



Coeur d'Alene

CITY COUNCIL MEETING

AUGUST 18, 2009

MEMBERS OF THE CITY COUNCIL:

Sandi Bloem, Mayor

Councilmen Edinger, Goodlander, McEvers, Bruning, Hassell, Kennedy

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
August 4, 2009**

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 August 4, 2009 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Deanna Goodlander)	Members of Council Present
Mike Kennedy)	
Woody McEvers)	
Loren Ron Edinger)	
A. J. Al Hassell, III)	

John Bruning)	Members of Council Absent
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CALL TO ORDER: The meeting was called to order by Mayor Bloem.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilman McEvers.

PRESENTATION – HEROISM AND BRAVERY AWARD: Both Police Chief Longo and Fire Chief Kenny Gabriel presented a “Heroism and Bravery Award” to Jody Burns who was recognized for heroism and bravery for his role in saving the life of Michael Brandt.

PUBLIC COMMENTS:

COUNCIL BUDGET WORKSHOP Dan Gookin, 714 W. Empire, urged the Council to take a 0% increase in the City’s upcoming fiscal year. He commented that since property taxes has shifted from owner occupied residential homes to commercial property it places an undue burden on these commercial property owners.

IRONMAN AWARD: Andy Emberton, 3483 Lookout Drive, Coeur d’Alene, presented a plaque to the City of Coeur d’Alene on behalf of World Triathlon Corporation, who hosts the Coeur d’Alene Ironman Triathlon in appreciation for the excellent service provided by the City. Mayor Bloem commended Andy for his work as race director.

CONSENT CALENDAR: Motion by Edinger, seconded by Kennedy to approve the Consent Calendar as presented. Councilman Goodlander and Bruning declared a conflict of interest for some items on the Consent Resolution.

1. Approval of minutes for July 21, 28, 2009.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, July 13th at 2:30 p.m. and 4:00 p.m. respectively.

3. RESOLUTION 09-032: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING AN AGREEMENT FOR FUEL MANAGEMENT SERVICES WITH COLEMAN OIL COMPANY; CHANGE ORDER NO. 1 WITH SHANNON INDUSTRIAL FOR THE STORMWATER PUMP STATION PROJECT.
4. Approval of beer/wine licenses for Sherman Junction Restaurant at 819 Sherman Avenue and for the Locker Room at 6055 N. Gov't Way.
5. Setting of public hearing for V-09-3 (vacation of a portion of Sorbonne Addition) for September 1, 2009.

ROLL CALL: Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Edinger, Aye. Motion carried.

COUNCIL ANNOUNCEMENTS:

COUNCILMAN MC EVERS: Councilman McEvers announced that the Parking Commission has an opening for a business owner in the downtown business district and an opening for a city resident.

COUNCILMAN KENNEDY : Councilman Kennedy announced that the City received \$307,000 for a traffic signal at Kathleen Avenue and Howard and thanked the Engineering Department for their efforts in obtaining this grant.

COUNCILMAN GOODLANDER: Councilman Goodlander announced that the General Services Committee will meet at 2:30 p.m. beginning August 10th. Additionally, this past weekend she volunteered at the Art on the Green as part of the Arts Commission who had the maquettes on display of the proposed artwork for East Sherman. She noted that the Arts Commission will be making a final decision on the artwork at the end of this month. She also noted that she volunteered for the Library Foundation at the Muddy and Millie booth as part of the Downtown Street Fair.

COUNCILMAN KENNEDY: Councilman Kennedy asked the City Attorney to explain why the City will not release first names along with the employee's positions and pay as requested by a Boise resident. City Attorney replied that per I.C. 9-340C it specifically prohibits the disclosure of an employee's gender which the first name would reveal. He further explained that the release of information such as gender must only be done with the written consent of the employee. Councilman Kennedy asked how the City could be more proactive in responding to these types of records requests. City Attorney Gridley responded that some cases brought before judges can be quick and simple and in this case it would be going before a judge to make a determination of the interpretation of this specific Idaho Code. Councilman Edinger asked if any employee in the City has asked to not have their first name released to the public. Mr. Gridley responded not at this point. Councilman Edinger then asked if someone came in off the streets and asked to speak to the City Attorney, would the staff person call him "M" Gridley or would they call him

Mike Gridley. Mr. Gridley responded that this would not be a public records request. Councilman Hassell commented that in today's environment of identity theft, that by providing a person with an employee's name you are providing these criminals with the employee name, their wage and their employer. Mayor Bloem summarized that that the City had made a determination and the requestor has a remedy to the City's interpretation and additionally the City can request the legislators to amend the Idaho Code. Mayor Bloem also noted that although the City has been accused of trying to hide something, she noted that the City is simply abiding by the legal opinion of our City Attorney.

APPOINTMENTS – PEDESTRIAN/BICYCLE COMMITTEE: Motion by Edinger, seconded by Kennedy to appoint Beverly Moss to the Pedestrian/Bicycle Committee. Motion carried.

ADMINISTRATOR'S REPORT: City Administrator Wendy Gabriel announced that the Mayor's Institute will be held August 11-13th. The City was selected to be a part of this Institute and will have the opportunity to receive concepts as a guide for future planning and development of the higher education corridor which extends from Riverstone through East Sherman. She invited the public to participate in this process on Aug. 11th 4:45 – 6:00 p.m. at the Library Community Room and then there will be an open house/presentation of the findings on August 13th from 4:00 – 6:00 pm. in the Library Community Room. Mayor Bloem noted that these two meetings will be televised. Mrs. Gabriel listed the activities that will be conducted at the Library during the month of August which includes Game Day with Wii games, author brown bag event, and a Mudgy and Millie Family walk. The St Vincent DePaul H.E.L.P. Center is up and running in the former Library building. Fire Danger is high so open burning within the City is closed unless you have a burn permit issued by the Fire Department and added that no fires and no smoking are allowed on Tubbs Hill and in City Parks. The City received a \$500,000 public safety grant to fight drugs and gang activities. Another grant was received by the Police Department in the amount of \$728,625 which will allow the Police Department to hire 3 additional police officers.

PRESENTATION: NORTHWEST QUADRANT SEWER CAPACITY

ANALYSIS: Sid Fredrickson, Wastewater Superintendent, presented the results of the Northwest Quadrant Sewer Master Plan Evaluation and Updates. He explained that council authorized the study a number of months ago as they had anticipated significant changes in housing densities. J-U-B looked at all of the various scenarios for the quadrant. In evaluating the established areas, they have seen a change in densities that will result in up to a 26% increase in flows. Areas such as the Landings development, Coeur d'Alene Place apartment complexes and tri-plexes, Hanley Avenue townhouses, Mill River, Seltice Way, Riverstone, Kroc Center, U.S. Forest Service, Atlas Road Industrial Park, the Huetter Addition, and the City of Huetter are all seeing much higher densities and a larger than anticipated increase in flow. Critical surcharge areas were identified, which represent "build out" conditions. System capacity will not be exceeded until these areas are fully developed. Mr. Fredrickson said that if the City elects to build-

out per the worst case scenario, any changes in land use beyond the assumptions used in the analysis increase the amount of surcharge in the identified critical reaches and could result in sanitary sewer overflows.

Mr. Fredrickson explained that “surcharge” means over-full or over-capacity. He further noted that the over-capacity would be in the sewer pipe and not the sewer treatment plant, and that the sewer treatment plant capacity would be reviewed during the facility planning process. Mr. Fredrickson also said that they have been focusing their efforts on the Northwest Quadrant because that is where all of the growth is occurring.

EXECUTIVE SESSION: Motion by Hassell, seconded by Kennedy to enter into Executive Session as provided by I.C. 67-2345, Subsection B: To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent; and Subsection F: To communicate with legal counsel for the public agency to discuss legal ramifications of and legal option for pending litigation or controversies not yet being litigated but imminently like to be litigated.

ROLL CALL: Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Edinger, Aye. Motion carried.

The Council met in Executive Session at 7:25 p.m. Members present were the Mayor, City Council, City Administrator, Deputy City Administrator and City Attorney.

Matters discussed were those of personnel and litigation. No action was taken and the Council returned to the regular meeting at 8:06 p.m.

ADJOURNMENT: Motion by Goodlander, seconded by Edinger that, there being no further business, this meeting is adjourned. Motion carried.

The meeting adjourned at 8:06 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, CMC
Deputy City Clerk

RESOLUTION NO. 09-033

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING A CONTRACT WITH KOOTENAI COUNTY FOR CERTAIN ELECTION SERVICES; THE ANNUAL AGREEMENT WITH SCHOOL DISTRICT 271 FOR SCHOOL RESOURCE OFFICERS AND CHANGE ORDER NO. 1 FOR LANDINGS PARK, PHASE II.

WHEREAS, it has been recommended that the City of Coeur d'Alene enter into the contract(s), agreement(s) or other actions listed below pursuant to the terms and conditions set forth in the contract(s), agreement(s) and other action(s) documents attached hereto as Exhibits "1 through 3" and by reference made a part hereof as summarized as follows:

- 1) A contract with Kootenai County for certain Election Services;
- 2) Agreement with School District 271 for School Resource Officers;
- 3) Change Order No. 1 for Landings Park, Phase II;

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 or other actions; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the City enter into agreements or other actions for the subject matter, as set forth in substantially the form attached hereto as Exhibits "1 through 3" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreements or other actions so long as the substantive provisions of the agreements or other actions remain intact.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be and they are hereby authorized to execute such agreements or other actions on behalf of the City.

