

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

VISION STATEMENT

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

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

May 21, 2024

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Chaplain Steve Slover, Salvation Army

C. PLEDGE OF ALLEGIANCE

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

E. PRESENTATIONS:

1. Proclamation – National Safe Boating Week – May 18-24, 2024

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

G. DISCUSSION ON DEMOLITION MORATORIA

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

H. ANNOUNCEMENTS

1. City Council
2. Mayor

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

1. Approval of Council Minutes for the May 7, 2024 Council Meeting.
2. Approval of Minutes from the May 13, 2024 General Services/Public Works Committee Meeting.
3. Setting of General Services/Public Works Committee Meeting for **Tuesday**, May 28, 2024, at 12:00 noon.
4. Approval of Bills as Submitted
5. Approval of Financial Report
6. Setting of an appeal hearing for June 4, 2024: For an appeal made by Joan Woodard of DR-1-24AA; CDA Hotel, LLC (Mariott Hotel) located at 602 & 612 E. Sherman Avenue.
As recommended by the City Clerk

7. Resolution No. 24-041

- a. Accepting Utility Easements for Water Line and Tank Access
 - i. From George and Nelda House Living Trust, property located at 3500 E. Thomas Lane
 - ii. From Lance and Jakayle Sims, property located at 3153 E. Thomas Lane
As recommended by the Water Director
- b. Authorizing the signature of Katharine Ebner, Finance Director/City Treasurer
As recommended by the City Administrator
- c. Approving the purchase of Police MDC Replacements in the amount of \$65,031.20 from PCN
Pursuant to purchasing policy adopted by Res. No. 17-061
- d. Rejection of Bids for the Compost Facility Maintenance Project
- e. Approval of a Memorandum of Understanding with the Coeur d'Alene Regional Chamber of Commerce, Inc., for the 4th of July Parade and Fireworks Show for 2024 and 2025
- f. Approval of a Memorandum of Understanding with Kootenai County for Idaho Regional Optical Network (IRON) High Speed Fiber
- g. Approval for the Contract with Verdis for a generator upgrade at Fire Station 1
As recommended by the General Services/Public Works Committee

J. PUBLIC HEARING:

Please sign up to testify at <https://www.cdaid.org/signinpublic/Signinformlist>

1. (Quasi-judicial) ZC-1-24; GS4 Property, LLC, is requesting a zone change from a NC (Neighborhood Commercial) to C-17; for property located at: SE corner of the intersection of 15th Street and Best Avenue.

Staff Report by: Mike Behary, Associate Planner

- a. **Council Bill No. 24-1007** – Approving ZC-1-24 - GS4 Property, LLC, a zone change from a NC (Neighborhood Commercial) to C-17; for property located at: SE corner of the intersection of 15th Street and Best Avenue.

K. OTHER BUSINESS:

1. **Resolution No. 24-042** - Approval of an Agreement with TRI Utility Cost Reductions, Inc., for services related to a utility bill audit.

Staff Report by: Troy Tymesen, City Administrator

2. **Resolution No. 24-043** - Declaring that there is only one (1) vendor reasonably available for the purchase and installation of Police vehicle emergency equipment for seven (7) police Ford Explorers, authorizing a contract for the same in the amount of \$130,534.77, and directing the City Clerk to publish notice of the sole source expenditure.

Staff Report by: Jeff Walther, Police Captain

3. **Council Bill No. 24-1004** – Approving amendments to Municipal Code Section 17.09.340 allowing for members of the public to testify during an appeal hearing of a decision of the Design Review Commission.

Staff Report by: Randy Adams, City Attorney

4. **Council Bill No. 24-1005** – Approving amendments to Municipal Code Section 4.15.130; to add a \$1,000.00 civil penalty for commercial launch of watercraft without paying the launch fee established by Resolution.

Pursuant to Council Action May 7, 2024

5. **Council Bill No. 24-1006** – Approving amendments to Municipal Code Section 12.28.180(G) and 12.28.210 (C) to increase the building permit value that triggers the requirement for curbs and sidewalk improvements to \$45,000.00.

Staff Report by: Chris Bosley, City Engineer

L. ADJOURNMENT

**This meeting is aired live on CDA TV Spectrum Cable Channel 1301, TDS Channel 5,
and on Facebook live through the City's Facebook page.**



Coeur d'Alene

CITY COUNCIL MEETING

May 21, 2024

MEMBERS OF THE CITY COUNCIL:

Jim Hammond, Mayor

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

PRESENTATIONS

PROCLAMATION

WHEREAS, on average, 700 people die each year in boating-related accidents in the United States, and nearly 70% of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn life jackets; and

WHEREAS, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public.

NOW, THEREFORE, I James Hammond, Mayor of the City of Coeur d'Alene, Idaho, do hereby proclaim the week of May 18th through May 24th, 2024 as

"NATIONAL SAFE BOATING WEEK"

In support of the goals of the North American Safe Boating Campaign and the start of the year-round effort to promote safe boating

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of Coeur d'Alene to be affixed this 21st day of May, 2024.



James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

ANNOUNCEMENTS

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

May 7, 2024

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 May 7, 2024, at 6:00pm., there being present the following members:

James Hammond, Mayor) Absent
Woody McEvers) Mayor Pro Tem
Christie Wood) Members of Council Present
Dan English)
Kiki Miller)
Amy Evans)
Dan Gookin) Member of Council Absent

CALL TO ORDER: Mayor Pro Tem McEvers called the meeting to order.

INVOCATION: Major Don Gilger of the Salvation Army Kroc Center led the invocation.

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

AMENDMENTS TO THE AGENDA: Mayor Pro Tem McEvers noted that due to the absence of Councilmember Gookin, the agenda item regarding the discussion on demolition moratoria will be moved to the next Council meeting. Councilmember Miller stated that she spoke with those who wanted to make a public comment on the topic and invited them to either make the public comment at this meeting or come back to the next meeting when the actual discussion is on the agenda.

PRESENTATIONS:

BIKE MONTH: Councilmember Wood read the Proclamation declaring May 2024 as Bike Month and it was accepted by Mike Fuller, Vice-Chair of the Ped/Bike Committee. Mr. Fuller said that Mayor Hammond will join the bike to work event from Starbucks Government Way and Neider to City Hall on Friday, May 17. He also invited the Councilmembers and the public to join. He added that they appreciate the support rendered to the biking community.

KROC CENTER DAY: Councilmember Evans read the Proclamation declaring May 9, 2024 as Kroc Center Day and it was accepted by Major Don Gilger, Salvation Army Kroc Center Corps Officer and CEO. Mr. Gilger thanked the Council for recognizing Kroc Center's contribution to the community in the past 15 years. He said that they are looking forward to continuing the great

partnership between the Kroc Center, Salvation Army, the City of Coeur d'Alene, and the residents of Kootenai County who come to the Center every day.

PRESERVATION MONTH: Councilmember Miller read the Proclamation declaring the month of May 2024 as Preservation Month and it was accepted by Anneliese Miller, Historic Preservation Commission Vice Chair. Ms. Miller thanked the Council, especially Councilmember Miller for the support for the Commission. She added that she hopes that the Proclamation will bring more awareness and insight on the importance of historic preservation.

PUBLIC COMMENTS:

Anneliese Miller, Coeur d'Alene, appealed to the Council to consider and ultimately enact a six-month moratorium on the demolition of properties in the downtown infill boundaries as well as buildings listed on the National Register of Historic Places. She stated that the Historic Preservation Commission (HPC) is currently reviewing the downtown overlays to make recommendations regarding height, parking, and floor area ratio bonuses. She added that they are also working on recommendations to revise existing demolition codes as they apply to older buildings. Ms. Miller explained that the moratorium will allow the HPC to complete these projects without the threat of demolition in the interim. Further, she said that the HPC does not intend to invade on property rights, but they simply seek the opportunity to provide property owners with options before a historic building is torn down. She also mentioned that several studies have concluded that the loss of historic buildings is detrimental to the mental health of community members.

Kevin Jester, Coeur d'Alene, thanked the Council for the support that the City provides to the Kroc Center which enables them to sustain their efforts as a viable entity in the community for the past 15 years. Mr. Jester, representing the Advisory Board of the Kroc Center, mentioned that at the beginning of their meetings, they would ask themselves three questions to remind themselves of what they are about – what do we do? how do we do it? and why do we do it? He explained that the Kroc Center is more than just a building but a volunteer army behind the Salvation Army interpreting the community needs and advocating for different programs. He mentioned that they are going through a program called 3rd Grade Swim where they run 1,800 3rd graders through swimming lessons at the aquatic center at the Kroc.

Dave Slover, Coeur d'Alene, shared about his experience as a rideshare app driver where he was given a citation with a fine of \$46.50 for parking, stopping, or standing a vehicle on the roadway outside of a business downtown. He explained that in his 5 years of working as a driver in the area, it was an accepted practice to just have his four-way flashers on and get out of the flow of traffic; however, he was told by the officer that it is wrong practice and gave him a citation. Hence, Mr. Slover requested the Council to establish a loading/unloading zone at downtown Coeur d'Alene for Uber/ Lyft/ Rideshare/ Taxi at a minimum from Friday to Sunday between 5:00 p.m. and 3:00 a.m. between 4th and 5th Streets on the north side of Sherman. He asked for at least 3 parking spaces in front of Moose Market Lounge and Iron Horse, and one parking space in front of Crickets on the south side of Sherman Avenue, and one space in front of Crafted north side of on Sherman Avenue or on 6th Street. Mayor Pro Tem McEvers asked Mr. Tymesen to work with Mr. Slover on his request.

Deb Mitchell, Coeur d'Alene, stated that she represents the Kootenai County Advocates for Historic Preservation. She pointed out that the City has issued 115 building permits in the last four months and in the same period last year issued 128 building permits. She said that this is an indication of how development is happening so fast and there is a need to do something before the city loses the character of its communities. She shared information on the demolition moratorium that Boise had placed, and pointed out that the demolition permit process is tied into all the historic codes and overlays. She added that to get a demolition permit, one could be required to get a certificate of appropriateness. She stated that if the construction is on a historic zone, it could go to a public hearing or an administrative hearing.

John Deus, Coeur d'Alene, thanked the Council for the modifications to the Municipal Code to reduce vehicle noise. He said that the residents of Coeur d'Alene North Condominiums have observed a significant reduction in engine noise along Northwest Boulevard. He thanked Mr. Tymesen for taking the lead to address the noise issues downtown and for meeting with him to discuss the noise and speed issues. Mr. Deus also commended the Police Department for the outstanding job of enforcing the new noise criteria. He stated that, in the future, he would like to work with Mr. Tymesen to put up a speed sign that posts the speed limit, records the actual speed of the vehicle, and gives a slowdown warning if the vehicle is over the speed limit. He showed a photo of a speed sign located at inbound 3rd Street just past the Fire Department on the left side.

Jack Riggs, Coeur d'Alene, thanked the Council for recognizing the Kroc Center's 15 years through a Proclamation. He recalled that he was involved in many projects in the community but the best that ever happened is his involvement in bringing up the Kroc Center in Coeur d'Alene.

Emily Boyd, Coeur d'Alene, stated her support and requested the Council to approve the Memorandum of Understanding (MOU) with Downtown Association for 2024 and 2025 Parades. She recalled that last year, the Council requested staff to work on different agreements and consolidate into one bulk agreement. She added that the events in the MOU are a large source of funding for the Downtown Association to help them take care of the downtown corridor. She said that they worked closely with the staff on the MOU and appreciated the work that's gone into it.

ANNOUNCEMENTS:

Councilmember Wood thanked the Police Department for the thorough investigation pertaining to the racial incident that occurred towards the Utah women's basketball team. She also thanked the City Attorney's Office for the diligent review of the facts of the case and how it pertains to criminal law. She said that she respects the final charging decision but stressed that it is important to continue the support to the victims. Councilmember Wood stated that she appreciates the leadership in the community, from past and current Mayors and who have been consistent in the support for human rights, civil rights, dignity, and respect for all. She added that the best thing in the community is that the majority of its residents are kind and inclusive people.

Councilmember English responded to the public comment made about establishing a loading/unloading zone at downtown for Uber/ Lyft/ Rideshare/ Taxi. He said that he would

support this endeavor to dedicate some parking spots and that he is certain that there will be a cooperative way to make this happen. On the issue of moratorium on demolition, Councilmember English requested staff to provide the statistics not just on building permits but specifically on permits relating to demolition of historic buildings.

Mayor Pro Tem McEvers announced that Mayor Hammond requested the appointment of Katharine Ebner to the position of Finance Director/City Treasurer.

MOTION: Motion by Wood, seconded by Miller to appoint Katharine Ebner to the position of Finance Director/City Treasurer. All in favor. **Motion carried.**

CONSENT CALENDAR:

1. Approval of Council Minutes for the April 16, 2024 Council Meeting.
2. Approval of Minutes from the April 22, 2024 General Services/Public Works Committee Meeting.
3. Setting of General Services/Public Works Committee Meeting for Monday, May 13, 2024, at 12:00 noon.
4. Approval of Outdoor Eating Facility Encroachment Permit; Golf Island; 2480 N. Old Mill Loop; Owner: Taylor Vold
5. **Resolution No. 24-032**
 - a. Approval of S-3-22; Birkdale Commons, Final Plat, Subdivision Improvement Agreement and Security
As recommended by the City Engineer
 - b. Approval of the surplus of one Police Department 1995 Ford F350, one 2007 Chevrolet Trailblazer and sell at auction.
As recommended by the Police Chief
 - c. Approval of an agreement between the City of Coeur d'Alene (City) and North Kootenai Water District (NKWD) to provide the City with meter readings of domestic water usage for parcels connected to the City wastewater infrastructure.
As recommended by the Wastewater Director
 - d. Approval of a Lease Agreement with Majestic Eagle LLC to provide food concessions for the 2024, 2025 and 2026 seasons at Independence Point.
As recommended by the General Services/Public Works Committee

MOTION: Motion by Evans, seconded by Miller to approve the Consent Calendar as presented, including **Resolution No. 24-032.**

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

RESOLUTION NO. 24-033

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE REALLOCATION OF THE REMAINDER OF PREVIOUSLY APPROPRIATED FUNDS FROM THE FISCAL YEAR 2023/2024 BUDGET DESIGNATED FOR CDA 2030, INC., IN THE AMOUNT OF \$18,750.00, TO PANHANDLE AREA COUNCIL, WHICH FUNDS ARE RESTRICTED TO THE HOUSING SOLUTIONS PARTNERSHIP FOR WORK WITH A PRIMARILY PUBLIC PURPOSE, IN THE NATURE OF THAT PREVIOUSLY PERFORMED BY CDA 2030, INC.

