

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

June 6, 2023

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 June 6, 2023, at 6:00 p.m., there being present the following members:

James Hammond, Mayor

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

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

**PLEDGE OF ALLEGIANCE:** Mayor Hammond led the pledge of allegiance.

**PRESENTATIONS:**

**Proclamation** –Mayor Hammond read the proclamation and proclaimed June 2023 as LGBTQIA+ Pride Month within the City of Coeur d'Alene. The proclamation was accepted by Sara Lynch, Executive Director of North Idaho Pride Alliance, who explained why recognizing Pride Month was important and said the Human Rights Campaign had declared a National State of Emergency declaring the LGBTQIA+ community as likely targets of potential violence. She thanked city leadership and public safety officials for their work to make the Pride event in the Park safe for everyone.

**Annual Audit Report for Year Ending September 30, 2022** - Toni Hackwith of Anderson Brothers, CPAs gave an overview of the annual audit conducted for fiscal year 2022-2023. Ms. Hackwith stated the audit was required by Idaho State Statues and the primary purpose was to assure financial statements show a fair representation of the City's financial position as of a certain date. She gave an overview of the General Fund revenues, expenditures, and fund balances for the years 2018-2022. She explained why the General Fund reserve balance was important and mentioned the Government Finance Officers Association recommended a minimum of no less than two (2) months of regular General Fund operating revenues remain unassigned in the Fund Balance. She stated the Water Fund showed a revenue decrease of 8% over the prior year due to higher water usage, with operating expenses increasing by 6%. She said the Wastewater Fund showed a 6% increase in revenues and a 9% increase in operating expenses over the prior year.

She said part of the increase in operating expenses was due to the City's retirement provider PERSI's estimated pension expense amount which increased in 2022. She extended her thanks to City Comptroller Vonnie Jensen and her team for their assistance during the audit process.

**DISCUSSION:** Councilmember Wood asked what the recommended percentage was in the General Fund reserve balance as in previous years it had been recommended at 16%, with Ms. Hackwith responding the recommendation had recently changed to focus on operating revenues and expenses, but generally was minimum of 5-15%. Councilmember McEvers said the Wastewater and Water Departments showed higher expenses than revenues and was that where Fund Balance would come in to play, with Ms. Hackwith responding the Departments still had adequate operating funds as the estimated pension costs were not removed from their budgets, therefore did not require using Fund Balance. Councilmember Gookin asked Ms. Hackwith to expand on the pension expenses. Ms. Hackwith explained it was due to new accounting requirements as of 2019, due to governmental retirement plans which were not fully funding their plans, and now were required to have an actuary study done each year showing potential expenses and liabilities in their pension plans. She said PERSI's actuary study for 2022 estimated \$439,000 was needed in the Water Department and \$599,000 in the Wastewater Department which was shown as higher operating expenses in those departments. She further clarified that the City did have a clean audit, meaning financial statements were materially stated.

**ANNOUNCEMENTS:** Councilmember English said in two (2) weeks he would be driving down to Boise to attend the Association of Idaho Cities (AIC) Annual Conference and therefore would miss the June 20, Council meeting.

Mayor Hammond requested the appointment of James Chapkis and Elaine Price to the Parking Commission, and Summer Ward to the Arts Commission.

**MOTION:** Motion by Evans, seconded by English, to appoint James Chapkis and Elaine Price to the Parking Commission, and Summer Ward to the Arts Commission. **Motion carried.**

**CONSENT CALENDAR:**

1. Approval of Council Minutes for the May 16, 2023, Council Meeting.
2. Setting of General Services/Public Works meeting for June 12, 2023.
3. Approval of Bills as Submitted.
4. Approval of Fireworks Stands for 2023.
5. Approval of SS-23-02, Final Plat for Cassandra Estates.

**RESOLUTION NO. 23-037-** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE PURCHASE OF THREE (3) HPE GEN 10PLUS 24CORE SERVERS AND RELATED EQUIPMENT FROM GENISYS CORPORATION, IN THE AMOUNT OF \$80,946.39, FOR THE WATER DEPARTMENT SERVER UPDATES PROJECT.