DATED this 18th day of August, 2009.

Sandi Bloem, Mayor

ATTEST

Susan K. Weathers, City Clerk

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

ROLL CALL:

COUNCIL MEMBER KENNEDY Voted _____

COUNCIL MEMBER BRUNING Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER GOODLANDER Voted _____

COUNCIL MEMBER HASSELL Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

CITY COUNCIL

DATE: August 18, 2009

FROM: Susan Weathers, CMC
City Clerk

SUBJECT: Contract with Kootenai County for Election Services

DECISION POINT:

Would the City Council approve an agreement with Kootenai County to provide certain election services for the November 3, 2009 City General Election?

HISTORY:

For more than 25 years, the City of Coeur d'Alene has contracted with the Kootenai County Clerk to assist the City Clerk in conducting city elections.

The attached agreement outlines the services to be provided by the County.

FINANCIAL ANALYSIS:

The budget amount of \$17,000 for the upcoming election includes reimbursement to the County for the proposed services to be offered. These services include county staffing for absentee voting (both mailed and in person) as well as election night staffing, recruiting and training Election Day judges and clerks, Election Day supplies, computer equipment and printing of sample and official ballots.

PERFORMANCE ANALYSIS:

Since Kootenai County Clerk has an elections division, his staff provides invaluable experience and expertise to assist the residents in the voting process. Additionally, without the use of the County elections equipment, the City Clerk would have to hand count all ballots which would greatly increase the time for preparing the election returns. Additionally, due to the limited staff in the City Clerk's Office, by contracting with the County, we can provide mailing of absentee ballots to the community and expand the locations for in-person absentee voting.

DECISION POINT/RECOMMENDATION:

It is recommended that the City Council adopt a resolution authorizing the contract with Kootenai County for election services.

AGREEMENT

THIS AGREEMENT, made by and between the **City of Coeur d'Alene**, a municipal corporation of the state of Idaho (hereinafter referred to as "the City"), and **Kootenai County**, a political subdivision of the state of Idaho (hereinafter referred to as "the County");

WITNESSETH:

WHEREAS, the City and the County, pursuant to the provisions of Idaho Code § 67-2332, may enter into agreements enabling each to cooperate with the other to provide services and facilities for their mutual social, political and economic advantage; and

WHEREAS, upon request and recommendation of the City Clerk, the City Council at its regular meeting on the 18th day of August, 2009 found and declared it to be in the best public interest of the City to utilize the office of the Clerk of the District Court of Kootenai County, Idaho, who is the *ex officio* auditor and recorder for the County, to conduct the city elections for the City to be held on November 3, 2009 under the supervision of the City Clerk.

NOW, THEREFORE, in consideration of the premises, it is agreed:

1. The Clerk of the District Court, subject to supervision and direction of the City Clerk and further subject to and in accordance with all the pertinent provisions of Titles 34 and 50, Idaho Code, shall perform the following duties of the Chief Election Official for the City in the conduct of the city election to be held on November 3, 2009, including but not limited to:
 - a. General supervision of all election judges, clerks and other election officials for each polling place in each precinct.
 - b. Comply with and require compliance by all election judges of the provisions of Titles 34 and 50, Idaho Code.
 - c. Prior to the city election, carry on a program of in-service training for all judges, clerks, and other election officials for the administration of the election laws in the conduct of said election by said local election officials.
 - d. During the registration of qualified City electors, update all registration cards to determine whether or not such have previously registered, to otherwise do all other things required by law in maintaining and keeping current registration records of qualified electors for the city elections, and to provide poll book computer printouts for each precinct for the city elections.
 - e. Subject to any applicable election law, devise, prepare and use in the administration of the city elections, the ballots, papers, documents, records

and other materials and supplies required or permitted by the pertinent election laws, or other necessary requirements in the administration of the city elections.

- f. Provide one or more pieces of machinery or equipment necessary to automatically examine and tally optical scan ballots upon which a voter records his or her vote, and shall otherwise comply with, and require compliance by all election officials pursuant to Chapter 24, Title 34, Idaho Code, as to the use of said vote tally system and in particular the following:
 - 1) Section 34-2414: Prepare, provide and distribute all ballots, printed matter, and other supplies within a proper and reasonable time before the election to each election board at each polling place within each precinct;
 - 2) Section 34-2415: Prepare polling places for election by each election board of each election precinct;
 - 3) Section 34-2416: Prepare all machines and equipment for the said election, thoroughly inspecting and testing the computer or vote tally machines before and after counting the optical scan ballots to be able to file a certificate as to the accuracy of said vote tally machines; and
 - 4) Section 34-2418: Prepare optical scan ballots.
- g. Comply with the provisions of Chapter 10, Title 34, Idaho Code (Absentee Voting), and in particular by providing an absentee elector polling place, the voting booth and other necessary supplies as required by law.

Through and including any election contests:

- 1. The City shall publish any and all election notices required for this election.
- 2. The City shall pay the County an administrative fee for the reasonable costs and expenses of the Clerk of the District Court in performing this agreement in the applicable amount shown below:

Registered Voters	Fee
5,000 or fewer	300.00
5,001 to 10,000	400.00
10,001 or more	500.00

In addition, the City shall pay and reimburse the County for its proportionate share of the reasonable costs and expenses incurred by the Clerk of the District Court in performing this agreement.

3. The City further agrees to provide a proportionate share of the reasonable compensation for election judges and clerks.
4. The parties agree that the County is the independent contractor of the City and in no way an agent of the City, and that no joint venture shall be created by virtue of this Agreement. The City shall have no control over the performance of this Agreement by the County or its employees, except to specify the time and place of performance, and the results to be achieved. The City shall have no responsibility for security or protection of the County's supplies or equipment.
5. Each party agrees to indemnify, defend, and hold the other harmless, and its officers, agents and employees, from and against any and all claims, losses, actions, or judgments for damages or injury to persons or property arising out of or in connection with the acts and/or any performances or activities of that party, or its agents, employees, or representatives, under this Agreement.
6. Each party agrees to obtain and keep in force during its acts under this Agreement a comprehensive general liability insurance policy in the minimum amount of \$500,000.00, or equivalent self-insurance, to protect the other party, and its officers, agents and employees, from and against any and all claims, losses, actions, and judgments for damages or injury to persons or property arising out of or in connection with the acts of that party.
7. Each party shall maintain in full force and effect workers' compensation insurance for itself and for any agents, employees, and staff that it may employ.
8. Each party agrees to comply with all federal, state, city, and local laws, rules and regulations.
9. This Agreement contains the entire agreement between the parties, and no statements, promises, or inducements made by either party, or agents of either party, which are not contained in the written Agreement, are valid or binding. This Agreement may not be enlarged, altered modified or amended except upon agreement of the parties hereto.
10. This Agreement shall be governed by and interpreted under the laws of the State of Idaho. Venue for any dispute arising under this Agreement shall be in Kootenai County, Idaho.
11. Reasonable attorney fees shall be awarded to the prevailing party in any action to enforce this Agreement or to declare forfeiture or termination of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

**KOOTENAI COUNTY
CLERK OF THE DISTRICT COURT**

Dan English, Clerk

**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**

Rick Currie, Chairman

**ATTEST:
DANIEL J. ENGLISH, CLERK**

By: _____
Deputy Clerk

CITY OF COEUR D'ALENE

Mayor

ATTEST:

City Clerk

TO: Wendy Gabriel
City Administrator

FROM: Wayne Longo
Chief of Police

SUBJECT: School Resource Officer agreement between the Coeur d'Alene School District #271 and the City of Coeur d'Alene.

DATE: June 30, 2009

Decision Point: Should the City of Coeur d'Alene enter into a contract to continue the School Resource Officer program with School District #271 for fiscal year 2009-2010.

History: The City of Coeur d'Alene and School District #271 have maintained the SRO partnership since 1999. Both the Police Department and the School District have deemed the SRO program not only successful, but vital to providing campus safety. The partnership's success can be tangibly measured in the reduction of campus related crimes and case clearance rates.

Financial Analysis: The school district has agreed to pay 50% of the personnel costs associated with this program.

Performance Analysis: The SRO program has specifically impacted campus crime as documented by standard crime reporting data. The SRO program has provided the police department an open communication link with students, educators and citizens that have directly resulted in solving several crimes that might not have been solved.

Quality of Life Analysis: The SRO program has provided an excellent way for police, students, teachers, and other citizens to interact in a positive proactive manner. The full impact of these programs on the quality of life is sometimes hard to measure. The feedback from all involved truly believes the schools are a safer place. In addition they feel the police and citizens have a more positive relationship.

Decision Point: Should the City of Coeur d'Alene enter into a contract to continue the School Resource Officer program with School District #271 for fiscal year 2009-2010. The School District is committed to this program and has already signed the 2009-2010 contract with the intention of maintaining this program.

