2022

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Idaho State Tax Commission

Attn: Alan Dornfest

Attn: Ben Seloske

Attn: Kevin Jones

PO Box 36

Boise, ID 83722

alan.dornfest@tax.idaho.gov

ben.seloske@tax.idaho.gov

kevin.jones@tax.idaho.gov

Re: Intent to Terminate the Second Amended and Restated Midtown-Northwest Boulevard Downtown Urban Renewal/Revenue Allocation Area (the "Lake District RAA"), as amended

Greetings All:

At its regular monthly, public meeting on June 15, 2022, the Board of Commissioners of the Urban Renewal Agency of the City of Coeur d'Alene, Idaho, also known as ignite cda (the "Agency"), adopted Resolution No. 2022-02 (the "Termination Resolution") terminating the Urban Renewal Plan for Midtown, Northwest Boulevard, and Downtown Urban Renewal Project Area, adopted by Ordinance No. 2842 on December 16, 1997 (the "Lake District Plan"), as subsequently amended by the i) Amended and Restated Lake District Plan, adopted by Ordinance No. 3154 on November 18, 2003; ii) Second Amended and Restated Lake District Plan, adopted by Ordinance No. 3337 on August 19, 2008; iii) First Amendment to the Second Amended and Restated Lake District Plan, adopted by Ordinance No. 3542 on July 13, 2016; and iv) Second Amendment to the Second Amended and Restated Lake District Plan, adopted by Ordinance No. 3625 on December 14, 2018. Collectively, the Lake District Plan, as amended, is referred to as the "Lake District Plan," and the corresponding Lake District revenue allocation area is referred to as the Lake District RAA." A copy of the Termination Resolution is included with this letter, together with the exhibits thereto:

1. Resolution No. 2022-02: Lake District RAA Termination Resolution
2. Exhibit A: Termination Narrative
3. Exhibit B: Termination Budget
4. Exhibit C: Real Property Owned by the Agency

To complete the termination of the Lake District RAA, and pursuant to Idaho Code § 50-2903(5), the City Council for the city of Coeur d'Alene is required to adopt an ordinance terminating the revenue allocation area no later than December 31, 2022. At this time, the Agency does not know when the City Council will consider the termination ordinance.

Of note in the Termination Resolution:

June 16, 2022

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- The Agency requests that any delinquent Lake District RAA tax increment revenue received after September 30, 2022, be retained by the County and distributed pro rata to the affected taxing districts.
- The Agency is not anticipating any non-obligated surplus tax increment revenue as of September 30, 2022, for pro rata distribution to the affected taxing districts.
- The Agency requests the Coeur d'Alene City Council to adopt an ordinance terminating the revenue allocation area in the Lake District Plan by December 31, 2022.

As a reminder, and in follow up to the Agency letter, dated April 20, 2022, the increment value of the terminating Lake District RAA shall be included in the net taxable value of the taxing district when calculating the subsequent property tax levies pursuant to section 63-803, Idaho Code. The increment value shall also be included in subsequent notification of taxable value for each taxing district pursuant to section 63-1312, Idaho Code, and subsequent certification of actual and adjusted market values for each school district pursuant to section 63-315, Idaho Code. **You will need to contact the Kootenai County Assessor's Office and/or the State Tax Commission for increment value information**, including the portion of the increment value to be included on the new construction roll for new construction located within the Lake District RAA since December 31, 2006.

For additional information contact Tony Berns, ignite Executive Director at 208-292-1630 or tonyb@ignitecda.org.

Sincerely,



Scott Hoskins
Chair, ignite cda



Tony Berns
Executive Director

cc: Agency Board of Commissioners
Meghan S. Conrad, Elam & Burke

**COEUR D'ALENE URBAN RENEWAL AGENCY
(d/b/a IGNITE CDA)**

RESOLUTION NO. 2022-02

BY THE BOARD OF COMMISSIONERS OF THE COEUR D'ALENE URBAN RENEWAL AGENCY D/B/A IGNITE CDA:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COEUR D'ALENE URBAN RENEWAL AGENCY D/B/A IGNITE CDA OF THE CITY OF COEUR D'ALENE, IDAHO, MAKING CERTAIN FINDINGS THAT REVENUES ARE SUFFICIENT TO COVER ALL ESTIMATED AGENCY EXPENSES FOR FUTURE YEARS FOR THE URBAN RENEWAL AREA AND REVENUE ALLOCATION AREA KNOWN AS THE LAKE DISTRICT PROJECT AREA; ESTIMATING THE REMAINING PROJECT OBLIGATIONS AND COSTS; RECOMMENDING TO THE CITY COUNCIL THAT THE REVENUE ALLOCATION PROVISION FOR THE LAKE DISTRICT PROJECT AREA, AS AMENDED, BE TERMINATED; RECOMMENDING FURTHER THAT THE CITY COUNCIL PASS AN ORDINANCE TERMINATING THE REVENUE ALLOCATION PROVISION FOR THE URBAN RENEWAL PLAN FOR MIDTOWN, NORTHWEST BOULEVARD, AND DOWNTOWN URBAN RENEWAL PROJECT AREA, AS AMENDED, AND RETURNING THE REVENUE ALLOCATION AREA TO THE REGULAR TAX ROLL EFFECTIVE TAX YEAR 2022; PROVIDING FOR THE PAYMENT OF DELINQUENT PROPERTY TAXES FOLLOWING TERMINATION; PROVIDING FOR PAYMENT OF CERTAIN EXPENSES FOR FUTURE FISCAL YEARS; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of the City of Coeur d'Alene, Idaho, doing business as ignite cda, an independent public body, corporate and politic, is an urban renewal agency created by and existing under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law"), a duly created and functioning urban renewal agency for Coeur d'Alene, Idaho, hereinafter referred to as the "Agency."

WHEREAS, the City Council ("City Council") of the City of Coeur d'Alene, Idaho ("City"), after notice duly published, conducted a public hearing on the Urban Renewal Plan for Midtown, Northwest Boulevard, and Downtown Urban Renewal Project Area (the "Lake District Plan");

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 2842 on December 16, 1997, approving the Lake District Plan, making certain findings and establishing the Lake District revenue allocation area (the “Project Area”);

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Amended and Restated Lake District Plan (the “Amended and Restated Lake District Plan”);

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 3154 on November 18, 2003, approving the Amended and Restated Lake District Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Second Amended and Restated Lake District Plan (the “Second Amended and Restated Lake District Plan”);

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 3337 on August 19, 2008, approving the Second Amended and Restated Lake District Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the First Amendment to the Second Amended and Restated Lake District Plan (the “First Amendment to the Second Amended and Restated Plan”);

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 3342 on July 13, 2016, approving the First Amendment to the Second Amended and Restated Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Second Amendment to the Second Amended and Restated Lake District Plan (the “Second Amendment to the Second Amended and Restated Plan”);

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 3625 on December 14, 2018, approving the Second Amendment to the Second Amended and Restated Plan and making certain findings;

WHEREAS, the Lake District Plan, as amended, collectively will be referred to as the “Lake District Plan” and the corresponding Lake District revenue allocation area, as amended, will be referred to as the “Project Area;”