**MOTION:** Motion by McEvers, seconded by Evans, to approve the Consent Calendar as presented, including **Resolution No. 23-037**.

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

**PUBLIC COMMENTS:**

Michael Koep, Coeur d'Alene, stated he had taken over the Summer Concert Series from the late Chris Geggemos and looked forward to continuing his legacy of providing music to the community.

Dani Zibell-Wolfe, Post Falls, Volunteer Director of IRONMAN CDA said she would like to thank the City of Coeur d'Alene for welcoming IRONMAN for 20 years. She said the Coeur d'Alene race was voted third best race overall by racers. She noted this year's race date is Sunday, June 25, and they are in the process of recruiting 3,500 volunteers for various positions throughout the course. She asked that all please consider registering to help via their website at [imcoeurdalene@ironmanvolunteers.com](mailto:imcoeurdalene@ironmanvolunteers.com). Councilmember Miller thanked Ms. Zibell-Wolfe for her leadership.

Justin O'Connell, Coeur d'Alene, made comments in opposition to the purchase of an art sculpture and the spending of ARPA funds.

Linda Coppess, Coeur d'Alene, Executive Director of CDA Chamber of Commerce said she wished to speak in support of the partnership between the City and the Chamber. She said the special events helped to drive economic growth for the City. She said they were happy to have had the opportunity to work with City staff in order to draft the Memorandum of Understanding (MOU), and the parking revenue would help offset the costs of putting on the event. She thanked the City's Streets, Police, and Fire Departments for working with them and said it had been great collaboration by all.

Jody Azevedo, Dalton Gardens, stated she was chair of the Coeur d'Alene Regional Chamber of Commerce, was in support of the 4<sup>th</sup> of July event, and the MOU which helped draw out roles and responsibilities for the volunteers was helpful.

William Le, Coeur d'Alene, said he was not in agreement with the City issuing the Pride proclamation. He said it was a divisive issue and the silent majority were in opposition of the lifestyles which were supported. He asked how proclamations were submitted and what was the process to request a pro-life proclamation.

## RESOLUTION NO. 23-038

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH KELLER ASSOCIATES, INC., FOR THE INDEPENDENCE POINT STORMWATER IMPROVEMENTS

**STAFF REPORT:** Streets and Engineering Superintendent Todd Feusier requested Council approve Amendment No. 1 to the Professional Services Agreement with Keller Associates for the Independence Point Stormwater Improvements. He said that in 2021, the City of Coeur d'Alene (City) was awarded \$695,000 from the Idaho Department of Environmental Quality (IDEQ) for a Building Idaho's Future grant (now called the Leading Idaho Subaward Program). The goal of the program is to fund projects that reduce phosphorus loading into Lake Coeur d'Alene. The City was awarded funding for three (3) stormwater reduction projects in three (3) separate drainage areas; Mullan Road, Sanders Beach/11<sup>th</sup> Street Marina, and Independence Point. He noted Independence Point was the largest of the three with approximately 131 acres draining to the outfall. He said Keller Associates was contracted for \$36,900 to perform a conceptual design and hydraulic analysis of the stormwater system that would reduce the amount of stormwater entering Lake Coeur d'Alene. Because the drainage area was larger and more complex than others recently completed, the cost estimate for construction was much higher than the funding available. He said the project area had been scaled back to include approximately half of the drainage area where most of the phosphorus was believed to be generated. He noted that City Council had approved requesting an additional \$688,000 from IDEQ, which was granted, making the reduced project achievable. He mentioned the cost for the amendment was \$123,680, which would be funded through the IDEQ grant, and total funding available for the project was approximately \$900,000, depending on any change orders which may arise during the project. He said that approval of the amendment would enable Keller Associates to continue further analysis of the stormwater system and develop a final design and bid package for construction which was anticipated for Spring of 2024.

**DISCUSSION:** Councilmember McEvers asked if the stormwater from the 131 acres was now going into the lake, with Mr. Feusier responding it was, and it would be one of the larger diversion projects once finished.

**MOTION:** Motion by McEvers, seconded by Miller, to approve **Resolution No. 23-038** – Approving Amendment No. 1 to the Professional Services Agreement with Keller Associates for the Independence Point Stormwater Improvements.