Wayne Longo
Chief of Police

AGREEMENT BETWEEN THE
COEUR D'ALENE SCHOOL DISTRICT #271

and

THE CITY OF COEUR D'ALENE

for

EMPLOYMENT OF SCHOOL RESOURCE OFFICERS
DISTRICT'S FISCAL YEAR 2009-2010

THIS AGREEMENT is entered into this ____ day of August, 2009, by and between School District #271, Coeur d'Alene, Idaho, hereinafter referred to as DISTRICT, and the City of Coeur d'Alene, having its principal business office located at 710 Mullan, Coeur d'Alene, Idaho, hereinafter referred to as CITY.

WITNESSETH:

WHEREAS, safety and security on and around high school, middle school, and elementary school campuses is an essential element for a positive educational environment; and

WHEREAS, the safety and well being of students on high school, middle school, and elementary school campuses is a concern shared by both the CITY and the DISTRICT, and a coordinated effort is deemed the most effective and efficient means to provide for campus security; and

WHEREAS, the presence of uniformed police officers on school campuses, in addition to basic law enforcement services, allows for an array of police services to be provided to both students and staff such as the dissemination of information on the police department, the criminal justice system, gang intervention and prevention, and alcohol and drug abuse prevention.

NOW THEREFORE, the parties to this agreement do mutually agree as follows:

I. RESPONSIBILITIES OF CITY

1. CITY agrees to provide five (6) School Resource Officers in order to provide a uniformed high visibility presence on and around the high school and middle school campuses, located in the City of Coeur d'Alene; and
2. CITY agrees to furnish normal equipment for officers who perform this service, including use of Coeur d'Alene Police Department vehicles; and

3. CITY agrees the officers will facilitate classroom and faculty presentations related to the youth and the law, at all elementary schools, Coeur d'Alene High School, Lake City High School, Project CDA, Woodland Middle School, Canfield Middle School and Lakes Middle School, investigate youth related criminal cases, continue work with community agencies and parent/teacher groups, schedule security activities as needed, be the first responder in all law enforcement related matters as they occur during regularly scheduled work hours for the officer; and
4. CITY agrees to have officers attend various sporting events and other extra curricular activities as needed for pro-active enforcement and interaction; and
5. CITY agrees to document and investigate all incidents of crime as per the police department's policies and procedures.

II. RESPONSIBILITIES OF DISTRICT

1. DISTRICT agrees to provide office space, furnishings and supplies for each School Resource Officer; and
2. DISTRICT agrees to furnish any special equipment or material necessary for the performance of this service as such equipment or material shall be identified and agreed to by the parties in writing; and
3. DISTRICT agrees each officer shall be responsible primarily to their Police Department Supervisor and secondarily to the principal of the high school to which they are assigned.

III. CONTROL AND JURISDICTION

Prevention, education and training will take place at all elementary schools, Coeur d'Alene High School, Lake City High School, Project CDA, Woodland Middle School, Canfield Middle School and Lakes Middle School located in the City of Coeur d'Alene as such activity relates to the DISTRICT.

The School Resource Officers will remain under the employment, direction, and control of the Coeur d'Alene Police Department. The Resource Officers are employees of the City of Coeur d'Alene as employee is defined under Idaho Code 6-902(4). The City of Coeur d'Alene shall remain responsible for the actions of the School Resource Officers, and shall maintain liability insurance, or self insurance as the case may be in order to protect the district from any claims under the Idaho Tort Claims Act, Idaho Code 6-901 et seq., or any other alleged act or omission of the School Resource Officers including but not limited to alleged Civil Rights violations.

The DISTRICT shall endeavor to provide the CITY with requests for additional officers or for work assignments occurring outside regular high school or middle school hours (that are not usual police duties) prior to the beginning of the school year. DISTRICT will update the CITY at reasonable intervals in order to assist the CITY in scheduling officers. Any requests for services by the CITY outside the scope of this agreement shall be negotiated for compensation prior to the incurrence of such work assignments, the same shall be agreed to in writing.

IV. CONSIDERATION

In consideration of all services hereinbefore described, DISTRICT agrees to pay and CITY agrees to accept in full payment therefore the amount of One Hundred Seventy Nine Thousand Four Hundred Six Dollars and 00/100 (\$179,406.00) to be paid quarterly.

V. TERM, AMENDMENT, RENEWAL AND TERMINATION OF AGREEMENT

1. The term of this Agreement shall remain in effect for the 2009-2010 public school fiscal year.
2. This Agreement may be amended or renewed in writing by consent of CITY and DISTRICT as permitted by law.
3. This Agreement may be terminated at any time in writing by mutual consent of CITY and DISTRICT.
4. On or before July 1, 2010, both parties shall meet to evaluate the program prior to deciding whether to continue.

VI. IDAHO LAW CONTROLS

It is expressly understood and agreed by CITY and DISTRICT that the laws of the State of Idaho shall govern them and the interpretation of this Agreement shall be initiated exclusively in the Courts of the State of Idaho.

VI. SUCCESSORS-IN-INTEREST AND ASSIGNS

All terms, conditions and provisions hereof shall inure to and shall bind the parties hereto, their respective successors in interest and assigns.

IN WITNESS THEREOF, CITY and DISTRICT have caused the Agreement to be signed in their behalf by duly authorized representative on the _____ day of August, 2009,

pursuant to Resolution No. 09-033, authorized the City Mayor to sign same.

CITY OF COEUR D'ALENE

COEUR D'ALENE SCHOOL
DISTRICT #271

By: _____
Sandi Bloem, Mayor

By: _____
Edith Brooks, Chairperson

Attest:

Attest:

Susan K. Weathers, City Clerk

Lynn Towne, Clerk of the Board

APPROVED as to form and legality this _____ day of August, 2009

By: _____
Michael C. Gridley, City Attorney

By: _____
Charles Dodson, Attorney for School District 271

**COEUR D'ALENE CITY COUNCIL
STAFF REPORT**

August 18, 2009

From: Doug Eastwood, Parks Director

Subject: CHANGE ORDER #1 – LANDINGS PARK PHASE II

Decision Point: Approve change order request #1 from Polin & Young Construction, Inc. in the amount of \$16,331.00.

History: This is the second phase of a two phase park development. Completion is expected late August/early September.

Financial Analysis: We allowed for a contingency fund for the Landings Park project in the Parks Capital Improvement fund to meet necessary changes in the park development.

Performance Analysis: The change order allows Polin & Young and the City to provide a good quality park that will be safe and enjoyable for all visitors.

Decision Point: Approve Change Order request #1.

CHANGE ORDER

OWNER
ARCHITECT
CONTRACTOR
FIELD
OTHER

COPY

PROJECT:
(name, address) The Landings Park Phase II
The Landings Development
Coeur d'Alene, ID.

CHANGE ORDER NUMBER: One
DATE: July 16, 2009
ARCHITECTS PROJECT #:
CONTRACT DATE: May 5th, 2009
CONTRACT FOR: General Construction

TO CONTRACTOR:
(name, address) POLIN & YOUNG CONSTRUCTION, INC.
PO BOX 3701
COEUR D'ALENE, ID. 83816

The Contract is changed as follows:

- Item 1.** ADD for ASI #005 – Remove unsuitable soil at CXT building per Polin & Young Construction, Inc.'s letter dated July 6, 2009, attached. \$1,544.00
- Item 2.** ADD for ASI #006 – Proof roll sub grade at tennis court per Polin & Young Construction, Inc.'s letter dated July 6, 2009, attached. \$3,021.00
- Item 3.** ADD for ASI #017 – Provide 2" conduit for Verizon per Polin & Young Construction, Inc.'s letter dated July 6, 2009, attached. \$2,488.00
- Item 4.** ADD for ASI #013 & ASI #014 – Owner supplied roofing per Polin & Young Construction, Inc.'s letter dated July 9, 2009, attached. \$866.00
- Item 5.** ADD for ASI #016 – Stop & waste at drinking fountains per Polin & Young Construction, Inc.'s letter dated July 9, 2009 attached. \$726.00
- Item 6.** Add for over excavate at storage building per Polin & Young Construction, Inc.'s letter dated July 9, 2009 attached. \$1,503.00
- Item 7.** ADD to provide temporary access to set CST Building per Polin & Young Construction, Inc.'s letter dated July 9, 2009, attached. \$519.00
- Item 8.** ADD to reshape grade around storage building per Polin & Young Construction, Inc.'s letter dated July 9, 2009, attached. \$2,246.00
- Item 9.** ADD to over excavate for sidewalk at CXT Building, per Polin & Young Construction, Inc.'s letter dated July 9, 2009, attached. \$837.00
- Item 10.** Add to reshape berms South of sports courts, per Polin & Young Construction, Inc.'s letter dated July 10, 2009, attached. \$1,002.00
- Item 11.** Add to reshape grade around small shelter, per Polin & Young Construction, Inc.'s letter dated July 10, 2009, attached. \$642.00
- Item 12.** Add to reshape grade around CXT Building, per Polin & Young Constructions, Inc.'s letter dated July 10, 2009, attached. \$937.00

* ~~Item 13.~~ Add for extension of contract time – See "Attachment A", attached. ~~\$TBD~~

ITEM # 13 EXCLUDED - SEE ATTACHED LETTER

JW
7.30.09

TOTAL CHANGE ORDER ONE ADD:

\$16,331.00

Not valid until signed by Owner, Architect and Contractor

The original Contract Sum was.....\$471,391.00
Net change by previously authorized Change Orders.....\$0.00
The Contract Sum prior to this Change Order was.....\$471,391.00
The Contract Sum will be increased by this Change Order in the amount of.....\$16,331.00
The new Contract including this Change Order will be.....\$487,722.00
The Contract Time will be (~~increased~~)(~~decreased~~)(unchanged) by zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is August 31, 2009

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

Landmark Landscape Architects
Architect
210 E. Lakeside Ave.
Address
Coeur d'Alene, ID. 83814

BY [Signature]
DATE 7.31.09

Polin & Young Construction, Inc.
Contractor
P.O. Box 3710
Address
Coeur d'Alene, ID. 83815

BY [Signature]
DATE 7-27-09

City of Coeur d'Alene
Owner
710 Mullan Ave.
Address
Coeur d'Alene, ID. 83814

BY [Signature]
DATE 7/30/09

CITY COUNCIL STAFF REPORT

DATE: August 18, 2009
FROM: Gordon Dobler, Engineering Services Director
SUBJECT: Consultant Services for Howard Kathleen signal design

DECISION POINT

Staff is seeking approval from Council to authorize Whipple Consulting Engineers to update the design of the Howard / Kathleen signal.