STAFF REPORT: City Administrator Troy Tymesen noted that the City has long supported CDA 2030 or Connect Kootenai for visioning and community outreach assistance. He said that during the last budget cycle, the Regional Housing and Growth Issues Partnership (RHGIP) merged with CDA2030, and Councilmember Miller encouraged the continuation of the previously approved CDA2030 support due to the successful work in the housing area done by the RHGIP and the desire by the CDA2030 board to have that work continue. However, he added that Connect Kootenai has ceased operations recently and has a remaining budget of \$18,750.00. He explained that the RHGIP, which is now shortened to Housing Solutions Partnership (HSP), have several projects that are currently underway such as Development Agreements workshop, regionwide free ADU plans project, shuttered projects/citizen review panel, Communal Living subcommittee, prequalified buyer and promotion connection team, and game-changing fundraiser with CDA Regional Realtors. Mr. Tymesen stated that Councilmember Miller is requesting the Council to consider reallocating the remaining budget funds of Connect Kootenai to Panhandle Area Council, a 501(c)4 organization equipped to manage finances and contracts, with the goal of seeking local workforce housing solutions by providing financial oversight for HSP. He pointed out that the City Attorney has stated that any taxpayer funds would need to be used primarily for public purpose, hence, direct benefit to any property owner is prohibited. Mr. Tymesen said that the toolkit resources for the use of the said funds include community resource, community data collection/distribution, community education, and meeting coordination/communication.

MOTION: Motion by Wood, seconded by Evans, to approve Resolution No. 24-033- authorizing the reallocation of funds previously appropriated for CDA 2030, Inc., in the amount of \$18,750, to Panhandle Area Council.

DISCUSSION: Councilmember Wood said that she is in complete support and appreciated the efforts of Councilmember Miller as well as the people that she has brought together to form a strong coalition in finding solutions to address the issue of local workers' housing. Councilmember English said that he is also in support and pointed out that the said funds are already in the financial plan, and it is just a matter of moving it to another category. Councilmember Miller shared that the PowerPoint related to this item is posted to the city website. She also mentioned that there are letters in support of the work of HSP where the Idaho Housing and Finance Association has referred the work that the team has put together as the gold standard for the state of Idaho. Councilmember Miller stated that they have committed to another year to volunteer in coordinating this group and she is excited that the Panhandle Area Council has stepped up. She added that aside from the City of Coeur d'Alene, there are other organizations and businesses that will also provide funds. Lastly, she said that she is writing an article on the work that they do.

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

RESOLUTION NO. 24-034

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A LOCAL PROFESSIONAL SERVICES AGREEMENT WITH HMH, LLC, FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE RECTANGULAR RAPID FLASHING BEACONS PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND SEVEN HUNDRED EIGHTY-FIVE AND NO/100 DOLLARS (\$100,785.00).

STAFF REPORT: City Engineer Chris Bosley noted that on January 2020, the City Council approved an application for a federal grant, administered by the Local Highway Technical Assistance Council (LHTAC) to provide pedestrian safety improvements. He said that the City was awarded the grant in April 2020 which will fund pedestrian safety improvements and ADA compliance at several needed locations throughout the City. He added that the design was completed in 2022 and plans were advertised for bidding by LHTAC, and Selland Construction was awarded the contract while HMH Engineering was selected through the Request for Qualifications process to provide Construction Engineering and Inspection Services for the Project. Mr. Bosley mentioned that the proposed locations of the rectangular rapid flashing beacons include Hanley Avenue at Lake City High School; Hanley Avenue and Madellaine Drive; Bosanko & Howard Street; Riverstone Drive & Beebe Boulevard; and then completion of the sidewalk at Best Avenue near 6th Street. He recommended that Council approve the Professional Services Agreement with HMH, LLC, for Construction Engineering and Inspection Services for the Rectangular Rapid Flashing Beacons Project.

DISCUSSION: Mayor Pro Tem McEvers stated that while the said device prioritizes pedestrians, he asked if the vehicles could go through if there are no people, to which Mr. Bosley clarified that it is a warning device to let motorists know that a pedestrian is about to cross the street, however if the flashing light is on but no pedestrians are crossing the street, then the vehicles can continue on. Councilmember Evans thanked Mr. Bosley for the time and effort in identifying appropriate locations to ensure the safety of pedestrians, bikers, and runners. Councilmember Miller asked if the device could be readjusted or reinstalled given the changes on roads and configurations, to which Mr. Bosley explained that the device have concrete foundations on the ground, and they are bolted on to them, so it is possible to readjust or reinstall them in a new location if needed.

MOTION: Motion by Evans, seconded by Miller, to approve **Resolution No. 24-034** – Approval of a professional services agreement with HMH LLC for construction engineering and inspection services for the Rectangular Rapid Flashing Beacon Project.

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

RESOLUTION NO 24-035

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDMENT NO. 5 TO THE SOLID WASTE SERVICES CONTRACT WITH NORTHERN STATE PAK, LLC, D/B/A COEUR D'ALENE GARBAGE.

STAFF REPORT: City Administrator Troy Tymesen noted that the Solid Waste Services Contract with Northern State PAK, LLC, d/b/a Coeur d'Alene Garbage Services was effective on July 1, 2016. He continued that the contract has been amended four times, and Amendment No. 4 was effective for 36 months and will expire on June 30, 2024. He stated that CDA Garbage has fully performed in accordance with the terms and conditions of the Contract and its amendments since then. He added that in May 2018, CDA Garbage requested an increase in the fees for single stream recycling and a modification in the type of recycling which must be accepted under the contract. Mr. Tymesen explained that the extension is for three years, and it will help protect the CDA Garbage and the City so they can continue to work together if recycling costs will continue to go up. He mentioned that CDA Garbage has been, and is, willing to continue to operate under the terms of the Contract and Amendment No. 1, as extended by Amendment 2, 3, and 4. He recommended that Council approve Amendment No. 5 to the contract with Northern State PAK, LLC, d/b/a Coeur d'Alene Garbage Services for solid waste collection.

DISCUSSION: Councilmember Wood asked Philip Damiano, the CEO and owner of CDA Garbage, about his experience with the residents of Coeur d'Alene and their diligence with their recycling. Mr. Damiano explained that the residents are very good with the caveat that a few people dispose of their trash incorrectly thereby contaminating the recyclables. Councilmember Wood stated that there should be public awareness of the right way of disposal. Mr. Damiano said that there is a lot of education in the school system, they also provided brochures and tags the garbage bins to let the residents know that they did not follow the correct way of disposal and that it will not be picked up. Councilmember English asked if there will be a change in the garbage bill in the next 3 years, to which Mr. Tymesen replied that there is a proposal to increase the rate fees with the intention to level out that would help the fund. Councilmember English mentioned that residents are willing to pay extra so they can dispose of glass items and Mr. Damiano said that the glass are being repurposed and taken out of state, hence it is not going into the Kootenai County landfill. He added that glass is tricky to recycle so it is a benefit that it does not go into the city's landfill. Councilmember Miller asked for clarification if the proposed amendment will extend the actual expiration dates of the overall contract, and Mr. Tymesen replied that it just extends the last agreement on the recycling, but it is still within the overall contract. Mayor Pro Tem McEvers asked about the impact of lawn disposal, with Mr. Damiano stating that they see an increase in volume right now. He appealed to the residents to put their lawn clippings in trash bags before putting them in their garbage bins. He added that they don't run a separate composting program because the growing season in Idaho is short.

MOTION: Motion by Wood, seconded by English, to approve **Resolution No. 24-035** – Approval of Amendment No. 5 to the Solid Waste Services Contract with Northern State PAK, LLC, d/b/a Coeur d'Alene Garbage Services.

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

RESOLUTION NO. 24-036

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF AND AWARDING THE CONTRACT FOR THE 2024 MILL AND INLAY PROJECT TO INTERSTATE CONCRETE & ASPHALT, IN AN AMOUNT NOT TO EXCEED ONE MILLION FOUR HUNDRED SEVENTY- ONE THOUSAND EIGHT HUNDRED EIGHTY-EIGHT AND NO/100 DOLLARS (\$1,471,888.00).

STAFF REPORT: Streets and Engineering Director Todd Feusier noted that the asphalt surfaces on Atlas Road, Appleway Avenue, Ramsey Road and Sherman Avenue have deteriorated over the years and in need of maintenance. He said that the Streets and Engineering Department created a project to mill the existing surface and replace it with a new asphalt surface which will result to a longer life of the said streets. He added that the project included a base bid for the area of Atlas Road and three additional alternates for Appleway Avenue, Ramsey Road, and Sherman Avenue. He mentioned that it will be brand new road surface and they will be using thermal plastic which will last and stay reflective up to three years that they don't need to paint up every year. Mr. Feusier stated that the project was advertised for three weeks, and three bids were received and opened on April 16. He explained that among the three, the lowest bidder is Interstate Concrete & Asphalt for \$1,471,888.00 contract for the 2024 Mill and Inlay Project. He added that the project will be a multi-stage process and it will all be night work.

DISCUSSION: Councilmember Wood thanked Mr. Feusier for the tour of the Street Department Building remodel and said that she was impressed with what they were able to do with the funding that was allocated. She inquired about the timeline of the project, particularly on Sherman Avenue which is a busy area with a lot of events. Mr. Feusier said that the project work will be around events, and it will all be night work. He added that the contractor was told that they can't be anywhere near 5th and Sherman on Wednesday night. He said that the only daytime shift will be when the crew will paint or put the thermoplastic down, but they will start early and try to be back open at 10:00 a.m. when businesses open. Mr. Feusier explained that they had a lot of conversations with Interstate Concrete about the events and businesses in the area, and they will have a pre-construction meeting with the Police Department, Fire Department, CDA Downtown Association, and the CDA Resort so they will have inputs on the project schedule. He added that he was pushing for an earlier start, but the project needs warmer temperatures especially at night, so they are looking at the week of July 11th to start and finish before August. Councilmember English mentioned that the intersection at 4th Street and Sherman is a safety hazard because people are parking on the side which totally blocks the view of pedestrians. He added that it should be painted to take care of the safety hazard. He also mentioned the post office parking lot having a lot of holes. Mr. Feusier explained that on the 4th Street, technically there is a parking lane there and there is only one lane of traffic that one can turn left, right, or go straight, and then as one goes through, the intersection turns back into two lanes. He said that the thermoplastic that they will apply will make the markings clearer.

MOTION: Motion by Evans, seconded by Miller, to approve **Resolution No. 24-036** – Approval of an agreement with Interstate Concrete & Asphalt for the 2024 Mill and Inlay Project in an amount not to exceed \$1,471,888.00.

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

RESOLUTION NO. 24-037

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF AND AWARDING THE CONTRACT FOR THE 2024 CHIPSEAL PROJECT TO ROAD PRODUCTS, LLC, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SEVENTEEN THOUSAND SEVEN HUNDRED AND EIGHT AND 20/100 DOLLARS (\$717,708.20).

STAFF REPORT: Streets and Engineering Director Todd Feusier noted that the asphalt surfaces on Atlas Road, Riverstone Drive, Johns Loop, Beebe Drive, Lacrosse Avenue, and Northwest Boulevard have deteriorated over the years and need maintenance. He said that the application of a chip seal will significantly prolong the life of the streets. Mr. Feusier recalled that since 2016, they have applied chip seal to approximately 80.1 lane miles of roadway. Last year's project was at the north side of Lakewood to Garden Avenue, and now they are going to start at Lakewood and Northwest Boulevard all the way down to the four corners. He added that they will chip seal it back up to gain 5-10 years out of it. He stated that two bids were received and opened on April 16. He mentioned that the lowest bidder is Road Products LLC for \$717,708.20 which will be funded with the current overlay/chip seal budget.

DISCUSSION: Councilmember Miller inquired on the details of the bid on the chip seal project, and Mr. Feusier replied that there were only two bidders for the project: Road Products LLC for \$717,708.20 and Poe Asphalt Paving Inc. for \$907,672.00. He said that they extended the bidding for another week, so it was out for three weeks.

MOTION: Motion by Miller, seconded by English, to approve **Resolution No. 24-037** – Approval of an Agreement with Road Products, LLC for the 2024 Chip Seal Project in an amount not to exceed \$717,708.20.

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

RESOLUTION NO. 24-038

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF AND AWARDING THE CONTRACT FOR THE OPEN TRENCH PIPE CONSTRUCTION TO DW EXCAVATING, INC., FOR THE 2023/2024 WASTEWATER COLLECTION SYSTEM CAPITAL IMPROVEMENT PROJECT, IN AN AMOUNT NOT TO EXCEED \$774,512.00.

STAFF REPORT: Wastewater Director Mike Anderson noted that each year, the Wastewater Utility prioritizes and budgets for the replacement and rehabilitation of the City’s aging sewage collection infrastructure. He explained that for this year, they put a budget of \$850,000.00 and it is broken down into three schedules: Schedule A (19th and 20th Streets) for the replacement of old 6-inch concrete pipes with larger 8-inch PVC pipes to increase flow capacity; Schedule B (Cherrywood Dr. Sewer) for the repair and replacement of 100 feet of broken 6-inch concrete pipe with new 8-inch PVC pipe, along with the installation of two new manholes; and Schedule C (Homestead Ave. Sewer) for the repair and replacement of old and broken sewer lines. Mr. Anderson mentioned that four prequalified bidders submitted proposals for the Open Trench Pipe Construction project, and DW Excavating Inc. has the lowest total bid price of \$774,512.00.

MOTION: Motion by Wood, seconded by Evans, to approve **Resolution No. 24-038** – Approval of an Agreement with DW Excavating Inc, for the 2023/2024 Wastewater Collection System Capital Improvement Project in an amount not to exceed \$774,512.00.

DISCUSSION: Mayor Pro Tem McEvers inquired about how many more six-inch lines that they need to do in the future and if these are mostly located in historical places where the pipes were smaller and the older section in town. Mr. Anderson explained that they have done some work in the previous years where they put a liner inside the old pipes to get more linear feet but unfortunately, they cannot do that in the six-inch pipelines. He said that he doesn’t have the figures of how many six-inch lines are left. He said that it was the previous standard and mostly are in the older section of town. He added that the current standard is 8 inches at the minimum.

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

RESOLUTION NO. 24-039

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE DOWNTOWN ASSOCIATION, FOR PARADES AND EVENTS IN 2024 AND 2025.

STAFF REPORT: Municipal Services Director Renata McLeod recalled that during the July 19, 2022 Council meeting, staff were requested to study the option of entering into agreements for some of the large special events being held in the City. She explained that Agreements allow the City to negotiate with the event 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 said that after the completion of the 2023 year of Parades, the City has prepared traffic control plans for each event and believes that an agreement referencing the pre-approved plans should be in place in the next two years. She added that the proposed Memorandum of Understanding (MOU) with the Downtown Association (DTA) for parades and events in 2024 and 2025 clarifies the roles and responsibilities to avoid questions and conflicts on the day of the events. She shared that the St. Patrick’s Day event has already taken place under a separate agreement for this year, but it is included in the agreement for 2025. Ms. McLeod noted that the fees included in the MOU is based on current special event fees for 2024 with a 5% increase for 2025. She explained that the total for all parades equals \$3,750.00

(however, \$150.00 for the 2024 St. Patrick’s Day Parade has already been paid) for the 2024 event year and increase by 5% for the 2025 event year, for a total of \$3,937.50. She said that the 2024 cost is based on the following event costs for 2024: St. Patrick’s Day \$150.00; Car d’Lane \$1,050.00; Street Fair \$1,800.00; and the Christmas Parade, Lighting Ceremony and Fireworks Display \$750.00. She added that a security deposit of \$1,000.00 shall be retained for the year to cover all events, and payment of fees and security shall be made on or before March 1 of each year. Ms. McLeod stated that the MOU outlines the responsibilities of the City and DTA, to clarify each entities roles and responsibilities and to level out the expenses for these types of community events. Further, she said that staff from the affected departments have been included in the discussion regarding a combined agreement, which reflects all of their inputs.