WHEREAS, the Lake District Plan contained a revenue allocation financing provision pursuant to the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended (the “Act”);

WHEREAS, the termination date for the Project Area, as set forth in the Lake District Plan, is December 31, 2021, except for revenues to be received in 2022, as authorized pursuant to Idaho Code § 50-2905(7);

WHEREAS, a substantial portion of identified improvements and/or projects have been completed in the Project Area, and the Agency intends to terminate the Project Area;

WHEREAS, the Agency expects all obligations and all of the expenses from any remaining projects and/or improvements to be completed under the Lake District Plan, and as identified in the Lake District Supplemental Termination Budget (FY2022) attached hereto as Exhibit B, to be incurred and satisfied by the Agency's current fiscal year ending September 30, 2022, with the exception of (1) possible carryover costs from current projects; and/or (2) unexpected construction delays. An estimate of the remaining obligations, project costs and other administrative fees and costs are set forth in the Termination Plan attached hereto as Exhibit A;

WHEREAS, as further described in the Termination Plan attached hereto as Exhibit A, the Agency has conveyed certain real property parcels to private developers for development pursuant to a competitive process as outlined in Idaho Code § 50-2011 and the terms of certain disposition and development agreements, specifically 813-823 N. 4th Street; the former BNSF right-of-way property and a small portion of Area 12 of the Atlas Waterfront Project. The Agency will continue to monitor the on-going developments for compliance with the terms of the applicable disposition and development agreement through construction and completion of the development, which for each parcel, project completion is anticipated to occur after September 30, 2022;

WHEREAS, the Agency will request the Kootenai County Treasurer to not distribute to the Agency any Lake District Plan revenue allocation funds from delinquency tax payments in calendar year 2023, or subsequent years, generated from the 2021 assessed values, or earlier. To the extent any Lake District Plan revenue allocation funds are received by the Agency in calendar year 2023, or later, the Agency will return those funds to the Kootenai County Treasurer for distribution to the taxing districts;

WHEREAS, the Agency will have sufficient funds on deposit for payment of all final bonds, obligations, project costs and administrative fees;

WHEREAS, the Agency has reviewed the remaining improvements and/or projects and based on projected revenues and expenses of the Lake District Plan, has determined there are sufficient funds for payment of all final project costs and Agency expenses and has further determined the revenue allocation area can be terminated on or before December 31, 2022;

WHEREAS, pursuant to Exhibit A and Exhibit B, the Agency estimates no surplus will be available for remittance to the County Treasurer for distribution to the taxing districts on or before September 30, 2022;

WHEREAS, pursuant to Exhibit A, and as identified on Exhibit C, the Agency intends to dispose of certain Agency owned parcels located within the Project Area to developers selected pursuant to a competitive selection process or to the City;

WHEREAS, as further described in Exhibit A, and as shown on Exhibit C, the Agency intends to convey the following parcels to the City on or before September 30, 2022, but no later than December 31, 2022: 839 N. 3rd Street (surface parking lot); 845 N. 4th Street (surface parking lot); and 316 E. Sherman Avenue (Rotary Centennial Park);

WHEREAS, as further described in Exhibit A, and as shown on Exhibit C, the Agency, pursuant to a competitive selection process as outlined in Idaho Code § 50-2011, selected a proposal for development from Atlas Riverfront LLC seeking, in part, to purchase Area 13 of the Atlas Waterfront Project (“Area 13”) for \$2,361,000. The Agency and Atlas Riverfront LLC entered into an agreement to negotiate exclusively and are currently negotiating the terms of a disposition and development agreement. It is anticipated the Agency and Atlas Riverfront LLC will enter into a disposition and development agreement on or before September 30, 2022, with closing and conveyance to occur on or before September 30, 2023. In that case, any non-obligated surplus funds resulting from the sale proceeds following payment of outstanding project costs and obligations will be disbursed to Kootenai County for distribution to the taxing entities on or before September 30, 2023. Should the property transfer fail to close by September 30, 2023, pursuant to the terms of the disposition and development agreement, Area 13 will be conveyed to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE COEUR D’ALENE URBAN RENEWAL AGENCY D/B/A IGNITE CDA, AS FOLLOWS:

Section 1: That the above statements are true and correct.

Section 2: That the Termination Plan attached hereto as Exhibit A is hereby approved and adopted by the Agency Board.

Section 3: That the revenue allocation area contained in the Lake District Plan shall be terminated on or before December 31, 2022, consistent with the termination provisions set forth in the Act, allowing certain taxing entities to use the 2022 estimated assessed values above the adjusted base assessment roll for the Lake District Project Area for their budgetary purposes, and further, pursuant to Idaho law, as amended, those certain taxing entities may, for their budgetary purposes, take into account a portion of the increment value that exceeds the incremental value as of December 31, 2006, for the Project Area, which portion of the increment value shall be added to the 2022 new construction roll, pursuant to Idaho Code § 63-301A(3)(g), as amended.

Section 4: That the Agency does not intend to take revenue allocation funds in calendar year 2023, generated from the 2022 assessed values, and the allocation of revenues under section 50-2908, Idaho Code, shall cease effective January 1, 2023.

Section 5: That all financial obligations have been provided for, and any outstanding bonds and/or other agency funded obligations will be paid in full on or before September 30, 2022, with the exception of: any reimbursement agreements or notes that have expired, terminated or cancelled on their own terms; reimbursement obligations within the discretion of

the Agency Board; project cost overruns from current projects; project costs for unexpected construction delays; costs related to monitoring compliance of development occurring pursuant to the terms of a disposition and development agreement; and an allocation of administrative fees and costs. The Agency will have sufficient funds on deposit for payment of the final bond payment, all final project costs and administrative fees.

Section 6: That any delinquent property taxes due to the Agency that were levied for calendar year 2021, or earlier, shall not be paid to the Agency, but shall be distributed by the Kootenai County Treasurer to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area.

Section 7: That any non-obligated surplus deemed by the Agency to exist will be remitted to the Kootenai County Treasurer for distribution to the taxing districts prior to the end of the Agency's 2022 fiscal year on or before September 30, 2022, in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area. *See* I.C. 50-2909(4).

Section 8: That the Agency does hereby request that the City Council, pursuant to 50-2903(5), Idaho Code, adopt an Ordinance providing for the termination of the revenue allocation area in the Lake District Plan, to be effective on or before December 31, 2022, and declaring that the tax year 2022 revenues¹ from the increment value as levied upon within the revenue allocation area are not needed for the payment of any Agency indebtedness or Agency projects to be completed before September 30, 2022, and should flow to the respective taxing districts pursuant to Idaho law.

Section 9: That the Agency owns certain real property in the Project Area as shown on Exhibit C that will be conveyed to the City. As further described in Exhibit A, the following parcels that have not yet been conveyed will be transferred to the City on or before September 30, 2022, but no later than December 31, 2022: 839 N. 3rd Street (surface parking lot); 845 N. 4th Street (surface parking lot); and 316 E. Sherman Avenue (Rotary Centennial Park). The Agency hereby authorizes the Agency Chair to execute any and all documents required to effectuate the transfers.