HISTORY

We were notified in late June that the City of Coeur d'Alene was selected to receive a grant from stimulus funds for \$308,000 to construct a traffic signal at the intersection of Howard and Kathleen Ave. We were told those funds would be available in late fall.

The underground portion of the signal was installed by Fred Meyer in 1996 when they built their building. That included loops, conduit, pole and cabinet bases, and underground power. The full signal was designed at that time but we have changed some of our equipment and design criteria since then so the plans will need to be updated.

FINANCIAL ANALYSIS

We have a proposal from Whipple Consulting Engineers to update the plans. Todd Whipple was the design engineer on the original plans. The proposal is for \$10,300. The funds would come from impact fees. This project was not anticipated in the current budget so it would require a budget amendment.

PERFORMANCE ANALYSIS

Construction of the last piece of Howard Street, between Bosanko and Neider Ave, and the Howard / Kathleen signal was scheduled for completion next year and is reflected in the Street Capitol Improvement Plan for FY 2009-2010. Completion of this link will provide vital access to Kathleen Ave from that area. Completing the design plans now will expedite the bidding and construction process for the signal.

RECOMMENDATION

Staff recommends authorizing Whipple Consulting Engineers to update the design of the Howard / Kathleen signal.

Staff Report

Date: August 18, 2009

From: Troy Tymesen, Finance Director

Subject: Amending the 2008-2009 Fiscal Year Appropriations (Budget)

Decision Point:

To set a public hearing to review and approve the amendments being presented by staff regarding the changes to the appropriations ordinance for the current Fiscal Year, 2008-2009.

History:

The City Council annually amends the original appropriations ordinance.

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 amendments to the appropriations ordinance.

Performance Analysis:

Revenues in excess of the anticipated budget plus fund balance will cover the increased expenses and transfers.

Decision Point:

To set the public hearing to review and approve the amendments being presented by staff regarding the changes to the appropriations ordinance for the current Fiscal Year, 2008-2009.

CITY OF COEUR D'ALENE
FISCAL YR 2008-09 BUDGET AMENDMENT

08/13/09

	FY 08-09 BUDGETED	FY 08-09 PROJECTED	Projected Increase
<u>TAXES</u>			
CURRENT YEAR	14,046,946	14,046,946	0
<u>FEES & LICENSES</u>			
CABLEVISION	238,376	190,000	(48,376)
NATURAL GAS	717,040	585,000	(132,040)
ELECTRICITY	1,136,288	1,094,040	(42,248)
BUS. LICENSE	68,000	72,400	4,400
BLDG/INSPECTN	1,345,000	865,000	(480,000)
BLDG/INSPECTN MECHANICAL	120,000	68,000	(52,000)
STORMWATER REVIEW	1,500	1,500	0
PLUMBING INSPECTION	205,000	123,000	(82,000)
ENCROACHMENT PERMITS	34,000	28,000	(6,000)
ELECTRICAL PERMITS	15,000	15,000	0
BUS. PERMITS	15,000	15,000	0
BURN PERMITS	700	700	0
SIGN PERMITS	20,000	20,000	0
BID SPECS	1,500	5,500	4,000
TOTAL FEES AND LICENSES	<u>3,917,404</u>	<u>3,083,140</u>	<u>(834,264)</u>
<u>INTERGOVERNMENTAL</u>			
LIQUOR	676,904	800,000	123,096
HIGHWAY USER	1,573,391	1,445,000	(128,391)
REVENUE SHARE	2,112,581	1,800,000	(312,581)
SALES TAX	786,253	630,000	(156,253)
HIGHWAY DIST	515,000	590,000	75,000
KOOTENAI CNTY EMSS	1,447,602	1,447,602	0
FEDERAL GRANT	385,238	495,448	110,210
STATE GRANT		25,370	25,370
SCHOOL RESOURCE OFFICER	174,070	183,726	9,656
OTHER INCOME (THRU CNTY)	98,000	98,000	0
TOTAL INTERGOVERNMENTAL	<u>7,769,039</u>	<u>7,515,146</u>	<u>(253,893)</u>
<u>SERVICES</u>			
ANNEX/ZONING FEES	42,000	11,000	(31,000)
FEES FOR DOCUMENT PREP	1,200	1,200	0
POLICE	63,300	90,000	26,700
FIRE	89,000	39,000	(50,000)
STREET	20,060	20,060	0
STREET WEAR	242,066	242,066	0
BILLING	6,000	6,000	0
RECREATION	220,000	227,030	7,030
RIVERSTONE WEST MAINTENANCE	29,000	29,000	0
MAP/CODE BOOKS	1,050	1,050	0
RENTS & LEASES	30,000	35,000	5,000
TOTAL SERVICES	<u>743,676</u>	<u>701,406</u>	<u>(42,270)</u>
<u>FINES/FORFEITS</u>			
DISTRICT COURT	315,000	315,000	0
RESTITUTIONS	9,000	9,000	0
PARKING	62,000	50,000	(12,000)
DRUG TASK FORCE			0
LATE FEE ON UTILITY BILLS	38,000	56,000	18,000
ANIMAL CITATION FINES	4,000	14,000	10,000
ORDINANCE VIOLATIONS	2,500	3,600	1,100
NSF CHECK FEES	1,800	1,950	150
TOTAL FINES AND FORFEITS	<u>432,300</u>	<u>449,550</u>	<u>17,250</u>

CITY OF COEUR D'ALENE
FISCAL YR 2008-09 BUDGET AMENDMENT

08/13/09

	FY 08-09 BUDGETED	FY 08-09 PROJECTED	Projected Increase
INTEREST EARNINGS			
INTEREST EARNINGS	250,000	90,000	(160,000)
MISCELLANEOUS			
SURPLUS SALE	18,000	18,000	0
OTHER	9,600	9,600	0
TOTAL MISCELLANEOUS	27,600	27,600	0
TRANSFERS			
INTERFUND TRANSFER	1,565,960	1,565,960	0
TRF FROM CAPITAL PROJECTS		90,400	90,400
TRF FROM ANNEXATIONS FEES	400,000	400,000	0
TOTAL TRANSFERS	1,965,960	2,056,360	90,400
DESIGNATED FUND BALANCE			0
FUND BALANCE		1,463,002	1,463,002
TOTAL FUND BALANCE	0	1,463,002	1,463,002
TOTALS	29,152,925	29,433,150	280,225

SUMMARY	FY 08-09 BUDGETED	FY 08-09 PROJECTED	Projected Increase
Taxes	\$ 14,046,946	\$ 14,046,946	0
Fees and Licenses	3,917,404	3,083,140	(834,264)
Intergovernmental	7,769,039	7,515,146	(253,893)
Services	743,676	701,406	(42,270)
Fines and Forfeits	432,300	449,550	17,250
Interest	250,000	90,000	(160,000)
Miscellaneous	27,600	27,600	0
Interfund Transfer	1,965,960	2,056,360	90,400
Beginning Balance	0	1,463,002	1,463,002
TOTAL GENERAL FUND	\$ 29,152,925	\$ 29,433,150	\$ 280,225