DISCUSSION: Councilmember Wood stated that the City has a great partnership with the Downtown Association and these are the events that really bring the community together. She added that she appreciates the work that was put into coming up with the MOU and she fully supports it. Councilmember Evans thanked Emily Boyd and the DTA Association, and agreed with what Councilmember Wood said that these events add life and spark to the community. Councilmember Miller requested clarification if the 4th of July event is separate, to which Ms. McLeod explained that it is separate agreement because it will be with the Chamber of Commerce not the DTA, noting that she will present that agreement at the next Council meeting.

MOTION: Motion by Evans, seconded by Miller, to approve **Resolution No. 24-039** – Approval of a Memorandum of Understanding with the Downtown Association for 2024 and 2025 Parades.

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

PUBLIC HEARING:

RESOLUTION NO. 24-040

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, ESTABLISHING AND AMENDING CERTAIN CITY FEES AND CIVIL PENALTIES PURSUANT TO IDAHO CODE §§ 63-1311 AND 63-1311A.

STAFF REPORT: Municipal Services Director Renata McLeod noted that the City is required to hold a public hearing for any proposed fee increase in excess of five percent (5%) pursuant to Idaho Code § 63-1311A. She explained that while some of the fees that are listed are increasing less than 5%, and therefore are not required to be included in the public hearing, it was important to keep them in a consolidated package for ease of tracking. Additionally, she mentioned that civil penalties are not “fees” subject to the 5% rule but are required to be adopted by resolution of Council by various sections of the Municipal Code, hence, they are included in the proposed Resolution. She added that at the April 22, 2024 General Services/Public Works Committee meeting it was suggested to show the special event fees at a 10% increase for Council discussion purposes. She further discussed the proposed fees amendments of each department with the following highlights:

For the Administration Department, Ms. McLeod noted that the fees being proposed relate to parking which was reviewed by Parking Commission although unable to make a recommendation due to lack of quorum at its last meeting; however, those in attendance expressed no concerns to the increases. She said that a review of area cities parking penalties ranges from \$20.00 to \$150.00. She explained that civil penalties are recommended to be \$40.00 (with a first offense in paid parking lots as a courtesy) and a \$50.00 per day mooring violation which is equal to the proposed moorage daily fee. She added that staff also reviewed current parking fees and recommended increase to parking fees based on the location or demand, which resulted in some fees being increased more than others, and then some lots do not specifically state that a monthly parking pass is available, so the option was added to those lots for clarity.

For the Finance Department, Ms. McLeod noted that garbage rates have increased only twice in the last 20 years, and the last being June 2014. She explained that the City contracted with Coeur d'Alene Garbage in July 2016 and as such provided substantial savings which has allowed the City to keep garbage rates at the 2014 level for the last 10 years, however, the contract with Coeur d'Alene Garbage allows for an increase to the cost to the City at a maximum of 2.75% each year depending on the producer price index. She added that because of these yearly increases to the City over the last 8 years, the City now needs to raise rates to their customers. Ms. McLeod pointed out that residential rates are proposed to increase 5.2%, while commercial rate may increase 25%; however, a majority of these rates are not standard every month and only involve a very few customers. Additionally, she noted that staff is also requesting an annual 5% increase in street lighting through 2026.

For the Municipal Services Department, Ms. McLeod explained that their staffing cost have gone up a minimum of 5% so they are looking at increasing their fees by about 5%. She pointed out that the City does not have a fee for an amplified sound permit (referred to in the Code as "Sound Trucks/Loudspeakers"), so a new fee is being proposed at the same rate as a street encroachment permit fee. She said that after the annual review of fees, it was noted that many of the City's expenses, such as staffing and printing, have increased between 5% and 10%. Hence, in an effort to keep fees reasonable, while assisting with City expenses, she said that it is recommended that certain fees related to licenses be increased by 5%. She mentioned that several clarifications are included in the proposal such as Beer/Wine/ Liquor Licenses (maximum fees set by the state) and working change to Security Agent Licenses. Ms. McLeod further noted the recommendation for the creation of a City-wide Emergency Locate for Non-emergencies Fee of \$100.00 for each City Department involved in responding to such requests. She stated that some contractors will call in an "emergency" locate, to which many City Departments must respond immediately, only to find it is a non-emergency. She added that emergencies should be reserved for situations where there is an imminent risk to life, health, or property, hence this proposal would be a fair solution to discourage non-emergency calls for emergency locates. She enumerated the Departments involved in utility locates to include Streets and Engineering, Water, Wastewater, and Municipal Services (IT division). Also under the Municipal Services, Ms. McLeod raised the proposal to increase the parade and special event permit fees to 5%; however, she mentioned that in the last General Services and Public Works meeting, Councilmember Gookin asked to present what a 10% increase would be for Council consideration.

For the Parks and Recreation Department, she stated that the tennis court rental fees should be based on the recreation staff rate of \$40.00/hour, hence league fees are being raised to cover the cost of umpires. She pointed out that they have another proposed fee increases but those are less than 5%.

For the Planning Department, Ms. McLeod explained that the fee increases were based on rising operational and labor costs, the growing demands and complexities of the planning processes, and to account for time spent by multiple staff members reviewing the applications, meeting with applicants, preparing notices, staff reports, presentations, attending meetings, and preparing findings and agreements. She said that four new fees that are being proposed include: Design Review approval extension, preparation of parking agreements, a fee for a Limited Design Planned Unit Development (\$1,800 as compared to the Planned Unit Development fee of \$2,400) and conducting a pre-annexation meeting. She added that the staff is proposing an increased civil penalty of \$1,000.00 for operating a short-term rental (STR) without a permit.

For the Streets and Engineering Department, Ms. McLeod relayed that the proposal is for a fee structure for excavation/encroachment permits that will consider the time needed for an obstruction, the area's congestion, violation fees, and the existence of historic landmarks, with the fee waived for the moving of a building which is a historic landmark, or a contributing building located within a historic district. She added that with high rises becoming more prevalent with zero setbacks and very little nearby vacant land available, construction staging in the City right-of-way is becoming more common, hence charging encroachment fees based on square footage of right-of-way obstructed for the duration of obstruction incentivizes developers and contractors to minimize the amount of right-of-way obstructed and the time it is obstructed.

For the Water Department, Ms. McLeod noted that the fees have been adjusted to reflect actual costs. She said that some increases are less than 5% but are included as a method of tracking the fees while other increases are based on staffing costs. She mentioned that a new fee for a fill station delinquent usages charge is recommended as the Department is experiencing many more hours to cancel this service. She said that the employee time will be billed a rate of \$47/hr. and the access code reactivation fee total amount for a delinquent account would be \$188.00. Lastly, the rate increases are 2.5% or rounded up to the nearest dollar: Water Meter Rates, Water Volume Rates, Cap Fees, Fire Line Rates, and Fire Line Cap Fees. She stated that the increases are based on the increase in pumping, maintenance, labor, transportation, and fuel costs across the board.

DISCUSSION: Councilmember Miller inquired if there was a review on the commercial launch fees or penalties at the 3rd Street ramp, and Parks Director Bill Greenwood explained that there is a fee to do commercial launching and Diamond is managing it; however, people will start earlier in the morning with no one there. He said that it was better before when there was a booth managed by Diamond, and they have discussed the idea of a harbor master being present. He added that they caught some people doing commercial launching and they were required to pay the launch fee. Councilmember Miller said that she would like it to be reviewed as soon as possible and that she heard conversations that there is no need of a permit because there is no enforcement down there. She also asked if the permit for the street pods would have a time frame, and Mr. Bosley replied that the permit fee is broken down by time frame but no maximum time period. He mentioned that the reason why they increased these fees is to motivate people to get their job done and get off the street quickly so that they are not encumbering parking spaces, road rights-of-way,

and sidewalks. He added that it will be Code Enforcement who would follow-up on these permits, but City Inspectors are also out there day-to-day to report. Councilmember Miller also asked whether there are parameters on how much the City can charge for short term rentals that are operating illegally, and Mr. Adams clarified that it is not a fee but a violation which does not fall under Idaho Code 63-1211A provision. He further explained that it is being brought forward this time with the intention of tracking it, but there is no limitation on the increase in the violation. He added that there is no penalty in the code for violation, then it defaults to a misdemeanor. Councilmember Wood asked how the parks are funded from the parking revenue, with Mr. Greenwood explaining that a percentage from the revenue of the parking lots goes to the park's capital improvement fund. He said that last year, they were able to replace the restroom at Person Field with that fund. Mr. Tymesen noted that the Public Parking Fund and Enterprise Fund, which is a fee for service, puts \$210,000 on an annual basis to the parks for maintenance and equipment. Councilmember Wood requested clarification from Planning about the new fees and if they did research in comparison with other cities. Community Planning Director Hilary. Patterson said that they looked at other communities for consistency with the city's fee structure. She pointed out that most of the fees are not new, but they just reordered, and it looks like a new fee. She stated that the new fees include parking agreements which requires a lot of staff time and the pre-annexation meeting which is consistent with other communities and requires a lot of staff time. Councilmember English stated that overall, the amendment on certain fees is reasonable. He said that he is glad to see the fees on street pods and the need to pay for that temporary privilege. Mayor Pro Tem McEvers asked if the pop-up food trucks are considered a mobile vendor, to which Ms. McLeod explained that there is a mobile vendor license and it depends on the amount of time and location, and if they actually come to get a permit. Mayor Pro Tem McEvers also asked if there are any rate increases at the Jewett House, and Mr. Greenwood stated that they are not proposing any increases because the revenues are good. He added that for last year, they had \$50,000 in revenue for weddings. Mayor Pro Tem McEvers pointed out that the city cannot do a resort tax because it is too big yet the City is impacted by tourists who pays the same amount as a local resident in the parking lot. He suggested for an increase on what the tourists pays for parking in order to cover that the local residents could park for free. He added that the City should take advantage of the many tourists that comes to visit. Ms. McLeod said that Mr. Tymesen can take this matter to the Parking Commission for discussion.

PUBLIC TESTIMONY: Mayor Pro Tem McEvers opened the public testimony portion of the meeting. With no other comments received, the Mayor Pro Tem closed public comments.

MOTION: Motion by Miller, seconded by Wood, to approve **Resolution No. 24-040** - Approving City Fee increases for the following Departments: Administration – Parking penalties and parking/moorage fees; Finance – Garbage rates and street lighting fees; Municipal Services – license/permit fee and creation of new fee for Loudspeaker permits and Emergency Locate Fee for Non-emergencies; Parks and Recreation Department - updated Tennis Court rentals and league fees; Planning Department – development related fees and Short-term rental civil penalty; Streets and Engineering – Encroachment Permits with the establishment of civil penalties for violations; and Water Department – water rates and fees, adding a \$1,000.00 penalty for commercial launching in the Lake Coeur d'Alene without a permit and accepting the 10% increase in parade/special event fees.

DISCUSSION: Councilmember English said that he supports the \$1,000.00 penalty but he would like the parade fee to increase to 5% as proposed and see how it goes before increasing it to 10%. Councilmember Wood stated that the parades are expensive for the City and expensive to host. She asked for the actual figures if the 10% increase will be imposed. Ms. McLeod provided that the current fee for high events is \$750, noting that a 10% increase would be \$825; medium event fee would raise to \$330; and low events fee would raise to \$165. Councilmember Wood said that it seems doable, and she is supportive of the 10% increase.

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

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

The meeting adjourned at 8:10 p.m.

Woody McEvers, Mayor Pro Tem

ATTEST:

Jo Anne Mateski
Executive Assistant

May 13, 2024
GENERAL SERVICES/PUBLIC WORKS COMMITTEE
MINUTES
12:00 p.m., Library Community Room

COMMITTEE MEMBERS

Council Member Amy Evans, Chairperson
 Council Member Christie Wood
 Council Member Dan English - **ABSENT**

CITIZENS

Linda Coppess, President/CEO, Coeur d’Alene Regional Chamber of Commerce
 Briana Francis, Program Director, Coeur d’Alene Regional Chamber of Commerce

STAFF

Juanita Knight, Senior Legal Assistant
 Randy Adams, City Attorney
 Troy Tymesen, City Administrator
 Mike Becker, Capital Program Manager, Wastewater
 Renata McLeod, Municipal Services Director
 Lucas Pichette, Fire Department Deputy Chief
 Shawn Phelps, Database App Developer, I.T.

Item 1. Rejection of Bids for the compost Facility Maintenance Project.
(Consent Resolution)

In the absence of Mr. Becker, City Attorney Randy Adams presented this matter. He noted that the bids exceeded the Engineers’ estimate significantly. As a result, staff recommended considering a re-bid for the project later this year.

In the staff report submitted, Mr. Becker explained that on April 11, 2024, and in compliance with the City’s Procurement Policies and Idaho Code § 67-2805, the City solicited Public Works Construction Bids for this project. On May 2, 2024, the City received the following bids:

General Contractor/Bidder	Base Bid	Add Alt #1	Total Bid
TML Construction, Inc., Hayden, Idaho	\$365,500	\$54,000	\$419,500
Dardan Enterprises, Post Falls, Idaho	\$334,400	\$60,683	\$395,083
Apollo, Inc., Kennewick, Washington	\$312,699	\$46,799	\$359,498
Engineer’s Estimate:	\$175,000 to \$190,000		

The basis of award is for the base bid only and all of these base bids exceeded our 2023/2024 Budget (\$160,000.00).

Idaho Code § 67-2805(1)(d) allows Council to reject all bids and staff is recommending rejection because all bids greatly exceeded the engineer’s estimate. Another consideration for rejecting the bids is the first 21 days of composting requires the piles to aerate under a climate-controlled environment. Since this project is within the existing compost building footprint, the construction window is confined within the drier/warmer summer months (Mid-June to Mid-September). Per conversations with Apollo, some of the specialized materials required for this project may delay the completion date, forcing longer facility composting days. Based on this

information, staff believes rejecting all bids and allowing another year of equity to build up and rebid this project next winter is in the best interest of the City.

MOTION: by Wood, seconded by Evans, to recommend that Council reject all bids for the 2024 Compost Facility Maintenance Project and allow the Wastewater Department to rebid the project next winter. Motion Carried.