Section 10: That the Agency owns certain real property in the Project Area as shown on Exhibit C, and as referred to as Area 13. As further described in Exhibit A, the Agency intends to transfer Area 13 to Atlas Riverfront LLC for development purposes for the purchase price of \$2,361,000. The Agency and Atlas Riverfront LLC are currently negotiating the terms of a disposition and development agreement. The Agency hereby authorizes the Agency Chair to remit any non-obligated surplus sale proceeds received by the Agency following closing and conveyance of Area 13 on or before September 30, 2023, to the Kootenai County Treasurer for distribution to the taxing entities. Should the property transfer fail to close by September 30, 2023, pursuant to the terms of the disposition and development agreement, the Agency hereby authorizes the Agency Chair to execute any and all documents required to convey Area 13 to the City.

¹ The Agency will receive its allocation of tax year 2021 revenues in calendar year 2022.

Section 11: That a copy of this Resolution be sent to the Kootenai County Assessor's Office, the Kootenai County Auditor/Recorder and the Idaho State Tax Commission to provide notice of termination of the revenue allocation area in the Lake District Plan.

Section 12: That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Coeur d'Alene Urban Renewal Agency d/b/a ignite cda, on June 15, 2022. Signed by the Chair of the Board of Commissioners and attested by the Executive Director to the Board of Commissioners, on this 15th day of June 2022.

APPROVED;

By: S. J. Hobbs
Chair

ATTEST:
By: [Signature]
Executive Director

EXHIBIT A

THE COEUR D'ALENE URBAN RENEWAL AGENCY D/B/A IGNITE CDA
URBAN RENEWAL PLAN FOR MIDTOWN, NORTHWEST BOULEVARD, AND
DOWNTOWN URBAN RENEWAL PROJECT AREA, AS AMENDED
THE "LAKE DISTRICT PLAN"

The Coeur d'Alene Urban Renewal Agency, doing business as ignite cda (the "Agency") intends to terminate the revenue allocation area adopted at the time of the original adoption of the Urban Renewal Plan for Midtown, Northwest Boulevard, and Downtown Urban Renewal Project Area, by the Coeur d'Alene City Council on December 16, 1997, by Ordinance No. 2842 (the "Lake District Plan"), as subsequently amended by the i) Amended and Restated Lake District Plan, adopted by Ordinance No. 3154 on November 18, 2003; ii) Second Amended and Restated Lake District Plan, adopted by Ordinance No. 3337 on August 19, 2008; iii) First Amendment to the Second Amended and Restated Lake District Plan, adopted by Ordinance No. 3542 on July 13, 2016; and iv) Second Amendment to the Second Amended and Restated Lake District Plan, adopted by Ordinance No. 3625 on December 14, 2018. Collectively, the Lake District Plan, as amended is referred to as the Lake District Plan (the "Plan") and the corresponding Lake District revenue allocation area, as amended, is referred to as the "Project Area."

The termination date for this Project Area as set forth in the Plan is December 31, 2021; except for revenues to be received in 2022, as authorized pursuant to Idaho Code § 50-2905(7). The Agency has reviewed the projected revenues and expenses of the Project Area and has determined the Project Area can be terminated by December 31, 2022, effective retroactive to January 1, 2022, as it relates to assessed values within the Project Area. As a result, the Agency will not receive revenue allocation funds in calendar year 2023, generated from the 2022 assessed values, and the allocation of revenues under § 50-2908, Idaho Code, shall cease effective January 1, 2023¹.

Based on updated budget information, this Termination Plan is prepared, in part, in order to describe the Agency's plan to pay its financial obligations in the final year and to describe other actions necessary to wind up the affairs of the Project Area. This plan reviews the existing financial obligations, including the final bond payment; the payment of certain reimbursement obligations on or before September 30, 2022; the status of certain capital improvement projects and anticipated final payments on or before September 30, 2022; the status of the disposition of Agency-owned parcels to private developers pursuant to a competitive process; the status of the disposition of Agency-owned parcels to the City of Coeur d'Alene (the "City"); reservation of revenue allocation and/or property sale proceeds to pay certain obligations after September 30, 2022; and the retention of certain Agency real property assets after September 30, 2022.

¹ Agency intends to receive the second half of the 2021 tax payments in July or August 2022, following the June 20, 2022, payment deadline.

Intent Regarding Delinquencies:

The Agency will request the Kootenai County Treasurer to not distribute to the Agency any Project Area revenue allocation funds from delinquency tax payments after September 30, 2022, or subsequent years, generated from the 2021 assessed values, or earlier. To the extent the Agency receives any delinquency tax payments after September 30, 2022, or later, then the Agency will return those funds to the Kootenai County Treasurer for distribution to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area.

Fiscal Year 2022 Supplemental Termination Budget Summary:

As further set forth below, the Agency expects to make its final payment on its outstanding Series 2017 bonds, and to pay certain contractual obligations (reimbursement agreements, capital improvement projects, etc.) on or before September 30, 2022.

As shown on the Fiscal Year 2022 Supplemental Termination Budget, the Agency has identified \$3,899,458 in remaining project costs and obligations to be paid on or before September 30, 2022, which amount includes reimbursement to the City for a portion of the Project Area's allocable share of the acquisition of land and the railroad right-of-way related to the Atlas Waterfront Project². The remaining amount due for the property acquisition in the amount of \$595,988 will be paid to the City if Area 13 sells on or before September 30, 2023. The Agency has further identified additional debt obligations that subject to the Agency's discretion, should additional revenue allocation and/or property sale proceeds be obtained, may be eligible for payment. Subject to Agency prioritization of payment, and timing of payments, it is projected most of the Agency funded projects to be completed under the Plan will be incurred and satisfied by the Agency's current fiscal year ending September 30, 2022.

On January 22, 2022, the Agency, pursuant to a competitive process, awarded the development of Area 13 of the Atlas Waterfront Project to a private developer, Atlas Development LLC. The Agency and development team are currently negotiating the terms of a disposition and development agreement (herein, any referenced disposition and development agreement will be referred to as a "DDA"). It is projected the DDA will be entered into on or before September 30, 2022; however, closing and conveyance pursuant to the terms of the DDA may extend past the end of the fiscal year to December 31, 2022, but in any event closing and conveyance should occur no later than September 30, 2023. At closing the Agency will receive the purchase price in an estimated amount of \$2,361,000, which sale proceeds are specifically reserved to pay the Agency funded improvements and/or other debt obligations as specifically identified in Fiscal Year 2022 Supplemental Termination Budget Summary. Should closing and conveyance fail to occur by September 30, 2023, it is anticipated Area 13 will be conveyed to the City, pursuant to an assignment in the DDA. Additionally, there are administrative fees and costs due to termination that will be incurred during the Agency's next fiscal year (FY2023).

² Less \$595,988, which remains due and owing to the City for property acquisition as of September 30, 2022, as shown on the FY22 Supplemental Termination Budget – as of June 1, 2022.

The Agency will have sufficient funds on deposit for payment of all final obligated project costs, including any cost overruns, carryover costs and administrative fees.