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



## **PANHANDLE HEALTH DISTRICT 1 RATHDRUM PRAIRIE AQUIFER PROTECTION – CRITICAL MATERIALS MANAGEMENT**

**STAFF REPORT:** Water Department Superintendent Terry Pickel requested Council approve a new City Ordinance for Critical Materials Management and a Memorandum of Understanding (MOU) with Panhandle Health District (PHD) for inspections and enforcement. He said the City relied on the Spokane Valley Rathdrum Prairie (SVRP) Aquifer as the sole source of drinking water and protection of this critical source was of the utmost importance to the region as it served over 600,000 customers in two (2) states. He mentioned that as the population continued to grow over the SVRP water shed area, and businesses come and go, monitoring of critical materials was a crucial element for protection of the SVRP Aquifer. He said historically, PHD had held the responsibility through promulgated rules as authorized by the State Legislature and funding from the Kootenai County Aquifer Protection District (APD) to perform annual inspection of commercial facilities where there was a potential for critical materials storage and handling. He said the proposed Ordinance and MOU was intended to replace the previous rule authority so that PHD staff may resume inspections of commercial facilities within the City limits. He noted the proposed ordinance would, however, place final enforcement authority with the City's Water Department Director, especially in the case of an appeal.

Erik Ketner, Division Administrator, Environmental and Health Protections for Panhandle Health District explained PHD had administered the Rathdrum Prairie Aquifer protection rules since 1977, and recently the State Legislature had determined that PHD was not considered a state agency, and therefore did not have rule making authority and consequently were stripped of their enforcement authority. PHD staff approached the City's Water Department and had requested an Ordinance granting them due authority in the corporate city limits. He said the request was to format existing rules into a City ordinance. He noted they were also working with the City of Post Falls for similar authority and other governing bodies had adopted standards using PHD rules as a framework. He said the proposed Ordinance and MOU providing PHD authority to operate and manage the Critical Materials Compliance Program would not have any financial impact to the City as all funding was provided by the Kootenai County Aquifer Protection District. He said the reduction of the protections could directly harm the water system users and add cost to the City operations. He said there were almost 300 locations they were monitoring within the City of Coeur d'Alene. He mentioned that they preferred education to enforcement and rarely had any issues with achieving cooperation.

**DISCUSSION:** Councilmember McEvers asked why the Legislature had looked at the rules, with Mr. Ketner responding they had looked at all rules across the board and allowed them all to expire. He explained there were no longer any administrative rules and all agencies had to go through the process to have them reauthorized. He said although PHD had letters of support from all municipalities and from businesses it wasn't enough to move the rule forward at the Legislative level. Councilmember English asked if property was annexed into the City, would the new ordinance section apply, with Mr. Adams responding any property annexed into the City would be subject to all City ordinances. Councilmember Gookin asked if other health districts in the state had partnered with municipalities to develop an ordinance, with Mr. Ketner responding the two rule sets for PHD were unique to North Idaho and were for the Rathdrum Prairie Aquifer and Bunker Hill Superfund site. He said they had worked with DEQ on the Superfund site and it was

written into State Statutes which were not subject to annual expirations and aquifer protection was being addressed locally with the municipalities. Mr. Ketner noted the Rathdrum Prairie Aquifer was unique as it was one of only three in the state, was not contaminated, and those early on recognized its value and kept protections in place. Councilmember Gookin asked if the County had established a similar ordinance for enforcement, with Mr. Ketner responding there were few critical materials locations in the County and they had adopted rules for 5-acre properties and were supportive. Mr. Ketner said PHD was considered a special purpose district, and the proposed ordinance language was almost verbatim to their expired rules. Councilmember Gookin asked who the hearing officer was in an appeal, with Mr. Adams responding the hearing officer would be appointed by the City and by the Mayor or City Administrator. Councilmember Gookin asked if it could be appealed to the Council after the hearing officer's decision, with Mr. Adams responding the hearing officer's decision was final yet an appellant could take the matter to court. Councilmember Gookin asked during judicial review to the courts who would be the defendant, with Mr. Adam's responding it most likely would be the City for enforcing the rules. Councilmember Wood said she believed the City should work with PHD to protect the water source. She said the appeal process should come before the Council for accountability and requested the ordinance include Council in the appeal process, or the City should have an official civil hearing officer. Mr. Adams said Council was the legislative body of the City and typically wasn't involved in the administrative aspects. He said that considering the technical issues related to an appeal in this case, the hearing officer would need to have expertise in the area of water quality. He mentioned Council could change the ordinance as they wished. Mayor Hammond said to clarify there was an aquifer protection district which was unique and therefore they needed to provide local authority to protect it, which would be done by working with other municipalities, the County, and the Health District. Councilmember Miller said while working with the Regional Housing and Growth Issues Partnership (RHGIP), thousands of survey respondents placed protecting the water source and aquifer as one of the top five priorities. Mr. Ketner mentioned that in nine years of oversight, PHD had never had an appeal as it was their goal to gain compliance which happened through education.