General Fund - Added Expenses

Cost

Municipal Services - Repairs needed due to lightning strike	10,000
Police Dept - EUDL Grant - Overtime	4,000
Police Dept - EUDL Grant - breathalyzer and lab kit	2,410
Police Dept - Highway Safety Grant overtime for DUI	5,725
Police Dept - Highway Safety Grant overtime for Youth School Zone	2,700
Police Dept - Highway Safety Grant overtime for Seatbelts	5,235
Police Dept - Highway Safety Grant overtime for Aggressive Driving	2,610
Police Dept - Highway Safety Grant overtime for Law Enforcement Liason	355
Police Dept - Substation Building	50,229
Police Dept - Bullet Proof Vest Reimbursement Grant	3,890
Police Dept - Minor Equipment - Unclaimed Property	4,035
Police Dept - Tuition Reimbursement Rollover per contract	7,631
Police Dept - Highway Safety Grant training for Law Enforcement Liason	2,335
2008 Byrne Grant awarded for equipment - 2008-DJ-BX-0514	30,745
2007 Byrne Grant - remainder of 2007 grant - 2007-DJ-BX-0720	67,050
2006 Byrne Grant - remainder of 2006 grant - 2006-DJ-BX-0248	1,725
2006 Byrne Grant - remainder of 2006 grant - 2006-DJ-BX-0248	800
Fire Dept - Fire Communication Grant	6,000
Streets Dept - Operating Supplies - winter	36,500
Engineering - US 95 Access Study	12,000
Engineering - Overlay carryover	66,142
Engineering - Savings in wages	(78,142)
Parks Dept - Carryover for Parks Shop Building	62,000
Recreation - Repair of field lights carryover	4,750
Recreation - Carryover from 07-08 for ATV	6,000
Building Dept - Savings in wages	(36,500)
	<u>\$ 280,225</u>

CITY OF COEUR D'ALENE
FISCAL YR 2008-09 BUDGET AMENDMENT

08/13/09

<u>Other Funds - Added Expenses</u>	<u>Cost</u>
Walmart mini grant - Strengthening Library Services for Youth in Idaho	7,000
Howard - Neider Avenue Extension	100,000
Intersection of Hanley & US 95	60,000
4th St - Lakeside to Harrison	2,900,000
15th St - Lunceford to Dalton	(220,000)
2006 GO Bond Capital Projects - Library	7,000
2006 GO Bond Capital Projects - Fire Dept - Fire Station #2 Remodel	1,000
2006 GO Bond Capital Projects - Fire Dept - Fire Equipment	1,400
2006 GO Bond Capital Projects - Fire Dept - Fire Station #1 Remodel	65,000
2006 GO Bond Capital Projects - Fire Dept - Tower	5,000
2006 GO Bond Capital Projects - Fire Dept - Admin Building	15,000
Cemetery Fund - Niche Wall / Fencing	315,000
Fort Sherman Playground Trust - improvements	2,750
Reforestation - Landscaping and trees	1,000
Street Trees - Reimbursements	10,000
Community Canopy - grant	1,200
KMPO	100,000
	<u>\$ 3,371,350</u>

RESOLUTION NO. 09-034

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED AMENDED BUDGET FOR FISCAL YEAR 2008-2009, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE AMENDED ESTIMATED REVENUE FROM PROPERTY TAXES AND THE AMENDED TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR AND PROVIDING FOR PUBLICATION OF THE SAME.

WHEREAS, it is necessary, pursuant to Idaho Code 50-1003, for the City Council of the City of Coeur d'Alene, prior to passing an Amended Annual Appropriation Ordinance, to prepare a proposed amended Budget, tentatively approve the same, and enter such proposed amended Budget at length in the journal of the proceedings; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene, that the following be and the same is hereby adopted as an Amended Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2008:

GENERAL FUND EXPENDITURES:

Mayor and Council-----	\$	196,635	
Administration-----		807,460	
Finance Department-----		753,390	
Municipal Services-----		1,300,580	1,310,580
Human Resources-----		251,441	
Legal Department-----		1,291,886	
Planning Department-----		539,815	
Building Maintenance-----		422,359	
Police Department-----		9,246,765	9,337,920
K.C.J.A. Task Force-----		51,640	
ADA Sidewalks-----		211,814	
Byrne Grant-----		80,662	180,982
Fire Department-----		6,647,518	6,653,518
General Government-----		202,890	
Engineering Services-----		1,261,233	
Streets/Garage-----		2,549,117	2,585,617
Parks Department-----		1,725,209	1,787,209
Recreation Department-----		777,233	787,983
Building Inspection-----		<u>904,815</u>	<u>868,315</u>

TOTAL GENERAL FUND EXPENDITURES: ~~\$29,222,462~~ \$29,502,687

SPECIAL REVENUE FUND EXPENDITURES:

Library Fund-----	\$	1,180,404	1,187,404
Impact Fee Fund-----		2,000,000	

Parks Capital Improvements-----	1,578,000	
Annexation Fee Fund-----	400,000	
Insurance / Risk Management-----	318,000	
Cemetery Fund-----	<u>296,734</u>	<u>611,734</u>
TOTAL SPECIAL FUNDS:	<u>\$5,773,138</u>	<u>\$6,095,138</u>
ENTERPRISE FUND EXPENDITURES:		
Street Lighting Fund-----	\$ 572,090	
Water Fund-----	7,020,412	
Wastewater Fund-----	17,180,612	
Water Cap Fee Fund-----	1,000,000	
WWTP Cap Fees Fund-----	3,798,325	
Sanitation Fund-----	3,100,546	
City Parking Fund-----	184,132	
Stormwater Management-----	<u>1,569,026</u>	
TOTAL ENTERPRISE EXPENDITURES:	<u>\$34,425,143</u>	
TRUST AND AGENCY FUNDS:-----	3,709,548	3,824,498
STREET CAPITAL PROJECTS FUNDS:-----	1,220,000	4,060,000
2006 GO BOND CAPITAL PROJECT FUND:-	500,000	594,400
DEBT SERVICE FUNDS:-----	<u>2,383,816</u>	
GRAND TOTAL OF ALL EXPENDITURES:	<u>\$77,234,107</u>	<u>\$80,885,682</u>

BE IT FURTHER RESOLVED, that the same be spread upon the Minutes of this meeting and published in two (2) issues of the Coeur d'Alene Press, seven (7) days apart, to be published on August 26, 2009 and September 2, 2009.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 15th day of September, 2009 at the hour of 6:00 o'clock p.m. on said day, at which time any interested person may appear and show cause, if any he has, why the proposed amended Budget should or should not be adopted.

DATED this 18th day of August, 2009.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk

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

ROLL CALL:

COUNCIL MEMBER KENNEDY Voted _____

COUNCIL MEMBER GOODLANDER Voted _____

COUNCIL MEMBER BRUNING Voted _____

COUNCIL MEMBER EDINGER Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER HASSELL Voted _____

_____ was absent. Motion _____.

**CITY COUNCIL
STAFF REPORT**

DATE: August 18, 2009
FROM: Christopher H. Bates, Engineering Project Manager
SUBJECT: **Nettleton Short Plat, Final Plat Approval**

DECISION POINT

Staff is requesting the following:

1. City Council approval of the final plat document, a 3 lot residential development.

HISTORY

- a. Applicant: Timothy Rede
3504 N. Providence
Spokane, WA 99207
- b. Location: South side of Nettleton Gulch Road, +/- 180' east of 15th Street.
- c. Previous Action: Preliminary plat approval in August 2007.

FINANCIAL ANALYSIS

There are no financial agreements required for the development.

PERFORMANCE ANALYSIS

The installations required for the final platting have been completed and the plat is now ready for approval.

DECISION POINT RECOMMENDATION

1. Approve the final plat document.

PLAT OF
NETTLETON SHORI PLAT
 A PORTION OF TRACT 20, THOMAS PARK ADDITION TO COEUR D'ALENE,
 SITUATED IN SECTION 6, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO
 PAGE 2 OF 2

BOOK _____ PAGE _____
 NO. _____

REFERENCES

1. PLAT OF THOMAS PARK ADDITION TO COEUR D'ALENE, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, RECORDED IN BOOK 142, KOOTENAI COUNTY RECORDS OFFICE.
2. PLAT OF SHARACHELLE TERRACE BY GRAY TRAVIS, 1917, AUGUST 1918, RECORDED IN BOOK 228 OF PLATS AT PAGE 228, KOOTENAI COUNTY RECORDS OFFICE.
3. PLAT OF STINER ADDITION TO COEUR D'ALENE, CITY OF COEUR D'ALENE, KOOTENAI COUNTY RECORDS OFFICE.
4. PLAT OF STINER ADDITION TO COEUR D'ALENE, CITY OF COEUR D'ALENE, KOOTENAI COUNTY RECORDS OFFICE.
5. RECORD OF SURVEY BY JAMES W. STINER, P.L.S. #278, 1916, 1917, 1918, RECORDED IN BOOK 22 OF SURVEYS AT PAGE 47, KOOTENAI COUNTY RECORDS OFFICE.
6. RECORD OF SURVEY BY JOHN W. HOWA, P.L.S. #192, 1918, RECORDED IN BOOK 22 OF SURVEYS AT PAGE 161, KOOTENAI COUNTY RECORDS OFFICE.
7. PLAT OF FRUITDALE BY J. W. EDWARDS, MAY 1907, RECORDED IN BOOK 19 OF PLATS AT PAGE 194, KOOTENAI COUNTY RECORDS OFFICE.