The Agency is projecting there will not be a surplus at the end of the Agency’s 2022 fiscal year on September 30, 2022. The Fiscal Year 2022 Supplemental Termination Budget – as of June 1, 2022, specifically identifies \$150,000 that will be carried over to FY2023 to be used by the Agency for payment of final administrative/operations fees and costs (final year audit, legal, general administration and costs to monitor development occurring pursuant to disposition and development agreements, etc.) anticipated to occur in FY2023. It is anticipated there will be a final distribution of non-obligated surplus funds on September 30, 2023, to be remitted to the Kootenai County Treasurer to be distributed to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area following payment of all final Agency expenses and financial obligations and upon a final accounting of the Project Area.

Final Payment of Agency Bonds:

The Agency will make its final bond payment, on August 1, 2022, as identified below:

Series	Lender	Payoff Amount
Lake District Note, Series 2017	Washington Trust Bank	\$ 1,003,169
	Total:	\$ 1,003,169

Real Property Disposition:

To the City:

The real property owned by the Agency in the Project Area, more specifically described below and as shown on Exhibit C, shall be transferred to the City on or before December 31, 2022:

- 1) 839 N. 3rd Street – surface parking lot parcel. It is anticipated this parcel will be conveyed to the City without a deed restriction on or before September 30, 2022, but no later than December 31, 2022.
- 2) 845 N. 4th Street - surface parking lot parcel. It is anticipated this parcel will be conveyed to the City without a deed restriction on or before September 30, 2022, but no later than December 31, 2022.
- 3) 316 E. Sherman Avenue – Sherman Square Park/ Rotary Centennial Park. The Rotary Club of Coeur d’Alene partnered with the City and the Agency to improve Sherman Square Park, now to be known as Rotary Centennial Park. The Agency acquired Rotary Centennial Park and intends to convey it to the City with a deed restriction requiring the property to remain a public park pursuant to the terms of a memorandum of understanding entered into between the Agency, the City and the Coeur d’Alene Rotary Club. The conveyance to the City is anticipated to occur on or before September 30, 2022, but no later than December 31, 2022.

To Private Developers:

The real property owned by the Agency in the Project Area, more specifically described below and as shown on Exhibit C, has or will be disposed of to private developers pursuant to a competitive process as outlined in Idaho Code Section 50-2011 as follows:

Area 13 of the Atlas Waterfront Project is located in the Project Area. Pursuant to a competitive process, the Agency accepted a proposal for development from Atlas Riverfront LLC, in part, seeking to purchase Area 13 from the Agency for \$2,361,000. The Agency and Atlas Riverfront LLC have negotiated the terms of an agreement to negotiate exclusively and intend to refine the proposed scope of development and other development details within the next few months with the purpose of ultimately entering into a DDA. Assuming the parties reach agreement on a DDA, the agreement will include a schedule of performance and the purchase price to be paid by the developer, subject to certain conditions. The Agency anticipates the DDA will be approved and executed on or before September 30, 2022; however, conveyance of Area 13 at closing, pursuant to the terms of the DDA may not occur until after that date, but is likely to occur on or before September 30, 2023. Should the property transfer fail to close and conveyance of Area 13 does not occur by September 30, 2023, the DDA will contain an assignment clause providing that either the DDA will be assigned to the City, or more likely, Area 13 will be conveyed to the City. Pursuant to the Termination Budget, as supplemented by the FY2022 Supplemental Termination Budget, the sale proceeds received by the Agency prior to September 30, 2023, are anticipated to be used in the Project Area to fund the identified projects and certain debt obligations within the discretion of the Agency Board, with any unexpended, non-obligated funds to be considered surplus. Any non-obligated surplus funds resulting from the sale proceeds following payment of project costs and obligations will be disbursed to Kootenai County for distribution to the taxing entities on or before September 30, 2023. Any sale proceeds from the disposition of Area 13 after September 30, 2023, will be allocated pursuant to the terms of the DDA, as may be assigned and accepted by the City. In the event the disposition of Area 13 to the developer does not occur by September 30, 2023, and a default has occurred under the terms of the DDA, to the extent the Agency has exercised its rights and retaken possession of Area 13, the Agency intends to convey Area 13 to the City on or before September 30, 2023. Assuming conveyance to Atlas Development LLC occurs as contemplated pursuant to the terms of the DDA, the Agency will continue to monitor implementation of development through construction and issuance of the Agency's certificate of completion.

Post-Closing Obligations Under Existing Disposition and Development Agreements Where Development is On-Going.

Several parcels of real property owned by the Agency in the Project Area have been conveyed to private developers pursuant to a competitive process as outlined in Idaho Code Section 50-2011. For these projects, the Agency is monitoring the development contemplated under the DDA as follows:

1) 813-823 N. 4th Street properties were conveyed on January 28, 2022, to Midtown Ventures LLC pursuant to the terms of a DDA. Pursuant to the terms of the DDA, the project should be completed within twelve (12) months of closing, or by January 2023. The Agency will

continue to monitor compliance with the terms of the DDA through construction and completion of the development.

2) Former BNSF right-of-way property was conveyed on September 30, 2021, to Bear Waterfront pursuant to the terms of a DDA. Pursuant to the terms of the DDA, the project should be completed within thirty (30) months of closing, or by April 1, 2024. The Agency will continue to monitor compliance with the terms of the DDA through construction and completion of the development. Sale proceeds have been used to fund identified projects within the Project Area.

3) A small portion of Area 12 of the Atlas Waterfront Project is (0.14 acres out of 2.4 acres or just 6%) is located in the Project Area³. Area 12 was conveyed on December 17, 2021, to deChase Miksis pursuant to the terms of a DDA. The Agency will continue to monitor compliance with the terms of the DDA through construction and completion of the development. Sale proceeds in the same percentage allocation have been used to fund identified projects within the Project Area.

Reimbursement to City for Property Acquisition

To the extent non-obligated funds exist, which includes sale proceeds from property disposition received after September 30, 2022, but prior to September 30, 2023, the Agency previously stated its intent to reimburse the City for all or a portion of the City's costs of acquiring what is referred to as the BNSF Railroad Right-of-Way, totaling 7.92 acres, 37.374% of which is located within the Project Area. The Project Area's proportionate share of the acquisition cost is \$379,819, which is anticipated to be paid to the City should the Agency determine sufficient revenue allocation area or sale proceeds exist on or before September 30, 2022.

To the extent non-obligated funds exist, which includes sale proceeds from property disposition received after September 30, 2022, but prior to September 30, 2023, the Agency previously stated its intent to reimburse the City for all or a portion of the City's costs of acquiring what is referred to as the Bad Axe parcels, totaling 48.50 acres, 18.495% of which is located within the Project Area. The Project Area's proportionate share of the acquisition cost is \$1,450,627. It is anticipated \$854,639 will be paid to the City should the Agency determine sufficient revenue allocation area or sale proceeds exist on or before September 30, 2022. The remaining balance due of \$595,988, will be paid to the City on or before September 30, 2023, from the Area 13 sale proceeds if Area is conveyed to Atlas Development LLC on or before September 30, 2023.