**COUNCIL BILL 23-1005**

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, ADDING A NEW CHAPTER DESIGNATED AS 13.40, RATHDRUM PRAIRIE AQUIFER ORDINANCE, TO THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE; ESTABLISHING A PURPOSE, DEFINITIONS, PERFORMANCE STANDARDS, RULES FOR A VARIANCE, AND PROVISIONS REGARDING VIOLATIONS AND ENFORCEMENT; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

**MOTION:** Motion by English, seconded by Wood, to dispense with the rule and read **Council Bill No. 23-1005** once by title only.

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

**MOTION:** Motion by English, seconded by McEvers, to adopt **Council Bill 23-1005**.

**DISCUSSION:** Councilmember Gookin said he agreed with the purpose yet felt it was a workaround state government and the authority should be through the state. Councilmember Wood said the value was in protecting the drinking water. Councilmember Miller said the legislature had determined it to be a local issue and placed the responsibility on the cities to solve the problem locally. Councilmember McEvers said the bottom line was to protect the aquifer. Mr. Pickel said the City was not alone as the City of Spokane was looking at potential contamination and establishing rules to protect the aquifer as well. Mayor Hammond said Councilmember Gookin's point was valid and in the interim the protection of the aquifer was a priority and they should encourage PHD to continue to seek authority through the state.

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

#### **RESOLUTION NO. 23-039**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A MEMORANDUM OF UNDERSTANDING, WITH PANHANDLE HEALTH DISTRICT 1 FOR THE COOPERATION IN THE ADMINISTRATION OF THE CITY'S RATHDRUM PRAIRIE AQUIFER ORDINANCE.

**MOTION:** Motion by Wood, seconded by McEvers, to approve **Resolution No. 23-039** – Approving a Memorandum of Understanding with Panhandle Health District 1 for the inspection and enforcement of critical materials management for the Rathdrum Prairie Aquifer Protection.

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

#### **RESOLUTION NO. 23-040**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE COEUR D'ALENE REGIONAL CHAMBER OF COMMERCE, INC., FOR THE 4<sup>TH</sup> OF JULY PARADE AND FIREWORKS SHOW.

**STAFF REPORT:** Municipal Services Director Renata McLeod requested Council approve the proposed Memorandum of Understanding (MOU) with the Coeur d'Alene Regional Chamber of Commerce, Inc., (Chamber) for the 4th of July Parade and Fireworks Show. She said that at the July 19, 2022, Council meeting, Council had requested staff begin looking at options for entering into agreements for some of the large special events held in the City. She said agreements would allow the City to negotiate with the sponsor to take on additional responsibilities such as providing volunteers to man non-emergency intersections, placement of no-parking signs, use of certified flaggers, and payment in addition to the general fees. She noted the MOU clarified the roles and responsibilities to ensure there were no questions on the day of the event. She mentioned the