Item 2. Approval of a Memorandum of Understanding with the Coeur d'Alene Regional Chamber of Commerce, Inc., for the 4th of July Parade and Fireworks show.
(Consent Resolution)

Renata McLeod, Municipal Services Director, requests the Council to approve the proposed Memorandum of Understanding with the Coeur d'Alene Regional Chamber of Commerce, Inc., ("Chamber") for the 4th of July parade and fireworks show. Mrs. McLeod explained in her staff report that at the July 19, 2022, Council meeting, Council requested staff to begin looking at options for entering into agreements with entities sponsoring the large special events held in the City. Agreements 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 payments in addition to the general fees. Last year was the first year that the City entered into an agreement with the Chamber. The proposed Memorandum of Understanding (MOU) mirrors the requirements from last year with additional insurance clauses. The MOU clarifies the roles and responsibilities to ensure there are no questions on the day of the event. Mrs. McLeod said the fee included under the proposed Memorandum is \$750.00, with a \$1,000.00 security deposit, based on permit fees in place at the time of this negotiation. While there are additional costs to City departments with the 4th of July events, the Chamber has picked up additional costs as well. Last year, the Chamber provided a cost breakdown of \$64,062.28 in expenses. It also estimated volunteer hours to have a value of \$9,399.60 for a total of \$73,461.88. The MOU outlines the responsibilities of the City and Chamber in order to level the amount of staff time needed for these types of community events. Mrs. McLeod requested one amendment to the MOU before it goes to City Council for approval, and that the MOU will be for a two-year term, rather than a one-year term. The second-year term would include a 5% increase.

Briana Francis, Program/Parade Director, Coeur d'Alene Regional Chamber of Commerce, explained that the parade participant is required to a Parade Application agreement and to adhere to parade rules and regulations. Such as certain regulations for the type of signage and flags that can be displayed in the parade.

Linda Coppess added that when the parade participant check-in for the parade, they are reminded of the Rules & Regulations agreement that they signed. She said they have increased the number of parade monitors so part of their training is to go through those Rules & Regulations and if they see someone who followed the rules at the beginning of the parade but have later displayed something not allowed, they have a plan to escort them off of the parade route.

MOTION: by Wood, seconded by Evans, to recommend that Council approve the Memorandum of Understanding with the Coeur d'Alene Regional Chamber of Commerce, Inc., for the 2024 & 2025 4th of July Parade and Fireworks Show. Motion Carried.

Item 3. Approval of a Memorandum of Understanding with Kootenai County for Idaho regional Optical Network (IRON) High Speed Fiber.
(Consent Resolution)

Renata McLeod, Municipal Services Director, requests the Council approve a Memorandum of Understanding for high-speed fiber line known as IRON, Idaho Regional Optical Network, which will benefit public safety. Mrs. McLeod explained in her staff report that the County approached the City with a proposal several months ago requesting our assistance in completing a high-speed fiber project. This project would utilize existing fiber that the City has in place at Hubbard and Northwest Boulevard, near the Skate Park. The City does not have an accurate accounting of which fiber pairs are used for City services and which lines are available to share with the County. Under this agreement the County, will fund the audit of those lines and provide us with that mapping for future use. Additionally, the goal is access to the IRON Network, which will improve general public safety communications and efficiency. However, the project will also allow for future networking expansion to further benefit public safety in the region. The County noted that IRON has an existing presence on the North Idaho College campus. KCSO 911 is seeking to complete the “last mile” connection in a cost-effective approach by attempting to utilize existing “dark” fiber infrastructure in existence, and it would be mutually beneficial to use the City’s fiber infrastructure from the Hubbard/Northwest fiber vault to the Kootenai County Admin building on Government Way. There is no cost to the City for this agreement.

MOTION: by Wood, seconded by Evans, to recommend that Council approve the Memorandum of Understanding with Kootenai County for Idaho Regional Optical Network (IRON) High Speed Fiber. Motion Carried.

Item 4. Approval for the Contract with Verdis for a generator upgrade at Fire Station 1.
(Consent Resolution)

Lucas Pichette, Fire Department Deputy Chief, requests the Council approve a contract with Verdis for a generator upgrade at our Fire Station 1. Mr. Pichette explained in his staff report that Fire Station 1 @ 300 E. Foster needs a generator upgrade, which will include minor construction and electrical changes to accommodate the upgrade. The project was approved on 1-18-24 by Council when Council approved a sub-recipient agreement with the Idaho Office of Emergency Management. Total cost of the project is \$160,050.80, of which, \$144,457.20 will be reimbursed through a state grant, leaving \$16,050.80 in matching funds required from the City. These funds are proposed to come from the general fund, either through an amendment to this year’s budget or inclusion in next year’s budget, depending upon the delivery date. Completion of this project will upgrade the generator and systems at Fire Station 1, enabling the station and Fire Companies to operate at near full capacity during long term power outages.

MOTION: by Wood, seconded by Evans, to recommend that Council approve a contract with Verdis for the standby generator replacement at Fire Station 1. Motion Carried.

Recording of the meeting can be found at: <https://www.youtube.com/live/QirD0i8XKME?si=gUEpIOfaZhuaANnd>

The meeting adjourned at 12:14 p.m.

Respectfully submitted,
Juanita Knight, Senior Legal Assistant
Recording Secretary

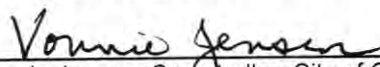
MAY 10 2024

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

CITY CLERK

FUND	BALANCE 3/31/2024	RECEIPTS	DISBURSE- MENTS	BALANCE 4/30/2024
<u>General-Designated</u>	\$7,385,617	\$922	\$21,108	\$7,365,431
<u>General-Undesignated</u>	10,490,893	12,516,106	10,915,429	12,091,570
<u>Special Revenue:</u>				
Library	291,309	53,733	212,234	132,808
CDBG	(30,238)	48,911	30,338	(11,665)
Cemetery	160,570	27,667	34,563	153,674
Parks Capital Improvements	1,167,444	165,183	95,615	1,237,012
Impact Fees	6,467,678	60,806		6,528,484
Annexation Fees	569,761	2,253		572,014
American Recovery Plan	5,665,522		1,334,518	4,331,004
Cemetery P/C	1,162,356	9,503	3,630	1,168,229
Jewett House	102,986	2,602	4,783	100,805
Reforestation	17,365	69		17,434
Street Trees	161,560	5,439	2,342	164,657
Community Canopy	2,504	10		2,514
Public Art Fund	49,831	198		50,029
Public Art Fund - ignite	455,056	1,799		456,855
Public Art Fund - Maintenance	131,551	543	71	132,023
<u>Debt Service:</u>				
2015 G.O. Bonds	647,799	8,463		656,262
<u>Capital Projects:</u>				
Street Projects	1,471,112	391,168	229,898	1,632,382
Riverstone Mill Site Project	-			-
<u>Enterprise:</u>				
Street Lights	74,153	122,845	119,927	77,071
Water	3,283,344	513,800	699,116	3,098,028
Water Capitalization Fees	5,979,308	127,440	4,490	6,102,258
Wastewater	20,800,590	1,393,082	1,356,473	20,837,199
Wastewater-Equip Reserve	297,659	27,500		325,159
Wastewater-Capital Reserve	5,500,000			5,500,000
WWTP Capitalization Fees	4,221,719	242,408		4,464,127
WW Property Mgmt	59,973	20,220	11,295	68,898
Sanitation	869,862	624,435	636,046	858,251
Public Parking	940,552	41,419	7,167	974,804
Drainage	1,321,087	185,127	136,015	1,370,199
Wastewater Debt Service	692,371	2,738	322,420	372,689
<u>Fiduciary Funds:</u>				
Kootenai County Solid Waste Billing	283,029	249,439	283,029	249,439
KCEMSS Impact Fees	2,852	3,168	2,852	3,168
Police Retirement	465,348	6,282	17,295	454,335
Sales Tax	3,320	4,453	3,320	4,453
BID	427,373	5,191		432,564
Homeless Trust Fund	643	382	643	382
GRAND TOTAL	<u><u>\$81,593,856</u></u>	<u><u>\$16,865,304</u></u>	<u><u>\$16,484,617</u></u>	<u><u>\$81,974,543</u></u>

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


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

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 SEVEN MONTHS ENDED
 April 30, 2024

RECEIVED

MAY 10 2024

CITY CLERK

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 4/30/2024	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$266,305	\$150,406	56%
	Services/Supplies	10,128	6,745	67%
Administration	Personnel Services	241,168	143,124	59%
	Services/Supplies	2,590	831	32%
Finance	Personnel Services	847,769	489,013	58%
	Services/Supplies	713,940	689,444	97%
Municipal Services	Personnel Services	1,528,562	841,707	55%
	Services/Supplies	1,048,123	979,463	93%
	Capital Outlay	18,000	10,668	59%
Human Resources	Personnel Services	362,646	217,509	60%
	Services/Supplies	136,559	85,497	63%
Legal	Personnel Services	1,317,913	825,163	63%
	Services/Supplies	63,000	91,626	145%
Planning	Personnel Services	755,763	450,651	60%
	Services/Supplies	54,050	27,473	51%
	Capital Outlay			
Building Maintenance	Personnel Services	355,212	217,529	61%
	Services/Supplies	315,600	264,489	84%
	Capital Outlay	31,000	40,335	130%
Police	Personnel Services	17,977,696	10,269,665	57%
	Services/Supplies	1,932,595	913,328	47%
	Capital Outlay	1,929,000	499,212	26%
Fire	Personnel Services	12,637,563	7,767,631	61%
	Services/Supplies	949,774	422,867	45%
	Capital Outlay			
General Government	Services/Supplies	2,019,067	665,719	33%
	Capital Outlay			
Police Grants	Personnel Services	91,364	55,511	61%
	Services/Supplies		2,830	
	Capital Outlay		48,277	
CdA Drug Task Force	Services/Supplies		1,990	
	Capital Outlay			
Streets	Personnel Services	3,525,902	2,157,747	61%
	Services/Supplies	2,965,163	643,932	22%
	Capital Outlay	750,000	1,805,127	241%
Parks	Personnel Services	2,154,256	1,140,680	53%
	Services/Supplies	751,710	347,928	46%
	Capital Outlay	107,026	93,741	88%
Recreation	Personnel Services	669,375	387,144	58%
	Services/Supplies	159,950	89,040	56%
	Capital Outlay			

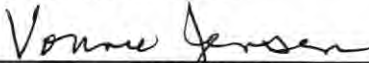
CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 SEVEN MONTHS ENDED
 April 30, 2024

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 4/30/2024	PERCENT EXPENDED
Building Inspection	Personnel Services	1,102,433	605,937	55%
	Services/Supplies	44,309	18,708	42%
	Capital Outlay			
Total General Fund		<u>57,835,511</u>	<u>33,468,687</u>	<u>58%</u>
Library	Personnel Services	1,648,968	959,228	58%
	Services/Supplies	220,000	127,066	58%
	Capital Outlay	190,000	84,430	44%
CDBG	Personnel Services	87,021	34,342	39%
	Services/Supplies	302,942	39,263	13%
Cemetery	Personnel Services	226,159	133,248	59%
	Services/Supplies	139,150	55,580	40%
	Capital Outlay			
Impact Fees	Services/Supplies	63,000	186,716	296%
Annexation Fees	Services/Supplies	520,000	520,000	100%
Parks Capital Improvements	Capital Outlay	710,060	325,250	46%
Cemetery Perpetual Care	Services/Supplies	4,500	2,645	59%
Jewett House	Services/Supplies	28,615	163,634	572%
Reforestation	Services/Supplies	6,500	6,265	96%
Street Trees	Services/Supplies	112,000	17,175	15%
Community Canopy	Services/Supplies	1,500	70	5%
Public Art Fund	Services/Supplies	239,500	17,195	7%
		<u>4,499,915</u>	<u>2,672,107</u>	<u>59%</u>
Debt Service Fund		<u>876,307</u>	<u>17,436</u>	<u>2%</u>

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
SEVEN MONTHS ENDED
April 30, 2024

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 4/30/2024	PERCENT EXPENDED
Atlas - Kathleen to Newbrook	Capital Outlay	1,010,734		
Traffic Calming	Capital Outlay	40,000	8,895	22%
Public Transit Sidewalk Accessibility	Capital Outlay	204,999	269,258	131%
Ramsey Road Rehabilitation	Capital Outlay			
15th Street	Capital Outlay	2,300,000	273,551	12%
LHTAC Pedestrian Safety	Capital Outlay	873,245		
Atlas Waterfront Project	Capital Outlay			
Wilbur / Ramsey Project	Capital Outlay	169,595	5,000	3%
Government Way	Capital Outlay		110,600	
LaCrosse Ave. Improvements	Capital Outlay		79,724	
		<u>4,598,573</u>	<u>747,028</u>	<u>16%</u>
Street Lights	Services/Supplies	760,200	414,976	55%
Water	Personnel Services	3,005,767	1,609,317	54%
	Services/Supplies	5,748,776	1,079,341	19%
	Capital Outlay	5,717,240	1,453,061	25%
Water Capitalization Fees	Services/Supplies	3,000,000		
Wastewater	Personnel Services	3,402,504	1,899,566	56%
	Services/Supplies	8,680,182	1,821,297	21%
	Capital Outlay	12,237,000	4,109,448	34%
	Debt Service	3,512,941	484,050	14%
WW Capitalization	Services/Supplies	3,499,100		
WW Property Management	Services/Supplies		(8,350)	
Sanitation	Services/Supplies	5,315,582	2,912,940	55%
Public Parking	Services/Supplies	1,778,929	638,092	36%
	Capital Outlay			
Drainage	Personnel Services	262,860	153,329	58%
	Services/Supplies	1,189,030	277,710	23%
	Capital Outlay	1,143,000	193,711	17%
Total Enterprise Funds		<u>59,253,111</u>	<u>17,038,488</u>	<u>29%</u>
Kootenai County Solid Waste		3,115,000	1,619,910	52%
KCEMSS Impact Fees			17,841	
Police Retirement		146,000	84,432	58%
Business Improvement District		176,200	61,200	35%
Homeless Trust Fund		10,000	3,525	35%
Total Fiduciary Funds		<u>3,447,200</u>	<u>1,786,908</u>	<u>52%</u>
TOTALS:		<u>\$130,510,617</u>	<u>\$55,730,654</u>	<u>43%</u>

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



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

RECEIVED

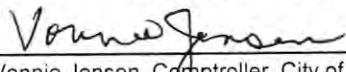
MAY 10 2024

CITY CLERK

**City of Coeur d Alene
Cash and Investments
4/30/2024**

Description	City's Balance
<hr/> U.S. Bank <hr/>	
Checking Account	4,428,881
Checking Account	70,519
Checking Account	58,274
Investment Account - Police Retirement	402,597
Investment Account - Cemetery Perpetual Care Fund	1,162,850
<hr/> Idaho Central Credit Union <hr/>	
Certificate of Deposit	1,052,562
<hr/> Idaho State Investment Pool <hr/>	
State Investment Pool Account	42,825,358
<hr/> Spokane Teacher's Credit Union <hr/>	
Certificate of Deposit	6,266,015
<hr/> Numerica Credit Union <hr/>	
Certificate of Deposit	9,893,501
Money Market	15,812,636
<hr/> Cash on Hand <hr/>	
Treasurer's Change Fund	1,350
Total	<u>81,974,543</u>

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



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

RESOLUTION NO. 24-041

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FOLLOWING: TWO UTILITY EASEMENTS FOR WATER LINE AND TANK ACCESS; SIGNATURE AUTHORITY FOR THE NEW FINANCE DIRECTOR/CITY TREASURER; PURCHASE OF REPLACEMENT LAPTOPS FOR POLICE DEPARTMENT; REJECTION OF ALL BIDS FOR THE COMPOST FACILITY MAINTENANCE PROJECT; A MEMORANDUM OF UNDERSTANDING WITH THE COEUR D'ALENE REGIONAL CHAMBER OF COMMERCE FOR THE 4TH OF JULY PARADE AND FIREWORKS SHOW; AND A CONTRACT WITH VERDIS FOR A GENERATOR UPGRADE AT FIRE STATION NO. 1.