Agency Improvement Reimbursement Agreements:

The Agency has entered into improvement reimbursement agreements with property owners/developers to reimburse the costs of certain eligible public infrastructure improvements. The identified public infrastructure improvements have been completed, the actual eligible costs determined, and the reimbursement amounts confirmed. These types of agreements are typically paid over time based on a percentage of the revenue allocation proceeds actually received and attributed to the increment value on the site. For the projects identified below, pursuant to the

³ The remainder of Area 12 is located in the Atlas District.

terms of the agreements, the balance of the total amount remaining due and owing will not be paid off prior to termination. The Agency intends to proceed as follows on or before September 30, 2022:

1) In 2005, Agency conveyed real property to the Coeur d'Alene Chamber of Commerce (the "Chamber") pursuant to a competitive process as outlined in Idaho Code Section 50-2011 and the terms of a DDA. The project was developed pursuant to the terms of the DDA. The DDA further provided for the Agency to reimburse over time certain eligible public infrastructure improvements in the amount of \$300,000. Following completion of the project, the Chamber sought and obtained from Kootenai County an 83% property tax exemption on the property, resulting in a reduction of the revenue allocation proceeds from the site. There is currently a remaining balance of approximately \$263,273. To the extent revenue allocation funds or sales proceeds are available, the Board will make a decision in July 2022 regarding payment of the outstanding obligation.

2) In 2011, the Agency entered into an improvement reimbursement agreement related to reimbursement of certain eligible public infrastructure improvements associated with the development of 609 Sherman Lofts. Pursuant to the agreement, the Agency agreed to reimburse \$405,000 upon completion of the project, payable over time from the revenue allocation proceeds from the site. There is currently a remaining balance of approximately \$203,000, which will not be reimbursed pursuant to the terms of the agreement prior to termination. The Agency will not pay the balance as the agreement is terminated.

Agency Contracts (Committed Contracts):

This category of committed contracts includes contracts awarded and in progress for specific capital improvements work to be completed within the boundaries of the Project Area. It is anticipated these expenses will be incurred and fully paid with current revenue allocation area proceeds on or before September 30, 2022:

Capital Project Name	Amount
4 Corners Project: LaCrosse-Lakewood Roadway Connection	\$53,318
New MNI Building – Funding Assistance for Public Improvements	\$700,000
McEuen Park: Shade Element in West Pavilion Area or Playground Area	\$100,000
Sherman Square/Rotary Park/Centennial Park Project: Additional Project Funding	\$125,000
Fire Department Boat House @ 3 rd Street	\$64,039
Seltice Way Conduit to Run Fiber to Atlas Park	\$35,000
McEuen Park: Sidewalk Repairs	\$100,000
CDA Library: Stairs Improvements	\$50,000
McEuen Park: Harbor House Overlook Deck Replacement	\$5,000

McEuen Park: Grand Plaza Tree Wells & Irrigation	\$25,000
--	----------

Agency Licenses and Maintenance Agreements:

Any license and maintenance agreements will expire or be terminated and/or assigned to the appropriate assignee prior to September 30, 2022.

Administrative/Operations Fees and Costs

The FY22 Supplemental Termination Budget – as of June 1, 2022, identifies the most up-to-date administrative and operations fees and costs.

FY2023 – Post-Termination Final Administrative Costs

The Agency anticipates there will be FY2023 post-termination final administrative costs, including allocable share of the audit, legal reporting requirements, and legal and administrative costs incurred in closing out the Project Area. In anticipation of these final closeout costs, an amount not to exceed \$150,000 will be reserved and carried over to FY2023. Any non-obligated surplus funds remaining in the Project Area’s account as of September 30, 2023, will be remitted to the Kootenai County Treasurer as a final termination distribution of surplus funds and shall be distributed to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area. This transmittal will occur on or before September 30, 2023, following payment of all final Agency expenses and financial obligations and upon a final accounting of the Plan and Project Area.

4871-5719-1964, v. 7

EXHIBIT B
(FY22 Supplemental Termination Budget – as of June 1, 2022)

Line		<u>Amended</u>	
		<u>Lake District</u>	<u>Lake District</u>
1	Estimated Beginning Fund Balance (10/1/21)	\$ 2,313,312	\$ 2,369,401
2			
3	Revenues		
4	Estimated Tax Increment	\$ 5,920,046	\$ 5,291,770
5	Property Rental Receipts	\$ -	\$ -
6	Int. & Misc. Funds	\$ 49,000	\$ 49,000
7	Note Draws	\$ -	\$ -
8	Property Divestitures	\$ 1,487,500	\$ 48,364
9	Cap. Acq. Fin. / Inter-District Loans	\$ -	\$ -
10	Total	\$ 7,456,546	\$ 5,389,134
11			
12	Expenses		
13	Administration	\$ 108,410	\$ 108,410
14	Office Expenses	\$ 5,294	\$ 5,294
15	Travel	\$ 1,500	\$ 1,500
16	Professional Services	\$ 56,200	\$ 78,200
17	Notices	\$ 4,000	\$ 4,000
18	Communications	\$ 500	\$ 2,950
19	Insurance	\$ 3,843	\$ 3,843
20	Meetings	\$ 2,500	\$ 2,500
21	Utilities	\$ 1,200	\$ -
22	Property Management	\$ 6,300	\$ 6,300
23	Organization Dues	\$ 5,190	\$ 5,190
24	Miscellaneous	\$ 500	\$ 500
25	Public Art	\$ 59,200	\$ 52,918
26	Capital Acquisition Expense	\$ -	\$ -
27	Debt: Interest (non-OPA,IRA)	\$ 50,194	\$ 44,438
28	Debt: Principal (non-OPA,IRA)	\$ 2,992,194	\$ 2,992,194
29	Parking Initiatives	\$ 50,000	\$ 50,000
30	Planning	\$ -	\$ -
31	Agency Funded Programs	\$ 4,395,446	\$ 3,899,458
32	Partnership Agreements (OPAs, IRAs)	\$ 87,567	\$ 350,840
33	Midtown Place Making	\$ -	\$ -
34	Special Project Reserve	\$ 100,000	\$ -
35	Required FY23 Operating Funds		\$ 150,000
36	Total	\$ 7,930,038	\$ 7,758,535
37	Estimated Ending Fund Balance (9/30/22)	\$ 1,839,820	\$ 0
38	prior to 9/30/23 Anticipated Sale Proceeds from Area 13		\$ 2,361,000
39	prior to 9/30/23 Minus City Reimbursement re. Area 13		\$ (595,988)
40	prior to 9/30/23 Estimated Returned Funds to County		\$ 1,765,012

41

42 Line 31: reflects a reduction of \$595,988 re. City reimbursement for Atlas mill site acquisition costs.

43 Line 35: reflects the estimated funds required for Fiscal Year 2023 expenses including audit, legal counsel, DDA / general administration.