Chamber's 4<sup>th</sup> of July Parade and Fireworks Show had been a long-standing tradition in the community. She said this year's parade takes place earlier in the day, then there would be a large break in time before the evening firework display, and a lot of traffic control was required for disbursement after the show. She noted the Streets and Engineering Department had crafted the Traffic Safety Plan, which would remain the plan for years to come. She said the plan satisfied the requirements of the Manual on Uniform Traffic Control Devices (MUTCD). She said the Streets and Engineering Department had worked with the Chamber to provide flagger certification training and to limit the number of volunteers needed at non-emergency intersections. Additionally, they have negotiated private traffic control numbers to half the cost of last year's expenses for the Chamber, not to exceed \$8,000.00. She said that after working through each event this season, and creating the traffic control plans for each, staff envisioned one future master agreement for all events that were sponsored by the Chamber. She noted the fee included under the MOU was \$750.00, with a \$1,000.00 security deposit, in compliance with the approved fee resolution. She said there were some legal restrictions regarding covering event costs, including fees must be reasonably related to actual costs to the City and could not be higher than actual costs for the event. She said when there was an event with a controversial message which might draw a hostile crowd, it was unconstitutional to add to the fees, and that fees based on the content of the message violated the First Amendment. She noted while there were additional costs to City Departments with the 4<sup>th</sup> of July events, the Chamber had picked up additional costs as well. The Chamber had provided a cost breakdown showing \$64,062.28 in expenses, with estimates of volunteer hours to have a value of \$9,399.60, for a total of \$73,461.88. She said the MOU outlined the responsibilities of the City and Chamber in order to level the amount of staff time needed for these types of community events. She said City costs in overtime and comp-time associated with the 2022 4<sup>th</sup> of July event, which did not include park lighting needed at the fireworks breakup (\$1500.00) was approximately \$43,819.00.

**DISCUSSION:** Councilmember Evans asked if the City staffing costs associated with the first column of the staff report cost chart were the normal daily costs, with Ms. McLeod responding they were and clarified the second column was overtime and comp-time costs from last year. Councilmember Gookin asked if any parking revenue would go back to Police and Fire Departments, with Mr. Tymesen responding the revenue would go back to the General Fund, as the Police Department was funded to cover the costs, noting it had gone back to the Police Department budget just one time. Councilmember Gookin said it should go to reimburse the Police Department and to offset the costs to the tax payers. Councilmember McEvers asked if this was the first MOU for the event, with Ms. McLeod responding it was the first MOU with the Chamber. Councilmember Miller asked if modifications to the MOU were needed would Council need to amend it, with Ms. McLeod responding any changes would need to be approved by Council and they were working on a general MOU for all events. Councilmember Miller asked if the City was insured for the candy distribution during the parade, with Mr. Tymesen responding the City was insured.

**MOTION:** Motion by McEvers, seconded by Miller, to approve **Resolution No. 23-040** – Approving a Memorandum of Understanding with the Coeur d'Alene Regional Chamber of Commerce, Inc. (Chamber) for the 4th of July parade and fireworks show.

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

### RESOLUTION NO. 23-041

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A LETTER AGREEMENT FOR THE PURCHASE OF AN ARTWORK ENTITLED "TIMELINE THEORY REFLECTIONS" FROM ARTIST KEN TURNER IN THE AMOUNT OF \$1,000.00 FROM THE PUBLIC ART FUND.

**STAFF REPORT:** City Accountant and Staff Liaison to the Arts Commission Stephanie Padilla requested Council approve the purchase of an ArtCurrents piece known as "Timeline Theory Reflections," by artist Ken Turner, in the amount of \$1,000.00. She said that in May 2021, the City's Arts Commission issued a call to artists for the Fiscal Year 2021/22 and 2022/23 ArtCurrents Program. One of the selected art pieces was by artist Ken Turner, entitled "Timeline Theory Reflections," which is made of steel and stands at 112" x 24" x 24". She said Mr. Turner is a resident of the Pacific Northwest, the City had been in contact with Mr. Turner, and an agreement to purchase "Timeline Theory Reflections," in the amount of \$1,000 had been agreed upon. She noted the original asking price of the art piece was \$7,000, and if it had sold while in the ArtCurrents program, the artist would have received \$5,250, with the City receiving a 25% commission. The art piece is currently on display on the corner of 3<sup>rd</sup> Street and Sherman Avenue. She noted that on May 23, 2023, the Arts Commission unanimously recommended the purchase of the art piece to be added the City's permanent public art collection and may potentially be installed at the new Atlas Waterfront Park.