NOTES

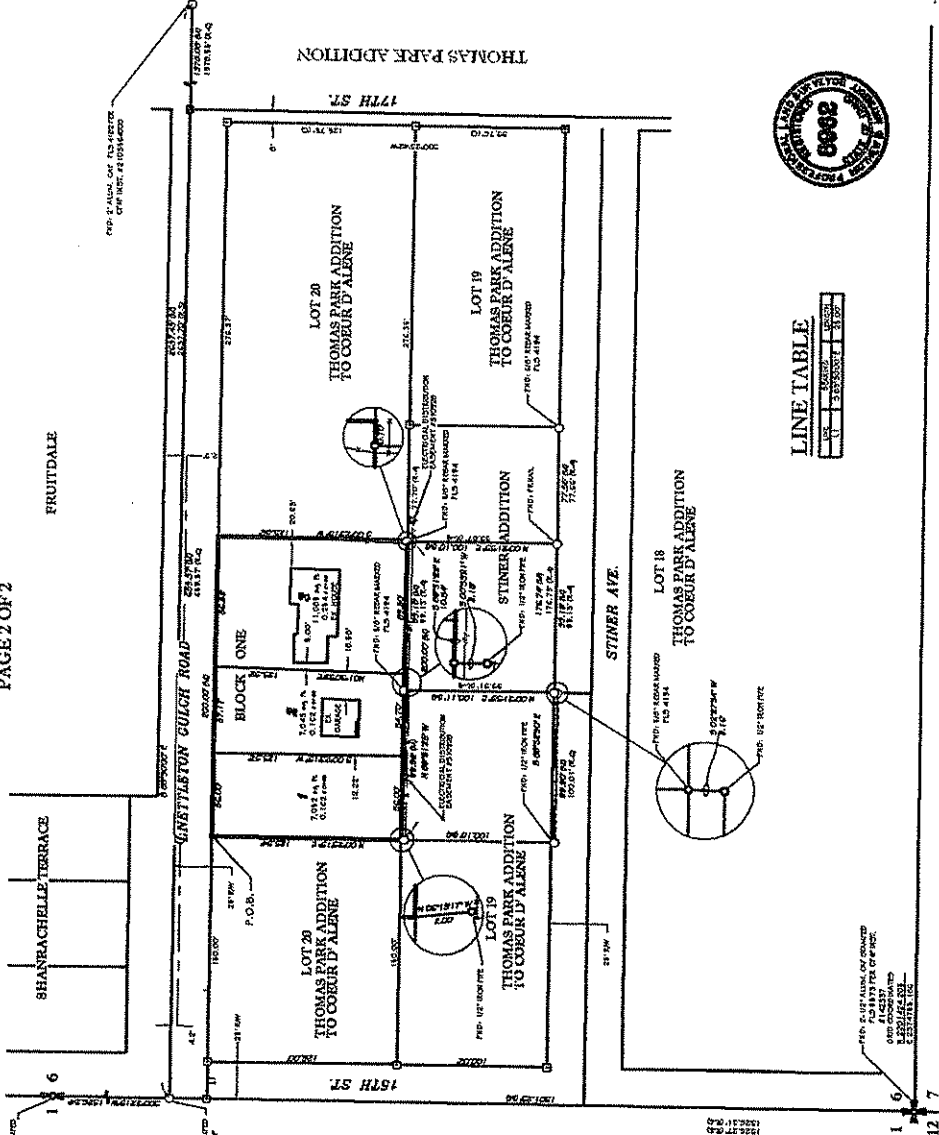
1. THIS PLAT IS THE FIRST PART OF A SERIES OF PLATS WHICH WILL BE RECORDED IN THIS PLAT, OR SHOW AND NOT RECORDED IN THIS PLAT, FOR INFORMATIONAL PURPOSES ONLY.
2. ANY RIGHT OF WAY PEDIAN AND/OR THE GRANTING OF UTILITIES, WATER, GAS, OR OTHER SERVICES ARE SHOWN IN THE OWNERS' CERTIFICATE, PAGE ONE OF THIS PLAT.
3. THERE IS AN EXISTING EASEMENT FOR AN ELECTRICAL DISTRIBUTION LINE TO THE WASHINGTON WATERWORKS CO. AT ELECTRICAL DISTRIBUTION LINE 1200 AT PAGE 460, INSTRUMENT #310225, KOOTENAI COUNTY RECORDS OFFICE, AS DEPICTED ON PAGE TWO (2) OF THIS PLAT.

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS PLAT IS THE BEARING OF THE CORNER OF SECTION 6, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO. THE COORDINATES SHOWN HEREIN ARE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO. THE COORDINATES SHOWN HEREIN ARE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO. THE COORDINATES SHOWN HEREIN ARE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO.

LEGEND

- MEASURED
- RECORDED
- SET BY S.P. ZERAN WITH PLASTIC OR HARDENED P.L.S. # ROSE
- FOUND AS NOTED
- COMPUTED FROM PHOTOGRAMMETER OR S.D.
- QUARTER CORNER
- SECTION CORNER
- CENTER SECTION CORNER
- EXISTING FENCE



LINE TABLE

LINE	BEARING	DISTANCE
1	S 89° 55' 00" E	31.70
2	S 89° 55' 00" E	31.70
3	S 89° 55' 00" E	31.70



SCALE 1"=50'
 RECORDED BY: AM
 DATE: 05-22-07
 DRAWN BY: TH
 DATE: 07-17-07
 CHECKED BY: JG
 DATE: 07-17-07
 P.L.S. # 100000000
 P.L.S. # 100000000
 P.L.S. # 100000000

ADVANCED TECHNOLOGY SURVEYING & ENGINEERING
 INC.

917 N. 1850 E. STEER, NAUVOO, UT 84303
 • (801) 732-2111 • FAX (801) 732-2111

ANNOUNCEMENTS

OTHER COMMITTEE MINUTES
(Requiring Council Action)

GENERAL SERVICES COMMITTEE M E M O R A N D U M

DATE: AUGUST 4, 2009

FROM: RENATA MCLEOD, PROJECT COORDINATOR

RE: APPROVAL OF THE CDBG COMMITTEE GRANT AWARD
RECOMMENDATIONS TO ST. VINCENT DE PAUL AND HABITAT FOR
HUMANITY.

DECISION POINT:

Approval of the recommendation by the CDBG Ad Hoc Committee to award the grants to St. Vincent De Paul and Habitat for Humanity and authorize staff to proceed with sub-recipient agreements.

HISTORY: On July 9, 2009, the City advertised the availability of funding for eligible CDBG projects, as well as, posting the information on the City webpage, and emailing the information directly to many service organizations and interested parties. Since this is the first year conducting a competitive grant process, an information/training session was held July 14, 2009, which provided an expanded explanation of the CDBG funding and associated regulations. Six grant applications were received by July 27, 2009. Two of the Ad Hoc Committee members had a conflict of interest with a grant applicant, and did not participate in the application reviews. The remaining three members of the Ad Hoc Committee met on August 4, 2009 to rate and review the grant applications. Based on the grant criteria, St. Vincent De Paul and Habitat for Humanity rated as the top two scores. St. Vincent De Paul requested \$44,600.00 for expansion of the Angle Arms project. This Rapid Re-housing/Housing First Project is designed to help the homeless transition more rapidly out of the shelter system. Habitat for Humanity requested \$50,000.00, however only \$45,400.00 of grant dollars are remaining. The grant offer will be at the \$45,400 level to use towards construction of a five dwelling-unit project on property already owned by Habitat for Humanity (located at Hazel Avenue and 10th Street).

FINANCIAL: \$90,000.00 was allocated out of the CDBG Plan Year 2009 funding for these grants.

PERFORMANCE ANALYSIS: Authorizing this recommendation will allow these two organizations to continue to plan their programs and projects, and allow the City to move forward with sub-recipient agreements.

DECISION POINT/RECOMMENDATION: Approval of the recommendation by the CDBG Ad Hoc Committee to award the grants to St. Vincent De Paul and Habitat for Humanity and authorize staff to proceed with sub-recipient agreements.