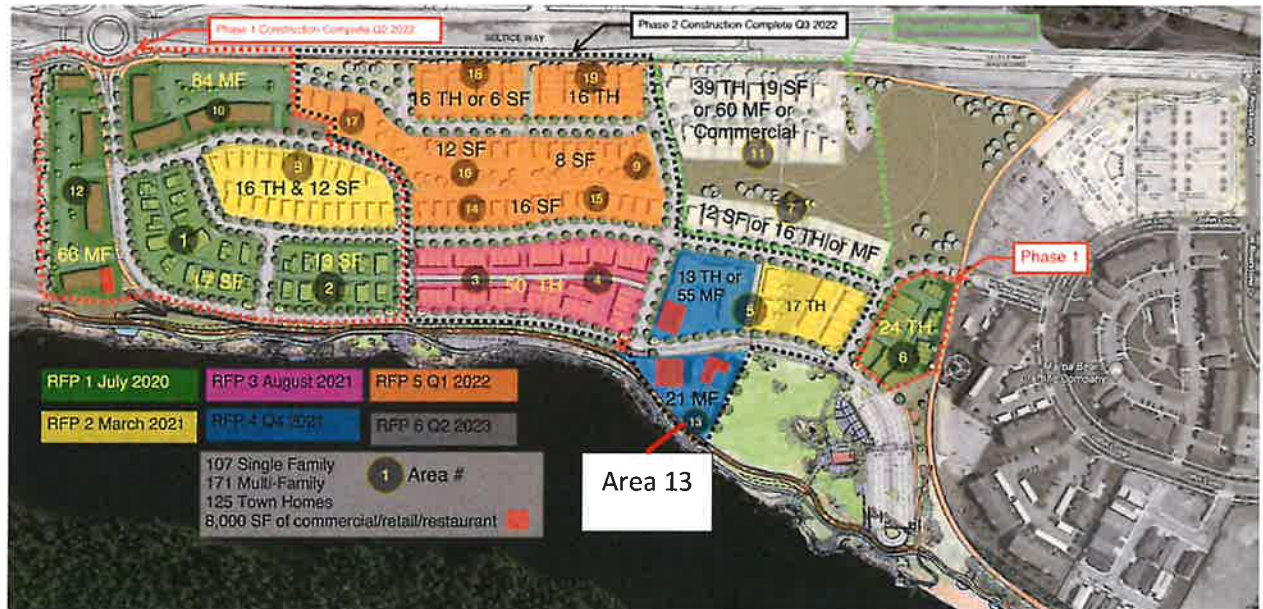
44 Line 38: after 9/30/23, all Area 13 sale proceeds go to the City per DDA assignment clause.

EXHIBIT C
(Real Property Owned by the Agency)

Atlas Waterfront Project – Area 13

Area 13 of the Atlas Waterfront Project is located in the Project Area (see depictions below). Pursuant to a competitive process the development of Area 13 was awarded to Atlas Riverfront LLC on January 22, 2022. The parties are negotiating the terms of the disposition and development agreement (DDA), which is anticipated to be entered into on or before September 30, 2022; however, closing and conveyance of the real property pursuant to the terms of a DDA is anticipated to occur on or before September 30, 2023. Should the transaction fail to close by September 30, 2023, pursuant to the terms of the DDA, Area 13 will be conveyed to the City.

Atlas Project Site Development Plan Highlighting Location of Area 13

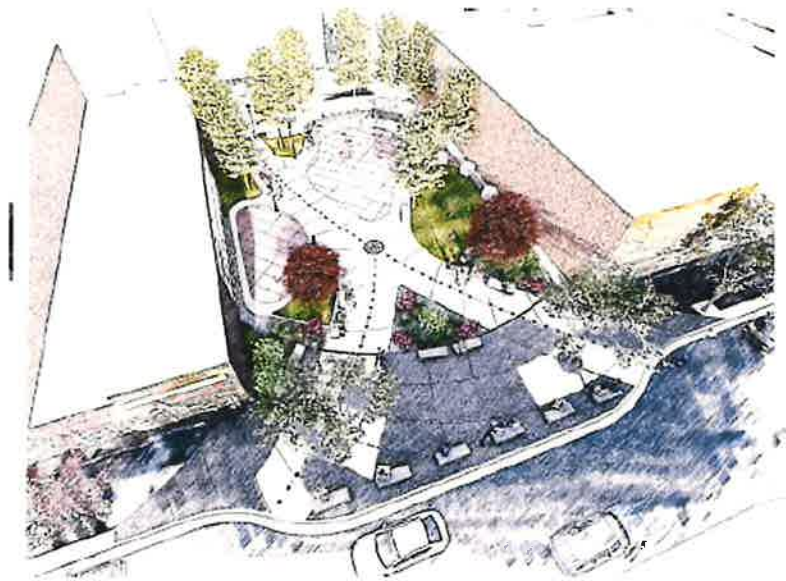


Development Concept Submitted for Area 13



Sherman Square Park Project, now known as Rotary Centennial Park

The Rotary Club of Coeur d'Alene partnered with the City and the Agency to transition the pocket park located at 316 E. Sherman Avenue into an improved public space intended to be a place for the public to enjoy and gather. The Agency intends to convey the Rotary Centennial Park property (depicted below) to the City on or before September 30, 2022, but no later than December 31, 2022.