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

- A) Easements for Water Line and Tank Access from George & Nelda House Living Trust (3500 E. Thomas Ln.) and Lance & Jakayle Sims (3253 E. Thomas Ln.);
- B) Authorizing the signature of Katharine Ebner, Finance Director/City Treasurer, whose signature is set forth below, to withdraw funds and to endorse and receive payment of financial accounts of the City of Coeur d'Alene regarding and the handling of notes and bills payable to the City, and financial institutions are hereby authorized to recognize any of such signature subscribed below in the payment of funds or the transaction of any business for accounts of the City of Coeur d'Alene. [No attachment.]

Katharine Ebner, Finance Director/City Treasurer;

- C) The purchase of Police MDC (Laptop) Replacements from PCN in the amount of \$68,000.00;
- D) Reject all bids for the Compost Facility Maintenance Project;
- E) A Memorandum of Understanding with the Coeur d'Alene Regional Chamber of Commerce, Inc., for the 2024 and 2025 4th of July Parade and Fireworks Show;
- F) A Memorandum of Understanding with Kootenai County (KCSO 911) for Idaho Regional Optical Network (IRON) High Speed Fiber;
- G) Contract with Verdis for Fire Station 1 Standby Generator;

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 and take the other actions for the subject matter, as set forth in substantially the form attached hereto as Exhibits "A" through "G" and incorporated herein by reference, with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreements and the other action documents, so long as the substantive provisions of the agreements and the other actions remain intact.

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

DATED this 21st day of May, 2024.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER EVANS	Voted
COUNCIL MEMBER MILLER	Voted
COUNCIL MEMBER GOOKIN	Voted
COUNCIL MEMBER ENGLISH	Voted
COUNCIL MEMBER MCEVERS	Voted
COUNCIL MEMBER WOOD	Voted

_____ was absent. Motion _____.

UTILITY EASEMENT FOR WATER LINE AND TANK ACCESS

KNOW ALL MEN BY THESE PRESENTS, that the George and Nelda House Living Trust, with the principle address of 3500 E. Thomas Ln., Coeur d'Alene, Idaho, the **GRANTOR**, for and in consideration of providing one (1) one-inch (1") water service,, and other good and valuable consideration, provided and paid by the City of Coeur d'Alene, Kootenai County, State of Idaho, receipt of which is acknowledged, do hereby grant, quitclaim and convey unto the **CITY OF COEUR D'ALENE**, a municipal corporation, the **GRANTEE**, whose address is 710 Mullan Avenue, Coeur d'Alene, Idaho, its successors and assigns, an easement, together with the rights of ingress and egress for the improvement, operation and maintenance of the water line and tank access, over and through the property situated in Kootenai County with an address of 3500 E. Thomas Ln., which easement is described in Exhibit "A-1" through "A-3", "B-1" through "B-3", "C" and "D-1 through "D-3" attached hereto and incorporated herein by reference.

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

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

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

IN WITNESS WHEREOF, the **GRANTOR** has caused this instrument to be executed this 5th day of May, 2024.

The George and Nelda House Living Trust

By George E. House, Jr.

George House, Trustee

By _____

Nelda House, Trustee

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 9th day of May, 2024, before me, a Notary Public, personally appeared George and Nelda House, known to me to be the Trustees of the George and Nelda House Living Trust, and the persons who executed the foregoing instrument on behalf of said Trust, and acknowledged to me that such Trust executed the same.

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

Felicia Bruyette

Notary Public for Idaho
Residing at Coeur d'Alene - Kootenai Co My
Commission Expires: 4-15-2027



EXHIBIT A-1

LEGAL DESCRIPTION
OF UTILITY EASEMENT

GEORGE AND NELDA HOUSE LIVING TRUST, PARCEL 1
TO THE
CITY OF COEUR D'ALENE

February 7, 2023

A strip of land 10 feet in width, lying adjacent to and easterly of the public right-of-way line of Thomas Lane across that certain property described in Warranty Deed recorded as Instrument No. 2522196000, Records of Kootenai County, Idaho, the legal description for said property being attached hereto as Exhibit A-2 and the right-of-way of said Thomas Lane being more particularly described on attached Exhibit A-3, attached hereto; said strip being situated in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho.

Said strip containing 295 square feet, more or less.



EXHIBIT A-2

House

Parcel 1

A parcel of land in the N1/2 NW1/4 NW1/4 of Section 5, Township 50 North, Range 3 W.B.M., Kootenai County, State of Idaho, more particularly described as: Beginning at the SW corner of said N1/2 NW1/4 NW1/4, thence East, along the South boundary of the N1/2 NW1/4 NW1/4, 417.4 feet to the true point of beginning, thence continuing East, 208.70 feet to a point, thence North, 208.70 feet to a point, thence West 94.00 feet to a point, thence North 55.00 feet to a point, West, 300.00 feet to a point on the East boundary of the existing road, thence Southerly along the said existing road, 20.00 feet to a point, thence East, 280.00 feet to a point, thence South 35.00 feet to a point, thence West, 94.70 feet to a point, thence South, 208.7 feet to the true point of beginning.

Parcel 2

Beginning at the Southwest corner of said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5, thence North 208.7 feet along the West line of said Section 5; thence East along a line parallel to the South line of the said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 5, 417.4 feet; thence South parallel to the West line of said Section 5, 208.7 feet to the South line of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5; thence West along said South line 417.4 feet to the place of beginning. Section 5, Township 50 North, Range 3 W.B.M.

Parcel 3

The South Half of the North Half of the Northwest Quarter of the Northwest Quarter (S1/2N1/2NW1/4NW1/4), Section 5, Township 50 North, Range 3 West B.M., Kootenai County, Idaho.

EXCEPTING THEREFROM:

A parcel of land in the N1/2 NW1/4 NW1/4 of Section 5, Township 50 North, Range 3 W.B.M., Kootenai County, State of Idaho, more particularly described as: Beginning at the SW corner of said N1/2 NW1/4 NW1/4, thence East, along the South boundary of the N1/2 NW1/4 NW1/4, 417.4 feet to the true point of beginning, thence continuing East, 208.70 feet to a point, thence North, 208.70 feet to a point, thence West 94.00 feet to a point, thence North 55.00 feet to a point, West, 300.00 feet to a point on the East boundary of the existing road, thence Southerly along the said existing road, 20.00 feet to a point, thence East, 280.00 feet to a point, thence South 35.00 feet to a point, thence West, 94.70 feet to a point, thence South, 208.7 feet to the true point of beginning.

AND ALSO EXCEPTING THEREFROM:

Beginning at the Southwest corner of said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5, thence North 208.7 feet along the West line of said Section 5; thence East along a line parallel to the South line of the said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 5, 417.4 feet; thence South parallel to the West line of said Section 5, 208.7 feet to the South line of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5; thence West along said South line 417.4 feet to the place of beginning. Section 5, Township 50 North, Range 3 W.B.M.

EXHIBIT A-3

LEGAL DESCRIPTION

A PORTION OF THOMAS LANE RIGHT-OF-WAY

February 14, 2023

A strip of land 50 feet in width being situated in the NW1/4 of Section 5 and the NE1/4 of Section 6, Township 60 North, Range 3 West, B.M., City of Coeur D'Alene, Kootenai County, Idaho, lying 25 feet on either side of the following described line:

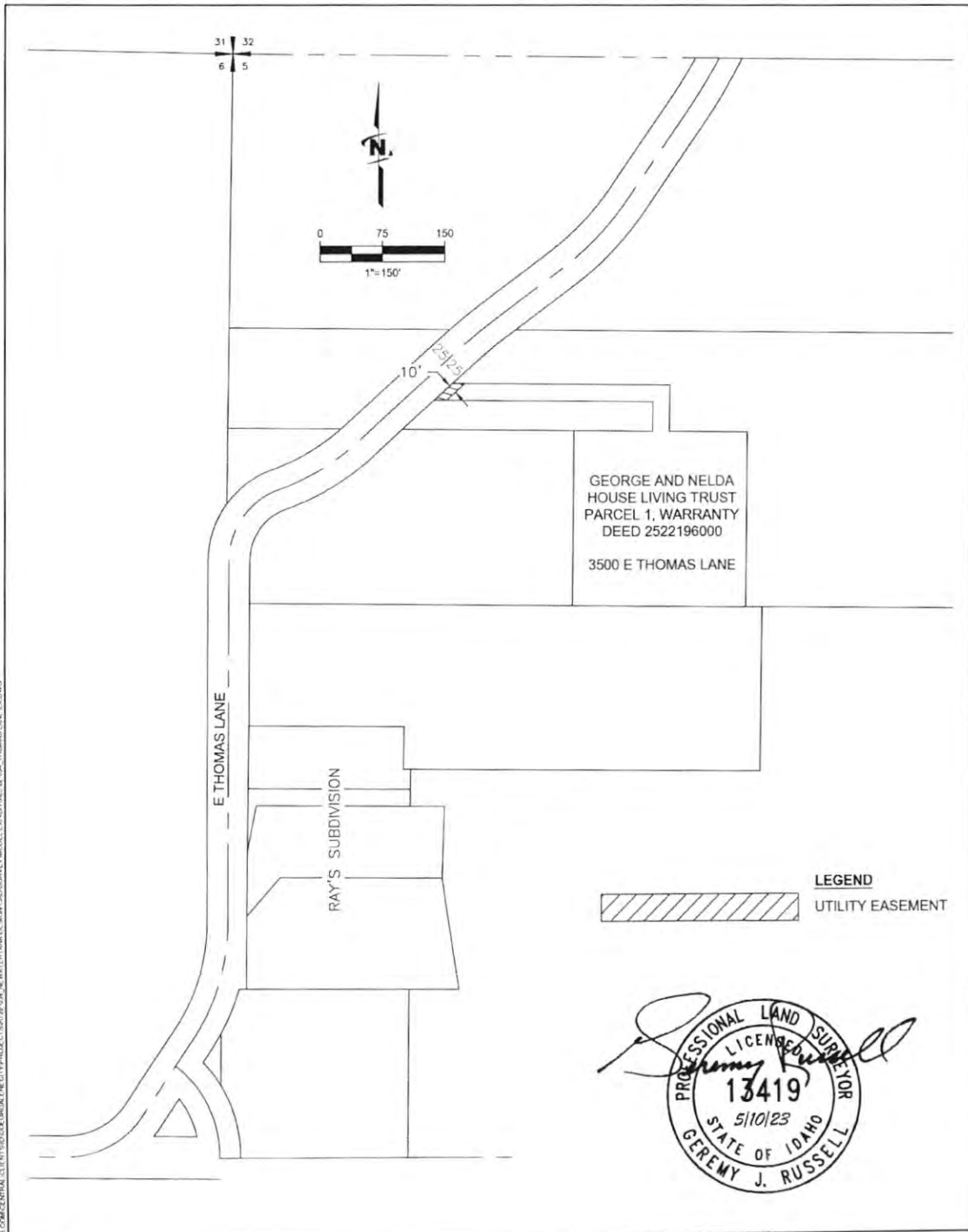
COMMENCING at the northwest corner of said Section 5 (from which the W1/4 corner of said Section 5 bears South 00°45'25" West, a distance of 2,627.13 feet); thence South 89°28'58" East along the north line of the NW1/4 of said Section 5, a distance of 584.66 feet to the POINT OF

BEGINNING; thence leaving the north line of the NW1/4 of said Section 5 and along said centerline the following thirteen (13) courses:

1. 84.12 feet along the arc of a non-tangent curve to the right, having a radius of 743.00 feet, through a central angle of $06^{\circ}29'13''$, said curve having a long chord that bears South $31^{\circ}02'31''$ West a chord distance of 84.08 feet;
2. South $34^{\circ}17'08''$ West, a distance of 118.40 feet;
3. 113.28 feet along the arc of a curve to the right, having a radius of 350.00 feet, through a central angle of $18^{\circ}32'39''$, said curve having a long chord that bears South $43^{\circ}33'27''$ West a chord distance of 112.79 feet;
4. South $52^{\circ}49'47''$ West, a distance of 105.59 feet;
5. 54.70 feet along the arc of a curve to the left, having a radius of 565.00 feet, through a central angle of $05^{\circ}32'51''$, said curve having a long chord that bears South $50^{\circ}03'22''$ West a chord distance of 54.68 feet;
6. South $47^{\circ}51'36''$ West, a distance of 160.83 feet;
7. 112.62 feet along the arc of a curve to the right, having a radius of 290.00 feet, through a central angle of $22^{\circ}15'02''$, said curve having a long chord that bears South $59^{\circ}14'25''$ West a chord distance of 111.91 feet;
8. 110.10 feet along the arc of a reverse curve to the left, having a radius of 90.00 feet, through a central angle of $70^{\circ}05'31''$, said curve having a long chord that bears South $35^{\circ}19'11''$ West a chord distance of 103.36 feet;
9. South $00^{\circ}16'26''$ West, a distance of 429.46 feet;
10. 148.41 feet along the arc of a curve to the right, having a radius of 250.00 feet, through a central angle of $34^{\circ}00'49''$, said curve having a long chord that bears South $17^{\circ}16'50''$ West a chord distance of 146.24 feet;
11. South $34^{\circ}17'14''$ West, a distance of 105.95 feet;
12. 108.77 feet along the arc of a curve to the right, having a radius of 110.00 feet, through a central angle of $56^{\circ}39'12''$, said curve having a long chord that bears South $62^{\circ}36'50''$ West a chord distance of 104.39 feet;
13. North $89^{\circ}01'58''$ West, a distance of 401.54 feet, more or less, to the POINT OF TERMINUS.

Jeremy Russell





The Date: 5/10/23 11:41 AM. Prepared By: Stephanie Wilson
 JUB: COMMERCIAL CLIENTS: COEUR D'ALENE, IDAHO. PROJECT: UTILITY EASEMENT FOR E THOMAS LANE. CLIENT: GEORGE AND NELDA HOUSE LIVING TRUST. DEED: 2522196000. THOMAS LANE. E. 3500.