PUBLIC HEARINGS

**CITY COUNCIL
STAFF REPORT**

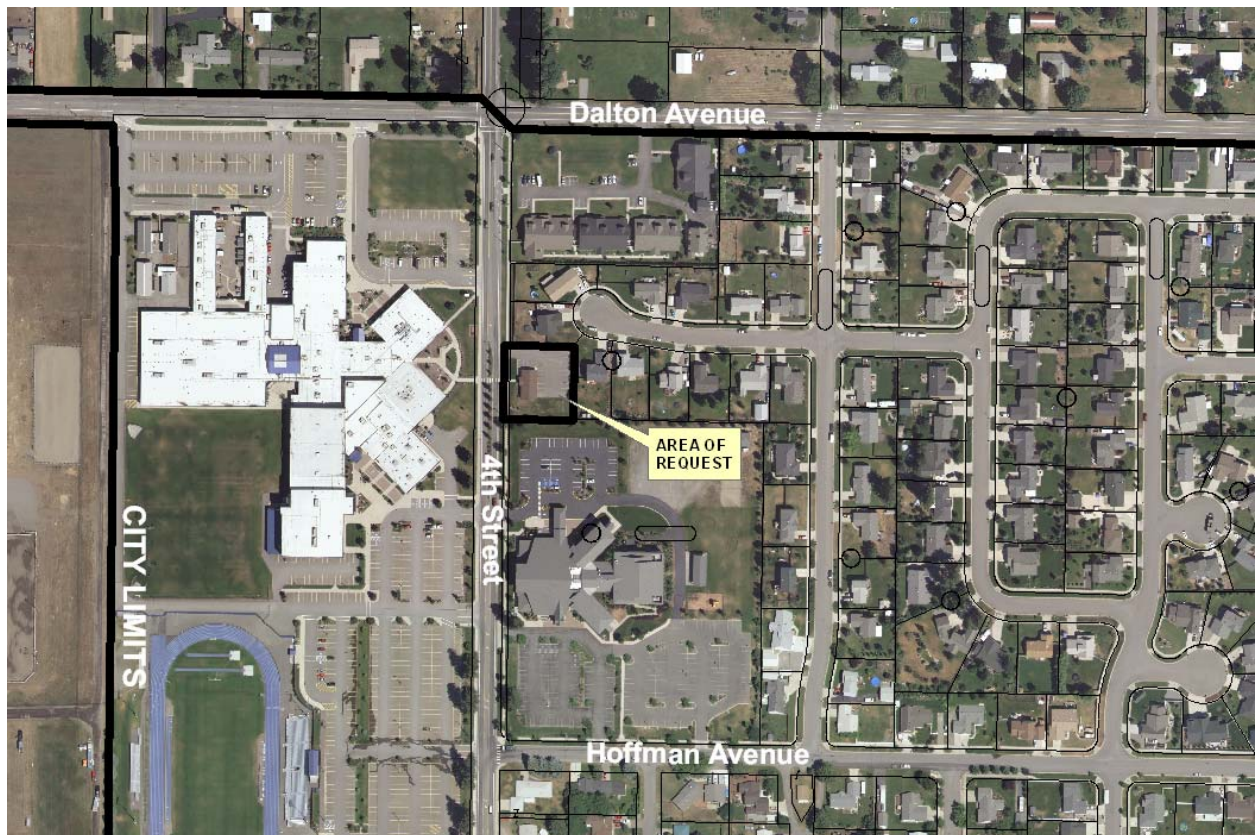
FROM: JOHN J. STAMSOS, SENIOR PLANNER
DATE: AUGUST 18, 2009
SUBJECT: RCA-3-09 – REQUEST TO CONSIDER ANNEXATION
LOCATION: +/- 19,646 SQ. FT. PARCEL AT 5490 NORTH 4TH STREET

DECISION POINT:

Richard Colburn, H2A architects, representing the LDS Church is requesting approval of a Request to Consider Annexation of a +/- 19,646 sq. ft. parcel at 5490 North 4th Street.

If the request is approved, the applicant may proceed with filing a formal application for annexation to the City of Coeur d'Alene. If the application is denied, the applicant must wait one year before filing the same application again.

GENERAL INFORMATION:



1. **Area of City Impact:**

The area of request is within the Coeur d'Alene Area of City Impact boundary.

2. **Contiguity with City Boundary:**

The area of request is contiguous to existing city limits.

3. **Orderly Growth:**

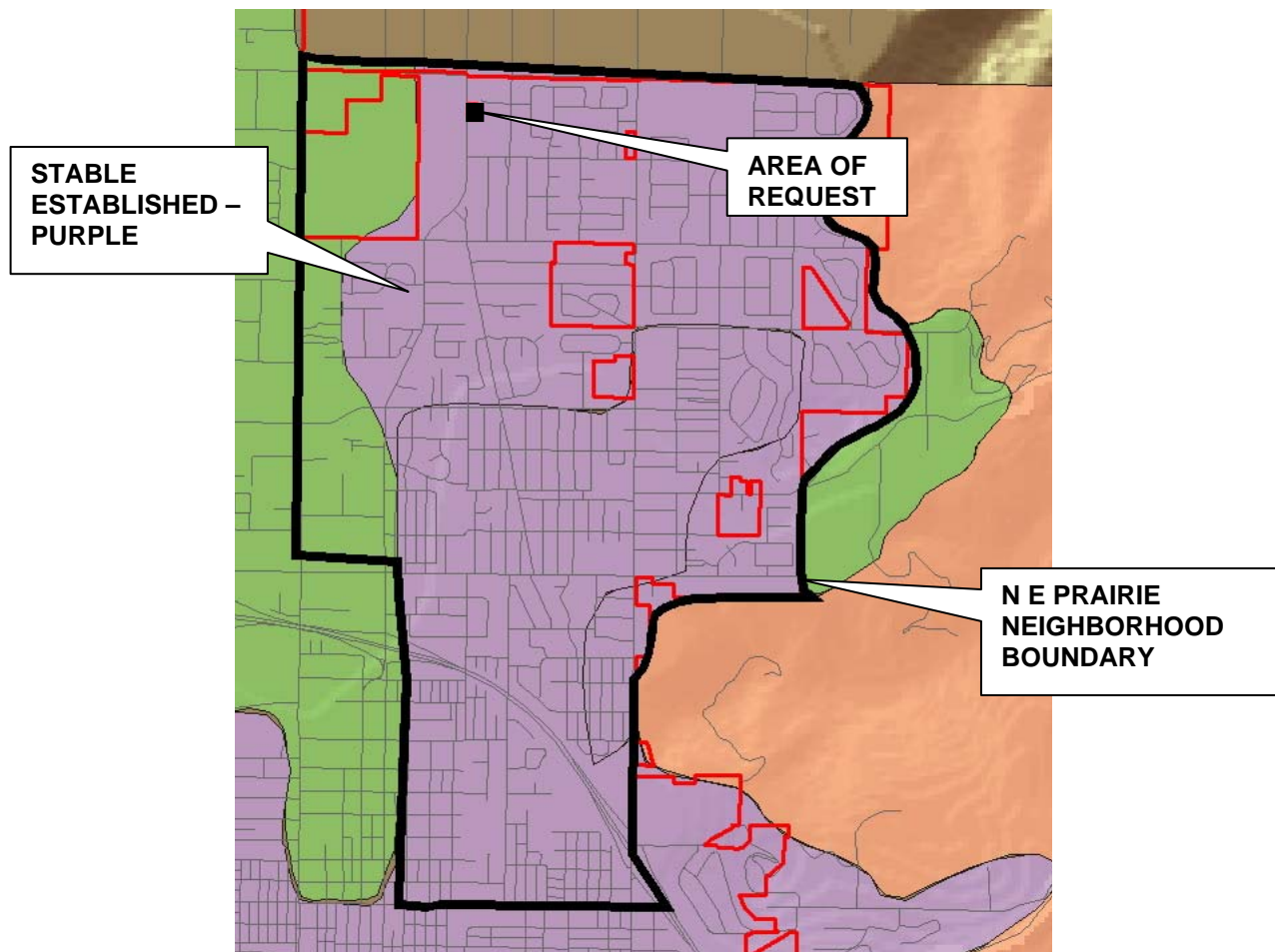
This request would create a more uniform city boundary by bringing an "island" of unincorporated land surrounded by the city into Coeur d'Alene. It would also benefit the applicant by allowing him to connect to the City water system. With termination of water service from the Troy Hoffman water system on October 3, 2009, the City water system is the only public system available to them but, in order to obtain service, they must annex into the city.

4. **Physical constraints:**

The parcel is relatively flat with no physical constraints.

5. **2007 Comprehensive Plan**

The subject property has a land use designation of Stable Established and is within the N E Prairie Area, as follows:



A. **Stable Established Areas:**

These areas are where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, the number of building lots and general land use are not expected to change greatly within the planning period.

B. **N E Prairie:**

It is typically a stable established housing area with a mix of zoning districts. The majority of this area has been developed. Special care should be given to the areas that remain such as the Nettleton Gulch area, protecting the beauty and value of the hillside and wetlands.

C. **The characteristics of N E Prairie neighborhoods will be:**

- That overall density may approach three to four residential units per acre (3-4:1), however, pockets of higher density housing and multi-family units are appropriate in compatible areas.
- Commercial uses are concentrated in existing commercial areas along arterials with neighborhood service nodes where appropriate.
- Natural vegetation is encouraged and should be protected in these areas.
- Pedestrian connections and street trees are encouraged in both existing neighborhoods and developing areas.
- Clustering of smaller lots to preserve large connected open space areas as well as views and vistas are encouraged.
- Incentives will be provided to encourage clustering

6. **Water:**

The applicant is filing the request in order to get City water service. They are currently served by the Troy Hoffman Water Corporation but have been notified that on October 3, 2009 Troy Hoffman will terminate water service. The only other public water system in the area is the City of Coeur d'Alene system but, in order to connect to the system, they must annex into the city.

ACTION ALTERNATIVES:

The City Council can approve the request, with or without conditions, which would allow the applicant to file a formal application for annexation or deny the request, which would require the applicant to wait one year before filing the same application to consider annexation.