**MOTION:** Motion by Gookin, seconded by English, to approve **Resolution No. 23-041** – Approving an Agreement to purchase an art piece entitled "Timeline Theory Reflections" by Ken Turner in the amount of \$1,000.00.

**DISCUSSION:** Councilmember McEvers asked if ArtCurrents were City owned or on loan, with Ms. Padilla responding it was art on loan. Councilmember Evans said the Arts Commission's intent was to purchase one (1) art piece from the ArtCurrents program each year.

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

### RESOLUTION NO. 23-042

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING, INC., IN THE AMOUNT OF \$999,330.00 FOR BIDDING, CONSTRUCTION MANAGEMENT SERVICES, AND PROJECT OVERSIGHT ASSOCIATED WITH THE SOLIDS HANDLING IMPROVEMENTS PROJECT.



**STAFF REPORT:** Wastewater Department Capital Programs Manager Mike Becker requested Council approve Amendment No. 3 to the City's existing Professional Services Agreement (PSA) with HDR Engineering, Inc., for professional services associated with the Solids Building Improvements Project. He said that Wastewater Treatment Facility projects were typically long and progressive projects and required the understanding that the facility must remain fully operational at all times. He said a professional firm was hired to assist the City from conceptual design, through construction, and eventually to project close-out. He noted that on August 18, 2020, the City executed a PSA with HDR Engineering, Inc., for the preliminary engineering design to replace the treatment facility's biosolids dewatering unit, and on December 13, 2021, amendment #1 was approved for the final engineering and design of the additional project elements, and on June 27, 2022, amendment #2 was approved and included engineering and architectural design. He said amendment #3 was being requested and would cover the bidding, construction management, and oversight for Tasks 700.A3, & 800-1000 as shown in his staff report and that Task 600.A2 was a regulatory requirement for producing conform copies of the construction plans and specifications. The total cost of amendment #3 was \$999,330.00. He said the Solids Building Improvement Project was a multi-year project, would extend into FY 2023/2024, and the Department had planned for the project and had budget authority for the multi-year project. He said currently, \$1.4 million had been allocated for the first year of the project, and the Department would budget accordingly in the following FY 2023/2024 budget. He said a copy of HDR's amended scope, modified Project Schedule, and Compensation was included in the staff report. He noted the amendment was a continuation of the ongoing Solids Handling Improvements Project and subsequent amendments were in accordance with Idaho Code § 67-2320(4) which allowed the City to negotiate with a current provider for professional services contracts for an associated or a phased project. He asked that Council approve Amendment No. 3 to the Professional Services Agreement with HDR Engineering, Inc., in the amount of \$999,330.00.

**DISCUSSION:** Mayor Hammond asked what the projected cost of the facility was, with Mr. Becker responding the Facility Plan estimated construction costs at \$5.6 million and they were currently at \$5.8 million with the procurement of the centrifuge. Councilmember McEvers asked what the current amendment was for, with Mr. Becker responding it was to pay for Construction Management Services which were not included in the construction costs.

**MOTION:** Motion by McEvers, seconded by Miller, to approve **Resolution No. 23-042** – Approving amendment No. 3 to the Agreement with HDR Engineering for the Solids Building Improvement Project, in the amount of \$999,330.

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



## RESOLUTION NO. 23-043

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, TO PROVIDE \$50,000.00 OF ARPA FUNDS TO HOMESHARE KOOTENAI COUNTY FOR THE PURPOSE OF INCREASING THE AVAILABILITY OF AFFORDABLE HOUSING THROUGH A HOME SHARING PROGRAM.

**STAFF REPORT:** City Administrator Troy Tymesen requested Council approve up to \$50,000 of American Rescue Plan Act (ARPA) funding to HomeShare Kootenai County (HomeShare) for the purpose of increasing the availability of affordable housing. He noted the expenditure was not in the current year's financial plan. He said HomeShare was a new organization to the area which performs background checks and provides management services in order to enable home owners to identify unrelated people to share housing. He noted that home sharing provided a mutual benefit to home owners and tenants and every home sharing arrangement was unique. He said the program was about people helping people, and HomeShare facilitated the arrangements. He said there was no fee to participate in HomeShare and when a match was successful, the home owner paid a one-time fee equal to 25% of the first month's rent, with the renter charged a match fee of \$35. He mentioned the City had partnered with Connect Kootenai and the Regional Housing and Growth Issues Partnership (RHGIP) to seek solutions which would increase the amount of available affordable housing for local workers as the City recognized that a local challenge was finding affordable housing. He said the home sharing program opportunity was available immediately and was one way of addressing the affordable housing problem. He said the proposed funding source for the expenditure could come from the American Rescue Plan Act (ARPA) monies that the City had received. He noted funds would be used by HomeShare for marketing the program and to cover the cost of ongoing operations.