LEGEND
 UTILITY EASEMENT



EXHIBIT
UTILITY EASEMENT
 A PORTION OF THE NW1/4 OF SECTION 5, AND THE NE1/4 OF SECTION 6, T 50N, R 3W, B.M.,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

EXHIBIT B-1

**LEGAL DESCRIPTION
OF UTILITY EASEMENT**

**GEORGE AND NELDA HOUSE LIVING TRUST, PARCEL 3
TO THE
CITY OF COEUR D'ALENE**

February 7, 2023

A strip of land 10 feet in width, lying adjacent to and easterly of the public right-of-way line of Thomas Lane across that certain property described in Warranty Deed recorded as Instrument No. 2522196000, Records of Kootenai County, Idaho, the legal description for said property being attached hereto as Exhibit A-2 and the right-of-way of said Thomas Lane being more particularly described on attached Exhibit A-3, attached hereto; said strip being situated in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho.

Said strip containing 1514 square feet, more or less.

TOGETHER WITH

A strip of land 10 feet in width, lying adjacent to and westerly of the public right-of-way line of Thomas Lane across that certain property described in Warranty Deed recorded as Instrument No. 2522196000, Records of Kootenai County, Idaho, the legal description for said property being attached hereto as Exhibit A-2 and the right-of-way of said Thomas Lane being more particularly described on attached Exhibit A-3, attached hereto; said strip being situated in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho.

Said strip containing 1770 square feet, more or less.

Jeremy Russell



EXHIBIT B-2

House

Parcel 1

A parcel of land in the N1/2 NW1/4 NW1/4 of Section 5, Township 50 North, Range 3 W.B.M., Kootenai

County, State of Idaho, more particularly described as: Beginning at the SW corner of said N1/2 NW1/4 NW1/4, thence East, along the South boundary of the N1/2 NW1/4 NW1/4, 417.4 feet to the true point of beginning, thence continuing East, 208.70 feet to a point, thence North, 208.70 feet to a point, thence West 94.00 feet to a point, thence North 55.00 feet to a point, West, 300.00 feet to a point on the East boundary of the existing road, thence Southerly along the said existing road, 20.00 feet to a point, thence East, 280.00 feet to a point, thence South 35.00 feet to a point, thence West, 94.70 feet to a point, thence South, 208.7 feet to the true point of beginning.

Parcel 2

Beginning at the Southwest corner of said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5, thence North 208.7 feet along the West line of said Section 5; thence East along a line parallel to the South line of the said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 5, 417.4 feet; thence South parallel to the West line of said Section 5, 208.7 feet to the South line of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5;

thence West along said South line 417.4 feet to the place of beginning. Section 5, Township 50 North, Range 3 W.B.M.

Parcel 3

The South Half of the North Half of the Northwest Quarter of the Northwest Quarter (S1/2N1/2NW1/4NW1/4), Section 5, Township 50 North, Range 3 West B.M., Kootenai County, Idaho.

EXCEPTING THEREFROM:

A parcel of land in the N1/2 NW1/4 NW1/4 of Section 5, Township 50 North, Range 3 W.B.M., Kootenai County, State of Idaho, more particularly described as: Beginning at the SW corner of said N1/2 NW1/4 NW1/4, thence East, along the South boundary of the N1/2 NW1/4 NW1/4, 417.4 feet to the true point of beginning, thence continuing East, 208.70 feet to a point, thence North, 208.70 feet to a point, thence West 94.00 feet to a point, thence North 55.00 feet to a point, West, 300.00 feet to a point on the East boundary of the existing road, thence Southerly along the said existing road, 20.00 feet to a point, thence East, 280.00 feet to a point, thence South 35.00 feet to a point, thence West, 94.70 feet to a point, thence South, 208.7 feet to the true point of beginning.

AND ALSO EXCEPTING THEREFROM:

Beginning at the Southwest corner of said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5, thence North 208.7 feet along the West line of said Section 5; thence East along a line parallel to the South line of the said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 5, 417.4 feet; thence South parallel to the West line of said Section 5, 208.7 feet to the South line of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5; thence West along said South line 417.4 feet to the place of beginning. Section 5, Township 50 North, Range 3 W.B.M.

EXHIBIT B-3

LEGAL DESCRIPTION

A PORTION OF THOMAS LANE RIGHT-OF-WAY

February 14, 2023

A strip of land 50 feet in width being situated in the NW1/4 of Section 5 and the NE1/4 of Section 6, Township 60 North, Range 3 West, B.M., City of Coeur D'Alene, Kootenai County, Idaho, lying 25 feet on either side of the following described line:

COMMENCING at the northwest corner of said Section 5 (from which the W1/4 corner of said Section 5 bears South 00°45'25" West, a distance of 2,627.13 feet); thence South 89°28'58" East along the north line of the NW1/4 of said Section 5, a distance of 584.66 feet to the POINT OF BEGINNING;

thence leaving the north line of the NW1/4 of said Section 5 and along said centerline the following thirteen (13) courses:

1. 84.12 feet along the arc of a non-tangent curve to the right, having a radius of 743.00 feet, through a central angle of 06°29'13", said curve having a long chord that bears South 31°02'31" West a chord distance of 84.08 feet;
2. South 34°17'08" West, a distance of 118.40 feet;
3. 113.28 feet along the arc of a curve to the right, having a radius of 350.00 feet, through a central angle of 18°32'39", said curve having a long chord that bears South 43°33'27" West a chord distance of 112.79 feet;
4. South 52°49'47" West, a distance of 105.59 feet;
5. 54.70 feet along the arc of a curve to the left, having a radius of 565.00 feet, through a central angle of 05°32'51", said curve having a long chord that bears South 50°03'22" West a chord distance of 54.68 feet;
6. South 47°51'36" West, a distance of 160.83 feet;
7. 112.62 feet along the arc of a curve to the right, having a radius of 290.00 feet, through a central angle of 22°15'02", said curve having a long chord that bears South 59°14'25" West a chord distance of 111.91 feet;
8. 110.10 feet along the arc of a reverse curve to the left, having a radius of 90.00 feet, through a central angle of 70°05'31", said curve having a long chord that bears South 35°19'11" West a chord distance of 103.36 feet;
9. South 00°16'26" West, a distance of 429.46 feet;
10. 148.41 feet along the arc of a curve to the right, having a radius of 250.00 feet, through a central angle of 34°00'49", said curve having a long chord that bears South 17°16'50" West a chord distance of 146.24 feet;
11. South 34°17'14" West, a distance of 105.95 feet;

12. 108.77 feet along the arc of a curve to the right, having a radius of 110.00 feet, through a central angle of $56^{\circ}39'12''$, said curve having a long chord that bears South $62^{\circ}36'50''$ West a chord distance of 104.39 feet;
13. North $89^{\circ}01'58''$ West, a distance of 401.54 feet, more or less, to the POINT OF TERMINUS.

Jeremy Russell



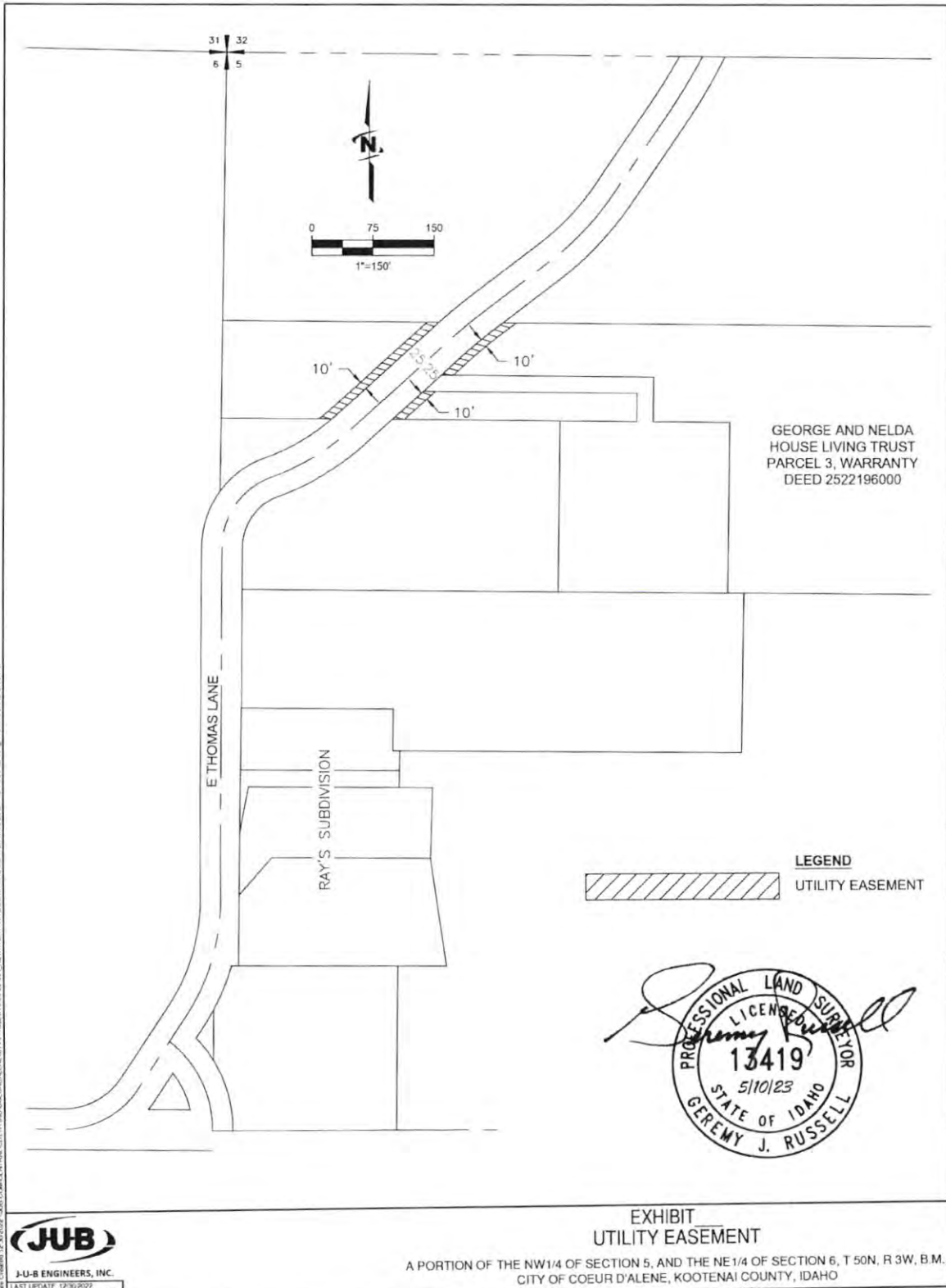


EXHIBIT _C_

LEGAL DESCRIPTION
OF ACCESS EASEMENT

GEORGE AND NELDA HOUSE LIVING TRUST
TO
THE CITY OF COEUR D'ALENE

February 16, 2023

That portion of the S1/2 of the N1/2 of the NW1/4 of the NW 1/4 of Section 5, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho, more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 5, from which the North 1/4 Corner of Section 6,
Township 50 North, Range 3 West, bears North 88°59'58" West, 2,648.91 feet; thence South 00°45'25"
West along the west line of said Section 5, 328.39 feet, more or less, to the northwest corner of said
S1/2 of the N1/2 of the NW1/4 of the NW 1/4 of Section 5, said point being the **POINT OF BEGINNING;**

thence South 89°29'50" East along the north line of said S1/2 of the N1/2 of the NW1/4 of the NW 1/4, 125.00 feet;

thence South 45°00'00" West, 39.05 feet;

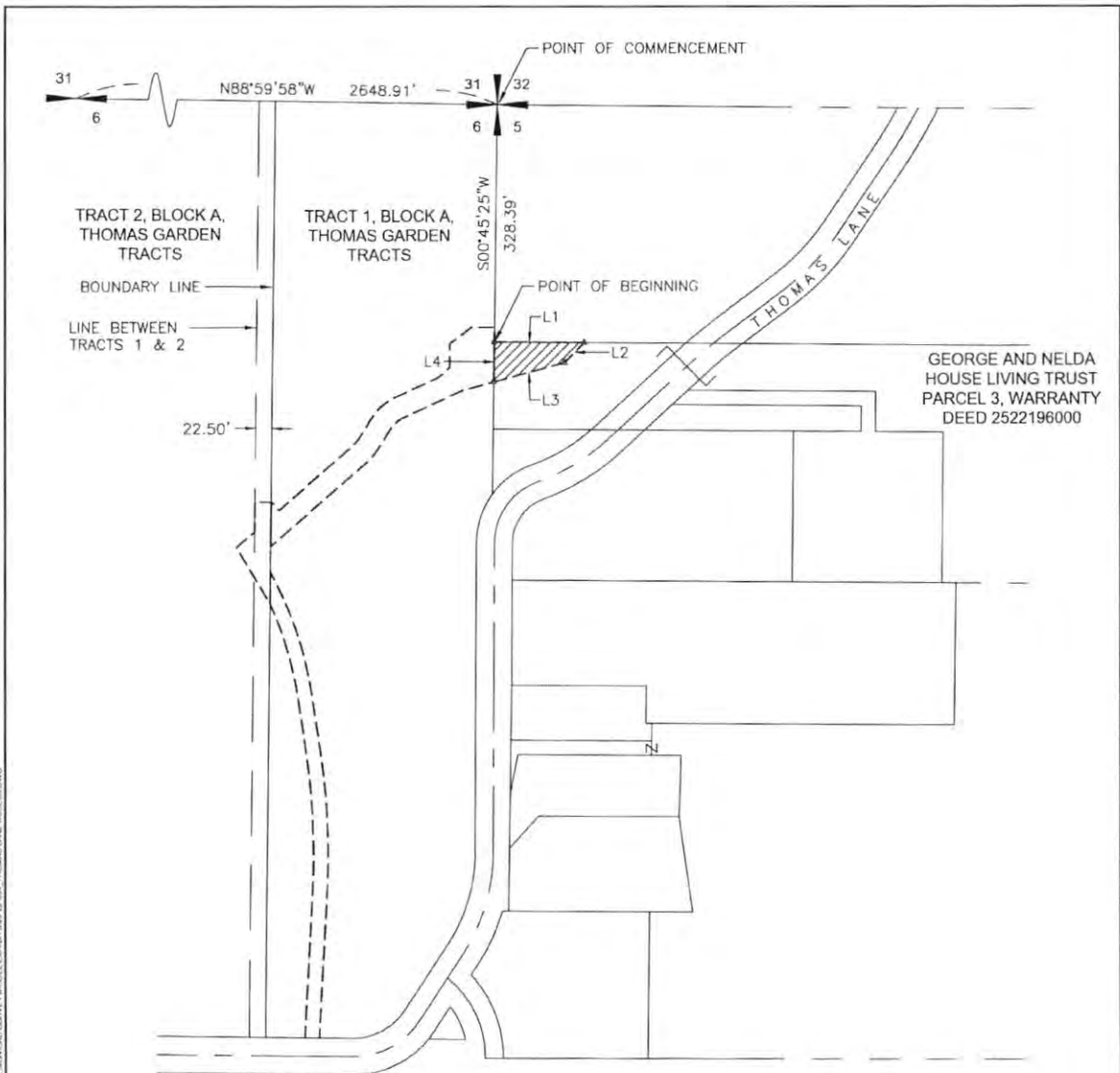
thence South 75°00'00" West, 101.57 feet, more or less, to the west line of said Section 5;

thence North 00°45'25" East along said west line, 55.00 feet, more or less, to the **POINT OF BEGINNING**.