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

FUND	BALANCE 6/30/2009	RECEIPTS	DISBURSE- MENTS	BALANCE 7/31/2009
General-Designated	\$474,352	\$10,667	\$3,026	\$481,993
General-Undesignated	2,271,541	14,935,679	10,718,377	6,488,843
<u>Special Revenue:</u>				
Library	(63,078)	412,476	96,248	253,150
Cemetery	(37,119)	263,482	25,563	200,800
Parks Capital Improvements	800,922	41,177	253,967	588,132
Impact Fees	2,340,320	73,162		2,413,482
Annexation Fees	202,736	60,000		262,736
Insurance	1,936,789	40,216	5,464	1,971,541
<u>Debt Service:</u>				
2000, 2002 & 2006 G.O. Bonds	820,485	996,341		1,816,826
LID Guarantee	285,825	2,945		288,770
LID 124 Northshire/Queen Anne/Indian Meadows	1,273			1,273
LID 127 Fairway / Howard Francis	1,507	982		2,489
LID 129 Septic Tank Abatement	159,198	172		159,370
LID 130 Lakeside / Ramsey / Industrial Park	24,050			24,050
LID 143 Lunceford / Neider	18,766	200		18,966
LID 145 Govt Way - I-90 to Dalton	35,556	2,956		38,512
LID 146 Northwest Boulevard	125,905	7,407		133,312
LID 148 Fruitland Lane Sewer Cap Fees	15,227			15,227
<u>Capital Projects:</u>				
Street Projects	667,511	605,332	410,847	861,996
2006 GO Bond Capital Projects	98,345	79	32,375	66,049
<u>Enterprise:</u>				
Street Lights	131,796	40,274	41,182	130,888
Water	7,764	387,770	356,938	38,596
Water Capitalization Fees	1,322,103	79,669	474	1,401,298
Wastewater	14,541,557	520,414	845,673	14,216,298
Wastewater-Reserved	1,284,926	27,500		1,312,426
WWTP Capitalization Fees	2,784,530	115,441		2,899,971
WW Property Mgmt	60,668			60,668
Sanitation	28,849	256,041	253,737	31,153
Public Parking	606,160	10,417	5,851	610,726
Stormwater Mgmt	624,045	111,783	40,382	695,446
Wastewater Debt Service	72	355,236	355,236	72
<u>Trust and Agency:</u>				
Kootenai County Solid Waste Billing	179,859	187,177	180,049	186,987
LID Advance Payments	265	40		305
Police Retirement	1,340,029	75,450	17,228	1,398,251
Cemetery P/C	2,065,291	12,175	248,575	1,828,891
Sales Tax	1,152	1,180	1,152	1,180
Jewett House	10,642		1,236	9,406
KCATT	3,407			3,407
Reforestation	6,155	966	572	6,549
Street Trees	210,460	11,100	900	220,660
Community Canopy	462			462
CdA Arts Commission	4,917	1,470	30	6,357
Public Art Fund	78,671		2,000	76,671
Public Art Fund - LCDC	175,028		8,000	167,028
Public Art Fund - Maintenance	110,216	673	689	110,200
KMPO - Kootenai Metro Planning Org	4,564	40,384	38,838	6,110
BID	130,416	19,993		150,409
Homeless Trust Fund	385	446	385	446
GRAND TOTAL	\$35,894,501	\$19,708,872	\$13,944,994	\$41,658,379

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 TEN MONTHS ENDED
 31-Jul-2009

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 7/31/2009	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$178,075	\$144,614	81%
	Services/Supplies	18,560	9,331	50%
Administration	Personnel Services	487,884	395,825	81%
	Services/Supplies	319,576	30,185	9%
Finance	Personnel Services	618,800	513,119	83%
	Services/Supplies	134,590	76,518	57%
Municipal Services	Personnel Services	781,490	649,713	83%
	Services/Supplies	519,090	371,670	72%
Human Resources	Personnel Services	200,841	168,221	84%
	Services/Supplies	50,600	23,650	47%
Legal	Personnel Services	1,188,345	968,239	81%
	Services/Supplies	103,542	64,473	62%
	Capital Outlay			
Planning	Personnel Services	480,015	394,018	82%
	Services/Supplies	59,800	28,908	48%
Building Maintenance	Personnel Services	274,385	212,510	77%
	Services/Supplies	147,975	97,867	66%
Police	Personnel Services	8,388,028	6,711,798	80%
	Services/Supplies	720,719	491,568	68%
	Capital Outlay	138,018	123,791	90%
Fire	Personnel Services	6,198,116	5,218,702	84%
	Services/Supplies	419,402	242,099	58%
	Capital Outlay	30,000	35,952	120%
General Government	Services/Supplies	202,890	177,830	88%
Byrne Grant (Federal)	Services/Supplies	80,662	14,817	18%
COPS Grant	Services/Supplies			
CdA Drug Task Force	Services/Supplies	51,640	23,529	46%
	Capital Outlay			
Streets	Personnel Services	1,801,367	1,450,193	81%
	Services/Supplies	512,750	391,110	76%
	Capital Outlay	235,000	118,140	50%
ADA Sidewalk Abatement	Personnel Services	140,214		
	Services/Supplies	71,600	58,611	82%
Engineering Services	Personnel Services	524,633	320,408	61%
	Services/Supplies	736,600	141,094	19%
	Capital Outlay			

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 TEN MONTHS ENDED
 31-Jul-2009

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 7/31/2009	PERCENT EXPENDED
Parks	Personnel Services	1,210,389	925,278	76%
	Services/Supplies	433,820	263,408	61%
	Capital Outlay	81,000	87,985	109%
Recreation	Personnel Services	584,633	444,310	76%
	Services/Supplies	151,600	78,610	52%
	Capital Outlay	41,000	43,520	106%
Building Inspection	Personnel Services	832,665	643,756	77%
	Services/Supplies	56,150	26,621	47%
	Capital Outlay	16,000	15,900	99%
Total General Fund		<u>29,222,464</u>	<u>22,197,891</u>	<u>76%</u>
Library	Personnel Services	922,504	731,280	79%
	Services/Supplies	192,900	145,335	75%
	Capital Outlay	65,000	49,412	76%
Cemetery	Personnel Services	172,654	139,617	81%
	Services/Supplies	76,080	70,333	92%
	Capital Outlay	48,000	128,092	267%
Impact Fees	Services/Supplies	2,000,000	1,520,180	76%
Annexation Fees	Services/Supplies	400,000	400,000	100%
Parks Capital Improvements	Capital Outlay	1,578,000	1,108,457	70%
Insurance	Services/Supplies	318,000	188,377	59%
Total Special Revenue		<u>5,773,138</u>	<u>4,481,083</u>	<u>78%</u>
Debt Service Fund		<u>2,383,816</u>	<u>1,482,218</u>	<u>62%</u>
Ramsey Road	Capital Outlay			
Govt Way - Dalton to Hanley	Capital Outlay	300,000	202,243	67%
Howard - Neider Extension	Capital Outlay	450,000		
4th St - Lakeside to Harrison	Capital Outlay		879,261	
4th St - Anton to Timber	Capital Outlay			
Ironwood	Capital Outlay			
15th Street - Lunceford to Dalton	Capital Outlay	220,000		
Seltice Way	Capital Outlay			
15th St & Harrison signal	Capital Outlay	250,000	13,202	
Intersection of Hanley & US95	Capital Outlay		4,328	
GO Bond - Refunding & Misc	Capital Outlay			
Library Building	Capital Outlay		6,722	
Fire Dept GO Bond Expenditure	Capital Outlay	500,000	541,404	108%
Total Capital Projects Funds		<u>1,720,000</u>	<u>1,647,160</u>	<u>96%</u>

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
TEN MONTHS ENDED
31-Jul-2009

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 7/31/2009	PERCENT EXPENDED
Street Lights	Services/Supplies	572,090	429,263	75%
Water	Personnel Services	1,489,698	1,139,397	76%
	Services/Supplies	3,674,714	1,093,667	30%
	Capital Outlay	1,856,000	731,034	39%
Water Capitalization Fees	Services/Supplies	1,000,000		
Wastewater	Personnel Services	2,070,178	1,549,102	75%
	Services/Supplies	5,001,574	1,545,981	31%
	Capital Outlay	8,620,000	2,197,781	25%
	Debt Service	1,488,860	1,489,284	100%
WW Capitalization	Services/Supplies	3,798,325		
Sanitation	Services/Supplies	3,100,546	2,570,139	83%
Public Parking	Services/Supplies	184,132	98,812	54%
	Capital Outlay			
Stormwater Mgmt	Personnel Services	372,189	284,420	76%
	Services/Supplies	521,837	283,774	54%
	Capital Outlay	675,000	242,635	36%
Total Enterprise Funds		<u>34,425,143</u>	<u>13,655,289</u>	<u>40%</u>
Kootenai County Solid Waste		2,400,000	1,616,819	67%
Police Retirement		244,728	181,206	74%
Cemetery Perpetual Care		103,000	313,569	304%
Jewett House		16,300	13,118	80%
Reforestation		2,000	2,365	118%
Street Trees		40,000	43,167	108%
Community Canopy		620	1,276	206%
CdA Arts Commission		6,700	1,791	27%
Public Art Fund		101,000	2,000	2%
Public Art Fund - LCDC		105,000	10,545	10%
Public Art Fund - Maintenance		5,000	1,886	38%
Fort Sherman Playground			2,707	
KMPO		539,200	503,433	93%
Business Improvement District		142,000	90,000	63%
Homeless Trust Fund		4,000	3,803	95%
Total Trust & Agency		<u>3,709,548</u>	<u>2,787,685</u>	<u>75%</u>
TOTALS:		<u><u>\$77,234,109</u></u>	<u><u>\$46,251,326</u></u>	<u><u>60%</u></u>