Surface Parking Lots

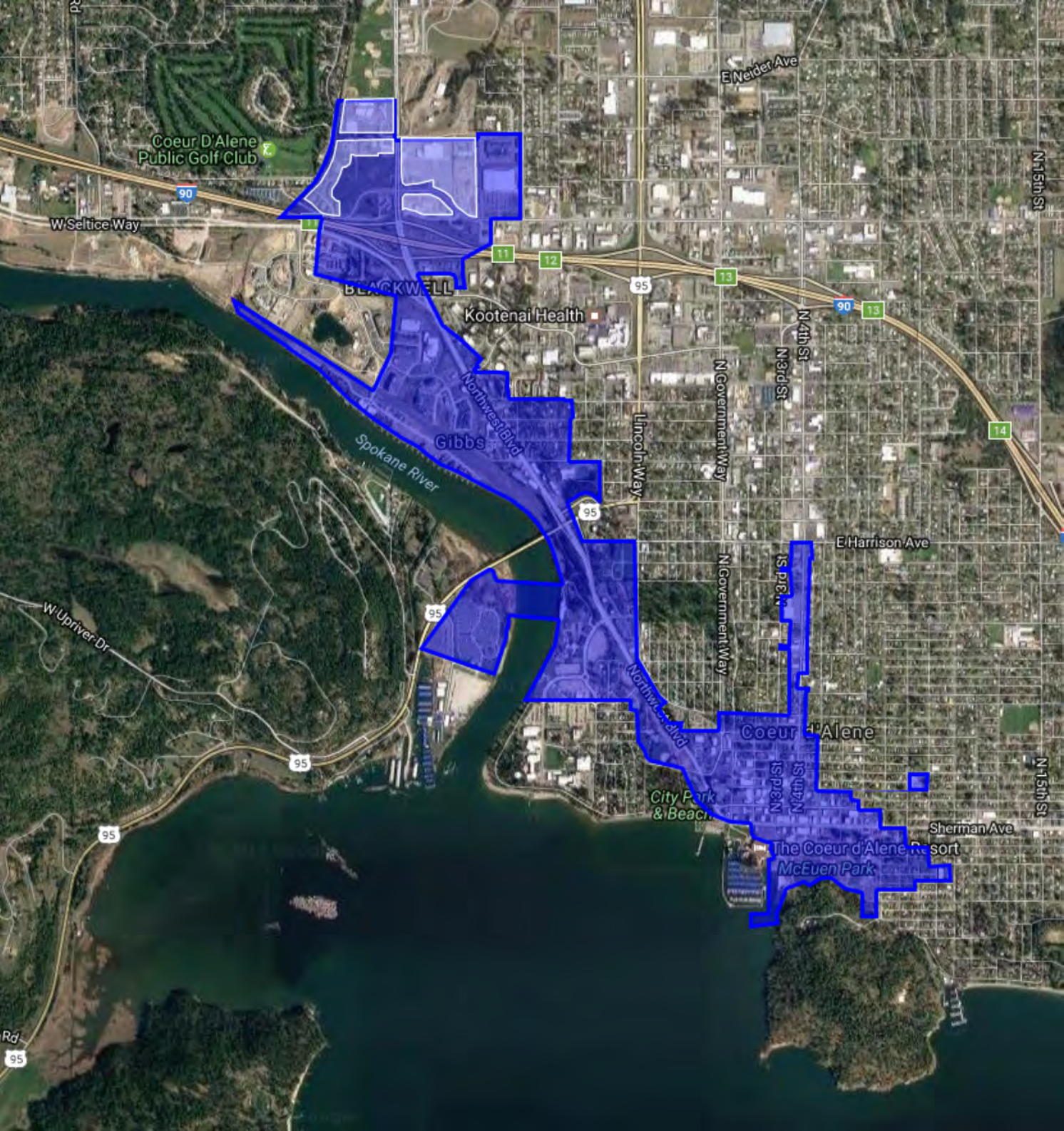
The Agency owns two (2) surface parking lots, generally located at 839 N. 3rd Street and 845 N. 4th Street. The Agency intends to convey the surface parking lots to the City on or before September 30, 2022, but no later than December 31, 2022.

N. 3rd Street Lot



N. 4th Street Lot





Coeur D'Alene Public Golf Club

W Seltice Way

90

BLACKWELL

11

12

95

13

Kootenai Health

90

13

Spokane River

95

95

E Harrison Ave

14

W Upriver Dr

95

95

Coeur d'Alene

City Park & Beach

Sherman Ave

The Coeur d'Alene Resort

McEwen Park

N Government Way

N 3rd St

N 4th St

N 5th St

Lincoln Way

Northwest Blvd

Northwest Blvd

N 15th St

N 15th St

Rd
95

**CITY COUNCIL
STAFF REPORT**

DATE: SEPTEMBER 20, 2022

FROM: LEE WHITE

SUBJECT: LATERAL OFFICER HIRING AND INCENTIVE PROGRAM

DECISION POINT: The Police Department requests approval to implement the Lateral Officer Hiring and Incentive Program.

HISTORY: The Police Department has experienced a high number of vacant positions over the last year. Not only have we had officers leave our agency for higher-paying law enforcement jobs, we have had several applicants self-remove from our hiring process and many more not apply for our agency due to financial reasons.

Many agencies across the US have experienced success with offering a monetary incentive to attract qualified applicants. The Police Department is seeking Council approval to offer an incentive as follows:

The program will be open to up to eight (8) lateral officers who have at least two (2) years of experience as a sworn peace officer with a state, county, or municipal law enforcement agency, who currently hold at least a basic certificate from the State's certifying agency (P.O.S.T.), and who are currently employed as a law enforcement officer or who have left such employment in good standing within the last two years.

A \$5,000 payment would be made in the first regularly scheduled paycheck after being hired, and \$5000 would be paid in the first regular paycheck after being employed for one (1) year. All payments would be in gross wages and subject to applicable withholdings.

FINANCIAL ANALYSIS: The Police Department budgeted \$80,000 for this purpose in FY 22-23.

PERFORMANCE ANALYSIS: It is requested that this be approved as a pilot project, and a report on the progress of this program be made to Council in the spring of 2023.

DECISION POINT: The Police Department requests approval to implement the Lateral Officer Hiring and Incentive Program.

CDA Police Lateral Officer Recruitment Program



Purpose

- CDA PD is continues to experience a high number of vacant positions.
- The cost for someone to move their family to our area is significant (i.e. moving expenses, utilities off/ on, vehicle registrations, housing expenses, etc.).
- Many cities have successfully used an incentive program to help attract qualified lateral officers.
- \$80,000 has been budgeted for this program in the FY 22-23 budget.
- The cost to get a new recruit through the academy and Field Training is estimated at well over \$20,000; lateral officers are a great value to the Department.

Program Overview- Eligibility

- Open to those who have at least two years' experience of sworn experience with a state, county, or municipal agency; a state issued Basic Law Enforcement certificate or equivalent; currently employed as a law enforcement officer or have left such employment in good standing within the last two years, and successfully complete the City of Coeur d'Alene Police Department hiring process.



Program Overview- Payment

- Up to eight (8) lateral officers will be eligible to receive \$10,000 in gross wages as follows:
 - \$5,000 in the first regularly scheduled paycheck after employment.
 - \$5,000 upon successful completion of one year of employment.
 - All payments are in gross wages and subject to applicable withholdings.



Conditions

- Hiring incentives paid under the terms of this program who leave employment with the City of Coeur d'Alene for any reason within three years of the date of hire must be paid back to the City.



Conclusion

The first time CDA PD offered a lateral recruitment program, the program was hugely successful and helped fill our ranks over the next several years.

It is our hope that this new program will help attract quality applicants and help with the cost of moving to our City.



RESOLUTION NO. 22-044

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A LATERAL OFFICER HIRING AND INCENTIVE PROGRAM FOR THE POLICE DEPARTMENT.

WHEREAS, the Police Chief has recommended that the City of Coeur d'Alene create a Police Department Lateral Officer Hiring and Incentive Program; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to create such a program.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City create and adopt a Police Department Lateral Officer Hiring and Incentive Program with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said program to the extent the substantive provisions of the program remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such documents on behalf of the City as may be necessary to implement the program.

DATED this 20th day of September, 2022.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

Motion by _____, Seconded by _____, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER WOOD Voted

_____ was absent. Motion _____.

PUBLIC HEARINGS

**CITY COUNCIL
STAFF REPORT**

DATE: **SEPTEMBER 20, 2022**

FROM: **VONNIE JENSEN, COMPTROLLER**

SUBJECT: **AMENDMENTS TO THE 2021-2022 FISCAL YEAR
 APPROPRATIONS (BUDGET)**

DECISION POINT:

To approve Council Bill No. 22-1013 to amend the Fiscal Year 2021-22 Budget by a total of \$3,207,899.

HISTORY:

The City Council annually amends the original appropriations ordinance for unanticipated expenditures.