Containing 4,429 square feet, more or less.

SUBJECT TO: Existing rights-of-way and easements of record and/or appearing on above-described tract.

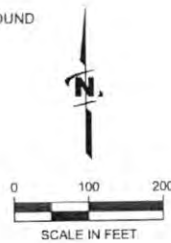




LEGEND

- EASEMENT AREA (4429 SQ FT ±)
- CALCULATED POINT, NOTHING FOUND OR SET

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S89° 29' 50"E	125.00'
L2	S45° 00' 00"W	39.05'
L3	S75° 00' 00"W	101.57'
L4	N00° 45' 25"E	55.00'



Plot Date: 8/15/2024 11:07 AM Printed By: Stephanie Hester
 Data Created: 8/15/2024 11:07 AM JUB CONVEYANCE SYSTEMS
 File: 252196000 THOMAS LANE ACCESS



EXHIBIT
ACCESS EASEMENT
 A PORTION OF THE NW 1/4 OF SECTION 5, T 50N, R 3W, B.M.,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

EXHIBIT D-1

LEGAL DESCRIPTION
OF UTILITY EASEMENT

GEORGE AND NELDA HOUSE LIVING TRUST, PARCEL 2
TO THE
CITY OF COEUR D'ALENE

February 7, 2023

A strip of land 10 feet in width, lying adjacent to and easterly of the public right-of-way line of Thomas Lane across that certain property described in Warranty Deed recorded as Instrument No.

2522196000,

Records of Kootenai County, Idaho, the legal description for said property being attached hereto as Exhibit A-2 and the right-of-way of said Thomas Lane being more particularly described on attached Exhibit A-3, attached hereto; said strip being situated in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho.

Said strip containing 3031 square feet, more or less.

TOGETHER WITH

A strip of land 10 feet in width, lying adjacent to and westerly of the public right-of-way line of Thomas

Lane across that certain property described in Warranty Deed recorded as Instrument No.

2522196000,

Records of Kootenai County, Idaho, the legal description for said property being attached hereto as Exhibit A-2 and the right-of-way of said Thomas Lane being more particularly described on attached Exhibit A-3, attached hereto; said strip being situated in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho.

Said strip containing 1537 square feet, more or less.

Jeremy Russell



EXHIBIT D-2

House

Parcel 1

A parcel of land in the N1/2 NW1/4 NW1/4 of Section 5, Township 50 North, Range 3 W.B.M., Kootenai

County, State of Idaho, more particularly described as: Beginning at the SW corner of said N1/2 NW1/4 NW1/4, thence East, along the South boundary of the N1/2 NW1/4 NW1/4, 417.4 feet to the true point of beginning, thence continuing East, 208.70 feet to a point, thence North, 208.70 feet to a point, thence West 94.00 feet to a point, thence North 55.00 feet to a point, West, 300.00 feet to a point on the East boundary of the existing road, thence Southerly along the said existing road, 20.00 feet to a point, thence East, 280.00 feet to a point, thence South 35.00 feet to a point, thence West, 94.70 feet to a point, thence South, 208.7 feet to the true point of beginning.

Parcel 2

Beginning at the Southwest corner of said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5, thence North 208.7 feet along the West line of said Section 5; thence East along a line parallel to the South line of the said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 5, 417.4 feet; thence South parallel to the West line of said Section 5, 208.7 feet to the South line of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5; thence West along said South line 417.4 feet to the place of beginning. Section 5, Township 50 North, Range 3 W.B.M.

Parcel 3

The South Half of the North Half of the Northwest Quarter of the Northwest Quarter (S1/2N1/2NW1/4NW1/4), Section 5, Township 50 North, Range 3 West B.M., Kootenai County, Idaho.

EXCEPTING THEREFROM:

A parcel of land in the N1/2 NW1/4 NW1/4 of Section 5, Township 50 North, Range 3 W.B.M., Kootenai

County, State of Idaho, more particularly described as: Beginning at the SW corner of said N1/2 NW1/4 NW1/4, thence East, along the South boundary of the N1/2 NW1/4 NW1/4, 417.4 feet to the true point of beginning, thence continuing East, 208.70 feet to a point, thence North, 208.70 feet to a point, thence West 94.00 feet to a point, thence North 55.00 feet to a point, West, 300.00 feet to a point on the East boundary of the existing road, thence Southerly along the said existing road, 20.00 feet to a point, thence East, 280.00 feet to a point, thence South 35.00 feet to a point, thence West, 94.70 feet to a point, thence South, 208.7 feet to the true point of beginning.

AND ALSO EXCEPTING THEREFROM:

Beginning at the Southwest corner of said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5, thence North 208.7 feet along the West line of said Section 5; thence East along a line parallel to the South line of the said North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 5, 417.4 feet; thence South parallel to the West line of said Section 5, 208.7 feet to the South line of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 5; thence West along said South line 417.4 feet to the place of beginning. Section 5, Township 50 North, Range 3 W.B.M.

EXHIBIT D-3

LEGAL DESCRIPTION

A PORTION OF THOMAS LANE RIGHT-OF-WAY

February 14, 2023

A strip of land 50 feet in width being situated in the NW1/4 of Section 5 and the NE1/4 of Section 6, Township 60 North, Range 3 West, B.M., City of Coeur D'Alene, Kootenai County, Idaho, lying 25 feet on either side of the following described line:

COMMENCING at the northwest corner of said Section 5 (from which the W1/4 corner of said Section 5 bears South 00°45'25" West, a distance of 2,627.13 feet); thence South 89°28'58" East along the north line of the NW1/4 of said Section 5, a distance of 584.66 feet to the POINT OF BEGINNING;

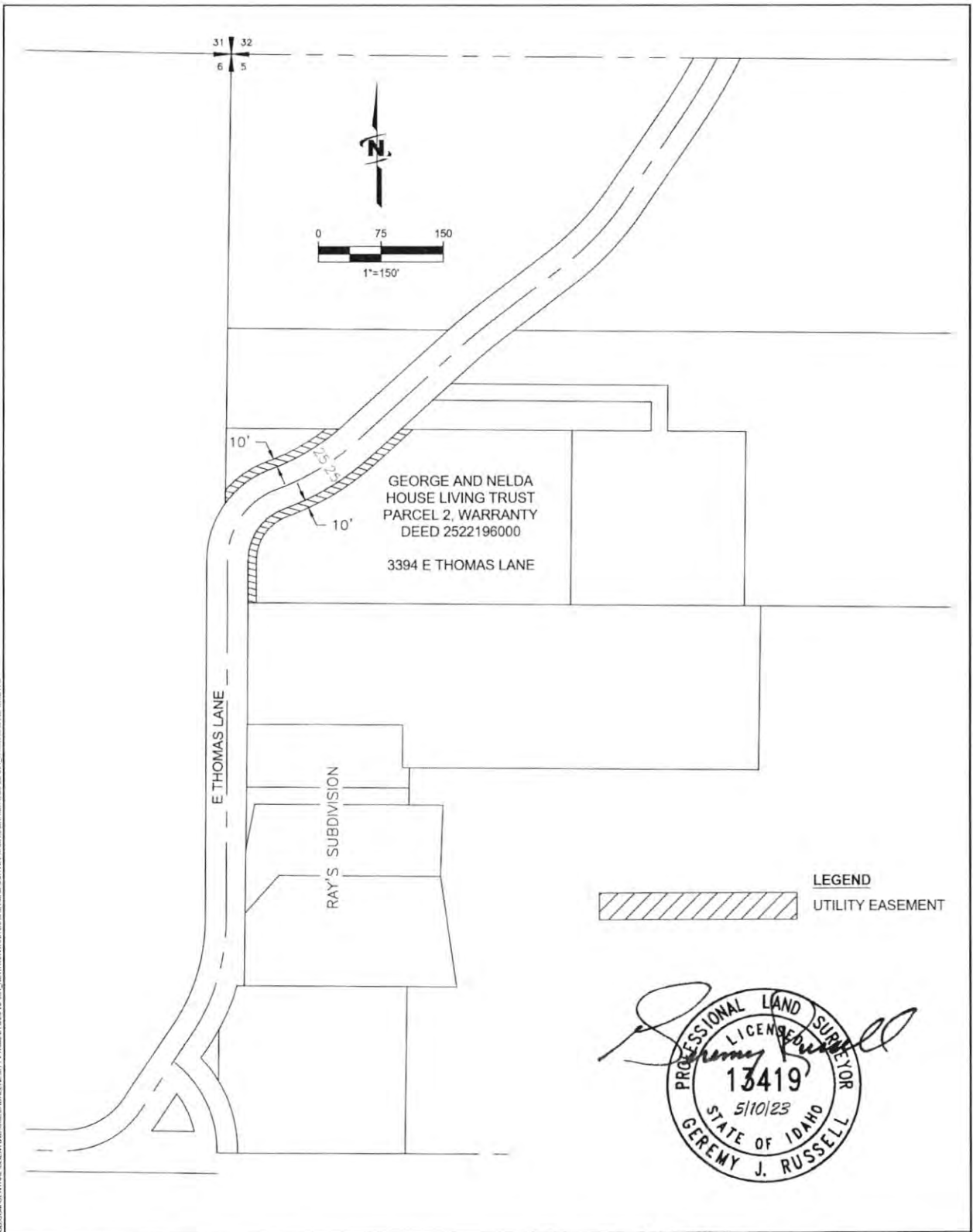
thence leaving the north line of the NW1/4 of said Section 5 and along said centerline the following thirteen (13) courses:

1. 84.12 feet along the arc of a non-tangent curve to the right, having a radius of 743.00 feet, through a central angle of 06°29'13", said curve having a long chord that bears South 31°02'31" West a chord distance of 84.08 feet;
2. South 34°17'08" West, a distance of 118.40 feet;
3. 113.28 feet along the arc of a curve to the right, having a radius of 350.00 feet, through a central angle of 18°32'39", said curve having a long chord that bears South 43°33'27" West a chord distance of 112.79 feet;
4. South 52°49'47" West, a distance of 105.59 feet;
5. 54.70 feet along the arc of a curve to the left, having a radius of 565.00 feet, through a central angle of 05°32'51", said curve having a long chord that bears South 50°03'22" West a chord distance of 54.68 feet;
6. South 47°51'36" West, a distance of 160.83 feet;
7. 112.62 feet along the arc of a curve to the right, having a radius of 290.00 feet, through a central angle of 22°15'02", said curve having a long chord that bears South 59°14'25" West a chord distance of 111.91 feet;
8. 110.10 feet along the arc of a reverse curve to the left, having a radius of 90.00 feet, through a central angle of 70°05'31", said curve having a long chord that bears South 35°19'11" West a chord distance of 103.36 feet;
9. South 00°16'26" West, a distance of 429.46 feet;

10. 148.41 feet along the arc of a curve to the right, having a radius of 250.00 feet, through a central angle of $34^{\circ}00'49''$, said curve having a long chord that bears South $17^{\circ}16'50''$ West a chord distance of 146.24 feet;
11. South $34^{\circ}17'14''$ West, a distance of 105.95 feet;
12. 108.77 feet along the arc of a curve to the right, having a radius of 110.00 feet, through a central angle of $56^{\circ}39'12''$, said curve having a long chord that bears South $62^{\circ}36'50''$ West a chord distance of 104.39 feet;
13. North $89^{\circ}01'58''$ West, a distance of 401.54 feet, more or less, to the POINT OF TERMINUS.

Jeremy Russell





File Date: 07/20/23 at 4:54 PM Printed By: Stephanie Nelson
 Date Changed: 12/20/22 JUB.COM\CLIENTS\CD\LOCAL\PROJECTS\2023\034_NEWWATERBANK\SURVEY\MCH\EXHIBITS\2023\034_THOMAS LANE EX.DWG


J-U-B ENGINEERS, INC.
 LAST UPDATE: 12/20/22
 FILE: 2023\034_THOMAS LANE EX


LEGEND
 UTILITY EASEMENT



EXHIBIT
UTILITY EASEMENT

A PORTION OF THE NW1/4 OF SECTION 5, AND THE NE1/4 OF SECTION 6, T 50N, R 3W, B.M.,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

UTILITY EASEMENT WATER LINE AND TANK ACCESS

KNOW ALL MEN BY THESE PRESENTS that Lance and Jakayla Sims, with a principle place of residence at 3153 E. Thomas Lane, Coeur d'Alene, Idaho, the **GRANTORS**, for and in consideration of providing one (1) one-inch (1") water service, and other good and valuable consideration, paid by the City of Coeur d'Alene, Kootenai County, State of Idaho, receipt of which is acknowledged, do hereby grant, quitclaim and convey unto the **CITY OF COEUR D'ALENE**, a municipal corporation, the **GRANTEE**, whose address is 710 Mullan Avenue, Coeur d'Alene, Idaho, its successors and assigns, an easement, together with the rights of ingress and egress for the improvement, operation, and maintenance of a water line and tank access, over and through the property situated in Kootenai County with an address of 3153 E. Thomas Lane, Coeur d'Alene, Idaho, which easement is described in Exhibits "A" and "B-1" through "B-3," attached hereto and incorporated herein by reference.

The **GRANTORS** further agree to keep the easement clear of all buildings, structures, and other obstructions, not to include the storage of removable items. The **GRANTORS** agree that all underground facilities and water tank access installed by or for the **GRANTEE** shall remain the property of the **GRANTEE**, removable by the **GRANTEE** at its option. The **GRANTORS** further agree that the water line and tank access easement is only for the purpose of ingress and egress for the improvement, operation, and maintenance of the water line and tank by the **GRANTEE**. If any future development proposes to use the easement for any other purpose, the access must be improved to meet Kootenai County fire code standards or, if annexed into the City of Coeur d'Alene, the **GRANTEE's** fire code standards. The **GRANTOR** and **GRANTEE** further agree that if the water line and tank easement ever need to be adjusted in the future, this could be achieved as long as access is still granted for the water line and tank access, and that both parties mutually agree to the adjustment of the easement.

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

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

IN WITNESS WHEREOF, the **GRANTORS** have caused this instrument to be executed this 14 day of May, 2024.

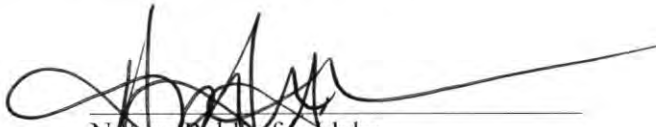

Lance Sims


Jakayla Sims

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 14 day of May, 2024, before me, a Notary Public, personally appeared Lance Sims, Jakayla Sims, known to me to be the owner, of 3153 E. Thomas Lane, and the persons who executed the foregoing instrument, and acknowledged to me that they voluntarily executed the same.