Carrie Ward, Executive Director of HomeShare Kootenai County presented information explaining what HomeShare was and how it was helping connect homeowners with those in need of housing. She said it took a lot of time to establish new housing and the HomeShare program had established three (3) home shares within 5-months of their start. She said word of mouth was getting their information out to the community yet they were in need of funding to help with marketing and operational expenses. She said HomeShare provided background checks and interviews with prospective renters and owners. She noted HomeShare was not a franchise and were a member of the National Shared Housing Resource Center. She mentioned the theme of HomeShare was to make a beneficial match to both the homeowner and renter, with the main intention of providing local worker housing. She mentioned they were a 501(c) and planned to submit for grant funding.

**DISCUSSION:** Councilmember McEvers asked if other cities had provided funding, with Ms. Ward responding the City was the first they had approached, and would be reaching out to other cities for funding as well. Mayor Hammond noted he visited his grandmother when he was a boy and she had rented rooms in her home to many different individuals, and the idea of home sharing was not a new concept. Councilmember Wood said it was an innovative program, yet there was nothing in the resolution for a data driven report back to Council. She also asked what the ongoing plan was for the program, with Ms. Ward responding they would continue to fundraise and seek grant proposals. Councilmember Gookin asked how the \$50,000 would be spent, with Ms. Ward responding they would use \$35,000 for marketing, and \$15,000 for administrative support.

Councilmember English stated program costs in the first year would be more than those in future years.

**MOTION:** Motion by Gookin, seconded by McEvers, to approve **Resolution No. 23-043** – Approving disbursement of \$50,000 in ARPA funds to Home Share Kootenai County and extending an invitation to Ms. Ward to return next June with a progress report.

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

**(LEGISLATIVE) - ADOPTION OF THE CAPITAL IMPROVEMENTS PLAN AND THE SETTING OF IMPACT FEES FOR THE KOOTENAI COUNTY EMERGENCY MEDICAL SERVICES SYSTEM (KCEMSS) TO FUND THE SERVICES OF THAT SYSTEM.**

**COUNCIL BILL 23-1006**

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF TITLE 14 OF THE COEUR D’ALENE MUNICIPAL CODE WITH THE ADDITION OF A NEW CHAPTER, 14.14, ENTITLED “KOOTENAI COUNTY EMERGENCY MEDICAL SERVICE SYSTEM DEVELOPMENT IMPACT FEES”; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF

**STAFF REPORT:** Fire Chief Tom Greif noted in 2001 the EMS System was restructured and went to a fire-based EMS model which added ambulances, advanced EMTs, and paramedics into all the fire departments throughout the County. Since that time, the Fire Department has operated two (2) advanced life ambulances. He noted in 2022, the two ambulances generated \$1.8 million to the City. He mentioned a third was placed in service early this year. He requested Council adopt an Ordinance amending Chapter 14 of the Municipal Code, adopt the Kootenai County Emergency Medical Services System (KCEMSS) Capital Improvement Plan, enter into an Intergovernmental and Joint Powers Agreement with KCEMSS and collect development impact fees on their behalf. He said development impact fees are collected in order to ensure that new development bears a proportionate share of the cost of system improvements required to accommodate the new development. He noted the City of Coeur d’Alene started collecting impact fees in 1993, was in the process of updating its impact fees, and expected to bring forward the updated fees by the end of 2023. He said KCEMSS has requested all jurisdictions within their service area to collect impact fees on their behalf as they did not have ordinance authority or a mechanism to collect impact fees as they didn’t issue building permits. He noted KCEMSS had worked with Galena Consulting to complete a Development Impact Fee Study and Capital Improvement Plan through 2031. The City was the last jurisdiction to hear the request as the others in their jurisdiction had started collecting the fees and transferring them on a monthly basis to KCEMSS. He said Chief Keeley of KCEMSS had made a presentation to the City’s Planning Commission on February 14, 2023, and requested for the City to collect development impact fees