FINANCIAL ANALYSIS:

Idaho code allows the City Council at any time during the current fiscal year to amend the appropriations ordinance to reflect the receipt of revenues and/or the expenditure of funds that were unanticipated when the ordinance was adopted. The City each year adopts an amendment or amendments to the appropriation's ordinance.

PERFORMANCE ANALYSIS:

The budget amendment shows increases in expenditures due to carryovers of projects, state and federal grants received, drug forfeiture funds, funding received in FY 2020-21 from the American Rescue Plan Act, funding from ignite and miscellaneous additional items. Additional revenues of \$862,348 have been received in the General Fund to cover the increased expenses for the fiscal year, and \$776,951 is coming from designated fund balance. The majority of the designated fund balance is being amended for overlay funds carried over from the previous fiscal year and drug forfeiture funds used for the purchase of an armored vehicle.

DECISION POINT:

Approve Council Bill No. 22-1013 to amend the Fiscal Year 2021-22 Budget by a total of \$3,207,899.



2021-2022 Budget Amendment

General Fund Additional Expenses	
Fire – Boathouse - \$225,000 from ignite	\$585,000
Streets – Overlay - Carryover	\$577,399
Police – Armored Vehicle from drug seizure funds	\$110,000
Fire Dept – Constant Staffing	\$70,000
Streets – Sign/Safety Boards - Carryover	\$70,552
Library Stairs – ignite funded	\$50,000
Police & Fire Grants	\$65,598
Various FEMA Funded items	\$49,550
Fire - Equip 1 Lakeside & Paramedic School Reimbursements	\$33,700
High-Rise Plan Review & Building Maint items at Police Station	\$27,500

Fire – Boathouse - \$225,000 from ignite	\$585,000
Streets – Overlay - Carryover	\$577,399
Police – Armored Vehicle from drug seizure funds	\$110,000
Fire Dept – Constant Staffing	\$70,000
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High-Rise Plan Review & Building Maint items at Police Station	\$27,500

A stack of silver coins is shown against a blue background. The coins are stacked vertically, with the top coin being the most prominent. The background is a solid blue color.

Other Funds - Additional Expenses

Library Grants	\$4,500
Impact Fee Transfer – Fire Boat House	\$360,000
Sanitation Fund – Garbage Collection	\$60,000
Street Lights – Annual Operation	\$90,000
Wastewater Fund – Operating Supplies & Fuels	\$476,000
Street Capital Projects - Carryovers	\$400,000
Parks Capital – McEuen Harbor House Decking	\$43,000
Parks Capital – McEuen Concrete Repairs & Boat Ramp	\$109,000
Harbor Center Roof Repairs	\$26,100

A stack of silver coins is shown against a blue background. The coins are stacked vertically, with the top coin being the most prominent. The background is a solid blue color.

Questions?

ORDINANCE NO. 22-1013

AN ORDINANCE AMENDING ORDINANCE 3691, THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 APPROPRIATING THE SUM OF ~~\$109,700,500~~ \$112,908,399, WHICH SUM INCLUDES ADDITIONAL MONIES RECEIVED BY THE CITY OF COEUR D'ALENE IN THE SUM OF \$3,207,899; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene, Kootenai County, Idaho:

Section 1

That Section 1 of Ordinance 3691, Ordinance of the City of Coeur d'Alene, be and the same is hereby amended to read as follows:

That the sum of ~~\$109,700,500~~ \$112,908,399, be and the same is hereby appropriated to defray the necessary expenses and liabilities of the City of Coeur d'Alene, Kootenai County, Idaho, for the fiscal year beginning October 1, 2021.

Section 2

That Section 2 of Ordinance 3691; Ordinances of the City of Coeur d'Alene be and the same is hereby amended to read as follows:

That the objects and purposes for which such appropriations are made are as follows:

	FY 2021-22 BUDGET	FY 2021-22 AMENDED BUDGET
GENERAL FUND EXPENDITURES:		
Mayor and Council	\$269,845	\$269,845
Administration	223,074	223,074
Finance Department	1,298,646	1,298,646
Municipal Services	2,221,228	2,221,228
Human Resources	434,882	434,882
Legal Department	1,313,540	1,313,540
Planning Department	714,518	714,518
Building Maintenance	702,899	803,449
Police Department	18,107,761	18,248,609
Fire Department	11,547,576	12,271,026

General Government	47,180	47,180
Streets and Engineering	5,170,563	5,818,514
Parks Department	2,617,467	2,631,467
Recreation Department	755,417	755,417
Building Inspection	1,004,364	1,016,864
TOTAL GENERAL FUND EXPENDITURES:	<u>\$46,428,960</u>	<u>\$48,068,259</u>

	FY 2021-22 BUDGET	FY 2021-22 AMENDED BUDGET
SPECIAL REVENUE FUND EXPENDITURES:		
Library Fund	\$1,796,065	\$1,800,565
Community Development Block Grant	550,372	550,372
Impact Fee Fund	769,000	1,129,000
Parks Capital Improvements	465,460	617,460
Annexation Fee Fund	175,000	175,000
Cemetery Fund	414,040	414,040
Cemetery Perpetual Care Fund	166,500	166,500
Jewett House	26,353	26,353
Reforestation/Street Trees/Community Canopy	120,000	120,000
Public Art Funds	461,300	461,300
TOTAL SPECIAL FUNDS:	<u>\$4,944,090</u>	<u>\$5,460,590</u>

ENTERPRISE FUND EXPENDITURES:		
Street Lighting Fund	\$658,900	\$748,900
Water Fund	12,306,910	12,306,910
Wastewater Fund	24,913,490	25,389,490
Wastewater Property Management		26,100
Water Cap Fee Fund	2,650,000	2,650,000
WWTP Cap Fees Fund	3,840,853	3,840,853
Sanitation Fund	4,562,297	4,622,297
City Parking Fund	1,718,619	1,718,619
Drainage	2,121,738	2,121,738
TOTAL ENTERPRISE EXPENDITURES:	<u>\$52,772,807</u>	<u>\$53,424,907</u>

FIDUCIARY FUNDS:	\$3,276,235	\$3,276,235
CAPITAL PROJECTS FUNDS:	1,400,000	1,800,000
DEBT SERVICE FUNDS:	878,408	878,408
GRAND TOTAL OF ALL EXPENDITURES:	<u>\$109,700,500</u>	<u>\$112,908,399</u>

Section 3

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4

This ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation published within the City of Coeur d'Alene and the official newspaper thereof.

APPROVED by this Mayor this 20th day of September, 2022.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D' ALENE ORDINANCE NO.

ANNUAL APPROPRIATION AMENDMENT FOR FISCAL YEAR 2021 - 2022

AN ORDINANCE AMENDING ORDINANCE 3691, THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 APPROPRIATING THE SUM OF ~~\$109,700,500~~ \$112,908,399, WHICH SUM INCLUDES ADDITIONAL MONIES RECEIVED BY THE CITY OF COEUR D'ALENE IN THE SUM OF \$3,207,899; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randy Adams, am City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. , Annual Appropriation Amendment for Fiscal Year 2021 - 2022, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 20th day of September, 2022.

Randy Adams, Chief Deputy City Attorney