on their behalf. The City's Planning Commission acting as the Development Impact Fee Advisory Committee heard the request and made a recommendation to the City Council to collect the fees. He noted there was a Mutual Aid Agreement between KCEMSS and the City, and the City would not collect an administrative fee for collecting KCEMSS's impact fees. Fees to be collected are \$132 per dwelling unit for all new residential uses and \$0.65 per square foot for all new non-residential uses. He noted that collecting impact fees for KCEMSS required the City to adopt their Capital Improvement Plan, amend Title 14 of the Municipal Code, enter into an Intergovernmental and Joint Powers Agreement, and update the fee schedule to include the new fees. Updating the City's impact fees would not impact the collection of KCEMSS fees and each year the City would receive the updated impact fees from KCEMSS that would be adjusted for inflation based on the Engineering News-Record Index. He said the updated fees would be included in the City's Fee Schedule, collected with building permits, and the fees would be deposited in KCEMSS's impact fee account and not commingled with the City's development impact fees. He said the City would remit the development impact fees to KCEMSS on a monthly basis. He said KCEMSS had a mechanism in place for exemptions such as rebuilding/remodeling the same amount of square footage, replacing a residential use or manufactured home with the same size and use, taxing district construction or development, and building of public charter schools. He requested Council adopt the ordinance, KCEMSS's Capital Improvement Plan, and enter into an Intergovernmental and Joint Powers Agreement.

**APPLICANT:** KCEMSS Chief Jim Keeley said KCEMSS was an independent taxing district within Kootenai County and was the State EMS license holder for the County. He said they purchased, owned, and maintained all the ambulances and reusable medical equipment for ambulances and fire apparatus. He said Coeur d'Alene operated three (3) ambulances under the contract with KCEMSS and received \$1.9 million each year to do so. He noted all cities within Kootenai County had approved the collection of impact fees for the KCEMSS. He said KCEMSS expected to add four (4) additional ambulances to service in the next 10 years. He mentioned that all impact fees were returned to fund the fire service, growth paid for growth, and KCEMSS's taxing rate was second lowest in the State.

Mayor Hammond opened the public testimony portion of the hearing and hearing none, closed public testimony.

**DISCUSSION:** Councilmember Gookin asked if the impact fees collected in Coeur d'Alene would come back to the City, with Chief Keeley responding they would go to the County to be used to improve the EMS system countywide. Councilmember Wood said the responsible thing was for the City to continue to share resources and what was before Council was the right direction to go.

**MOTION:** Motion by Wood, seconded by Gookin, to dispense with the rule and read **Council Bill No. 23-1006** once by title only.

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

**MOTION:** Motion by Wood, seconded by Gookin, to adopt **Council Bill 23-1006**.

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

**RESOLUTION NO. 23-044**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING THE CAPITAL IMPROVEMENTS PLAN PREPARED AND ADOPTED BY KOOTENAI COUNTY EMERGENCY MEDICAL SERVICES SYSTEM (KCEMSS), AND APPROVING AN INTERGOVERNMENTAL AGREEMENT AND JOINT POWERS AGREEMENT WITH KCEMSS FOR THE COLLECTION AND EXPENDITURE OF DEVELOPMENT IMPACT FEES FOR EMS SYSTEM IMPROVEMENTS

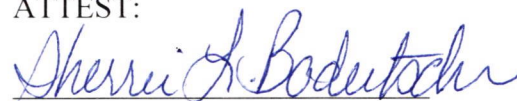
**MOTION:** Motion by Wood, seconded by Gookin, to approve **Resolution No. 23-044** – Approving an Intergovernmental and Joint Powers Agreement with KCEMSS; Adopting the Capital Improvement Plan and Adopting Impact Fees for the KCEMSS.

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

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

The meeting adjourned at 8:21 p.m.

ATTEST:

  
Sherrie L. Badertscher  
Executive Assistant

  
James Hammond, Mayor