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


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



STATE OF IOWA
DEPARTMENT OF CORRECTIONS
IOWA STATE PRISON
JAIL
STATE OF IOWA
DEPARTMENT OF CORRECTIONS
IOWA STATE PRISON
JAIL

EXHIBIT _A_

LEGAL DESCRIPTION
OF ACCESS EASEMENT

LANCE AND JAKAYLA SIMS
TO
THE CITY OF COEUR D'ALENE

February 16, 2023

EASEMENT AREA A:

A strip of land 20 feet in width across a portion of Tract 1, Block A, Thomas Garden Tracts, according to the Plat thereof, recorded in Book B of Plats, Page 137, records of Kootenai County, Idaho, being situated in the NE 1/4 of Section 6, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho, said strip being 10 feet on each side of the following described centerline:

COMMENCING at the northeast corner of said Tract 1, said point also being the northeast corner of said Section 6, from which the North 1/4 Corner of said Section 6 bears North 88°59'58" West 2,648.91 feet; thence South 11°22'15" West, 1309.68 feet, more or less, to a point on the north right-of-way line of Thomas Lane, said point being the **POINT OF BEGINNING;**

thence North 03°17'07" East, 189.91 feet;

thence 208.56 feet along the arc of a curve to the left, having a radius of 1,000.00 feet, through a central angle of 12°00'25", said curve having a long chord which bears North 02°43'05" West, a chord length of 209.18 feet;

thence North 08°43'18" West, 67.33 feet;

thence 160.81 feet, more or less, along the arc of a curve to the left, having a radius of 511.58 feet, through a central angle of 18°00'39", said curve having a long chord which bears North 17°43'37" West, a chord length of 160.15 feet to a point on a line 22.50 feet easterly of and parallel with the westerly boundary line of said Tract 1, said point being the **POINT OF TERMINUS** of said strip, lengthening and shortening the sidelines of said strip so as to terminate on the north right-of-way line of Thomas Lane and said line which is 22.50 feet easterly of and parallel with the westerly boundary line of said Tract 1.

Containing 12,550 square feet, more or less.

EASEMENT AREA B:

That portion of Tract 1, Block A, Thomas Garden Tracts, according to the Plat thereof, recorded in Book B of Plats, Page 137, records of Kootenai County, Idaho, being situated in the NE 1/4 of Section 6, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho, more particularly described as follows:

COMMENCING at the northeast corner of said Tract 1, said point also being the northeast corner of said Section 6, from which the North 1/4 Corner of said Section 6 bears North 88°59'58" West, 2,648.91 feet; thence South 00°45'25" West along the east boundary line of said Tract 1, 308.39 feet to the **POINT OF BEGINNING**;

thence continuing South 00°45'25" West along said east line, 75.00 feet;

thence South 75°00'00" West, 44.52 feet;

thence South 65°47'37" West, 89.30 feet;

thence 27.88' feet along the arc of a curve to the left, having a radius of 47.00 feet, through a central angle of 33°59'26", said curve having a long chord which bears South 48°47'54" West, a chord length of 27.48 feet;

thence South 31°48'11" West, 26.30 feet;

thence 30.97' feet along the arc of a curve to the right, having a radius of 103.00 feet, through a central angle of 17°13'32", said curve having a long chord which bears South 40°24'57" West, a chord length of 30.85 feet;

thence South 49°01'44" West, 174.21 feet, more or less, to a point on a line 22.50 feet east of and parallel with the westerly boundary line of said Tract 1;

thence North 00°38'43" East along said line 61.24 feet;

thence South 89°21'17" East, 1.18 feet;

thence South 40°58'16" East, 15.00 feet;

thence North 49°01'44" East, 132.65 feet;

thence 21.95' feet along the arc of a curve to the left, having a radius of 73.00 feet, through a central angle of 17°13'32", said curve having a long chord which bears North 40°24'57" East, a chord length of 21.86 feet;

thence North 31°48'11" East, 26.30 feet;

thence 45.68 feet along the arc of a curve to the right, having a radius of 77.00 feet, through a central angle of 33°59'26", said curve having a long chord which bears North 48°47'54" East, a chord length of 45.01 feet;

thence North 65°47'37" East, 57.68 feet;

thence 24.14 feet along the arc of a curve to the left, having a radius of 60.00 feet, through a central angle of 23°03'11", said curve having a long chord which bears North 54°16'01" East, a chord length of 23.98 feet;

thence 5.00 feet along the arc of a compound curve to the left, having a radius of 120.00 feet, through a central angle of 02°23'15", said curve having a long chord which bears North 43°56'03" East, a chord length of 5.00 feet;

thence North 00°00'00" East, 32.00 feet;

thence North 52°46'46" East, 37.92 feet;

thence South 89°14'35" East, 32.01 feet, more or less, to the **POINT OF BEGINNING**.

Containing 14,806 square feet, more or less.

Total for both Easement Areas A & B: 27,356 square feet, more or less.

SUBJECT TO: Existing rights-of-way and easements of record and/or appearing on above-described tract.

A handwritten signature in black ink that reads "Jeremy Russell". The signature is written in a cursive style with a large initial 'J'.

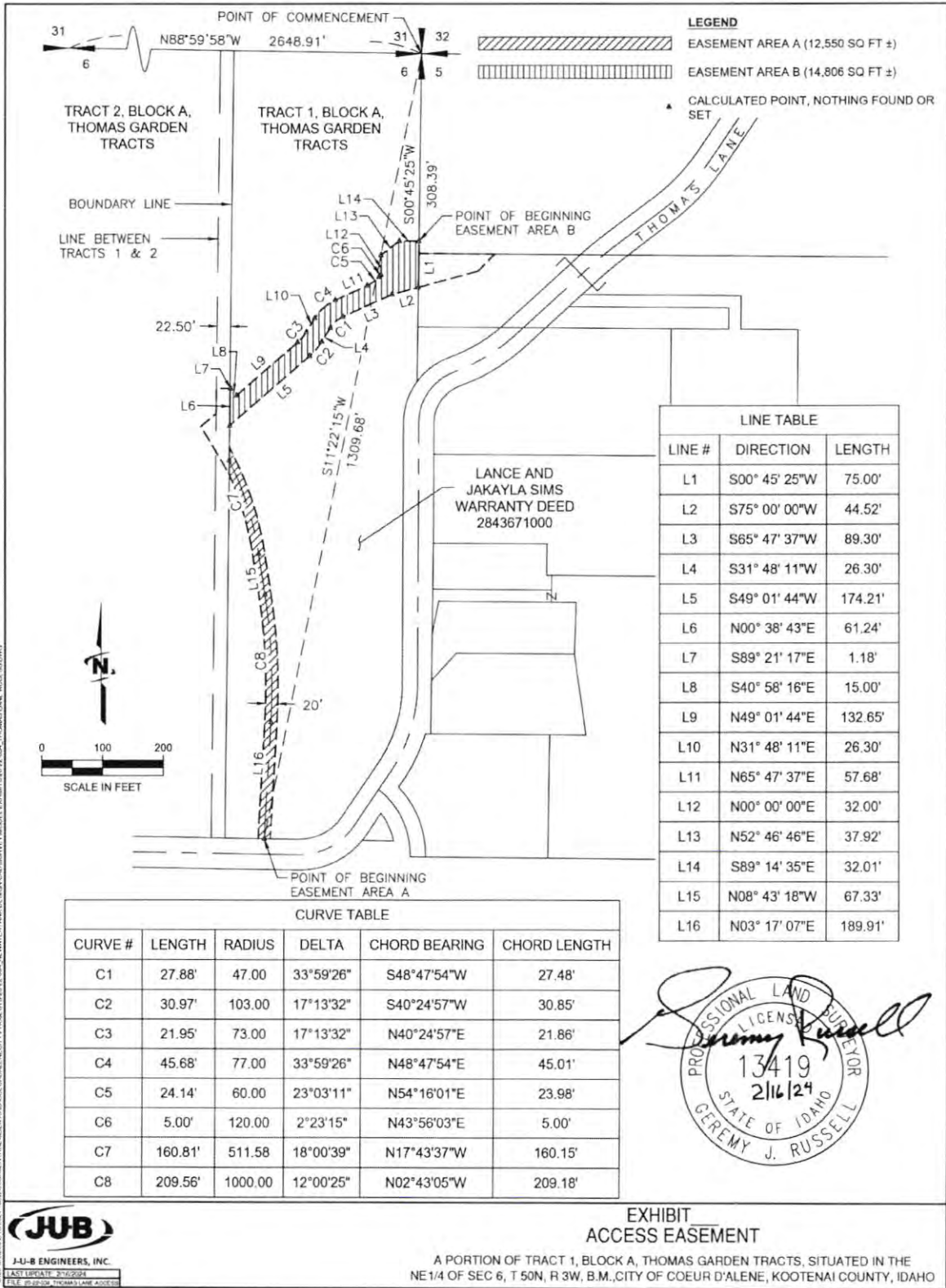


EXHIBIT B-1

LEGAL DESCRIPTION
OF UTILITY EASEMENT

LANCE AND JAKAYLA SIMS
TO THE
CITY OF COEUR D'ALENE

February 7, 2023

A strip of land 10 feet in width, lying adjacent to and easterly of the public right-of-way line of Thomas

Lane across that certain property described in Warranty Deed recorded as Instrument No. 2843671000, Records of Kootenai County, Idaho, the legal description for said property being attached hereto as

Exhibit A-2 and the right-of-way of said Thomas Lane being more particularly described on attached Exhibit A-3, attached hereto; said strip being situated in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho.

Said strip containing 816 square feet, more or less.

TOGETHER WITH

A strip of land 10 feet in width, lying adjacent to and westerly of the public right-of-way line of Thomas

Lane across that certain property described in Warranty Deed recorded as Instrument No. 2843671000, Records of Kootenai County, Idaho, the legal description for said property being attached hereto as

Exhibit A-2 and the right-of-way of said Thomas Lane being more particularly described on attached Exhibit A-3, attached hereto; said strip being situated in the NW 1/4 of Section 5 and the NE 1/4 of Section 6, Township 50 North, Range 3 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho.

Said strip containing 9723 square feet, more or less.



EXHIBIT B-2

SIMS

Lot 1, Block A, Thomas Garden Tracts, according to the Plat recorded in Book "B" of Plats, Page 137; except the West 22.5 feet thereof, records of Kootenai Count, Idaho

EXHIBIT B-3

LEGAL DESCRIPTION

A PORTION OF THOMAS LANE RIGHT-OF-WAY

February 7, 2023

A strip of land 50 feet in width being situated in the NW1/4 of Section 5 and the NE1/4 of Section 6, Township 60 North, Range 3 West, B.M., City of Coeur D'Alene, Kootenai County, Idaho, lying 25 feet on either side of the following described line:

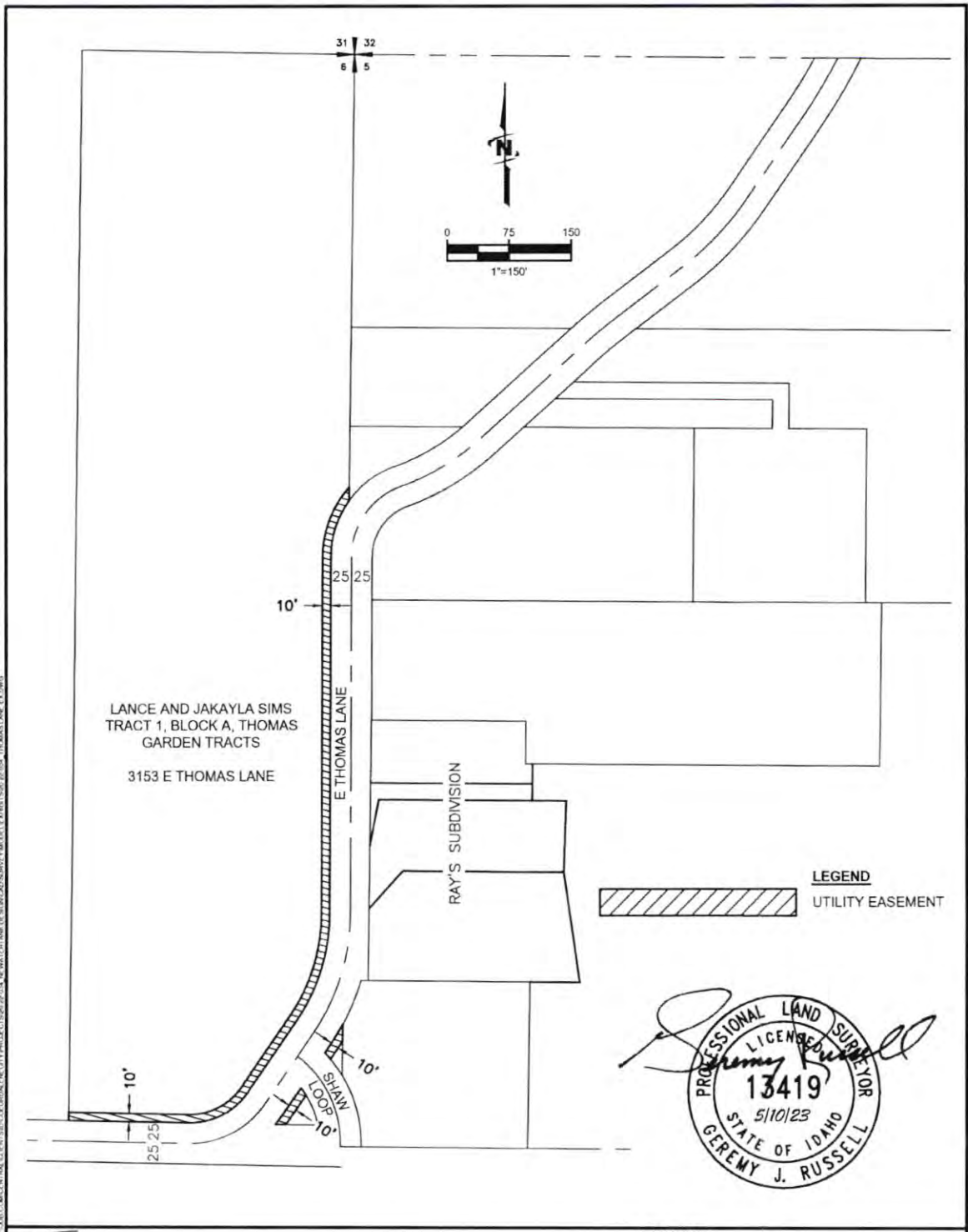
COMMENCING at the northwest corner of said Section 5 (from which the W1/4 corner of said Section 5 bears South 00°45'25" West, a distance of 2,627.13 feet); thence South 89°28'58" East along the north line of the NW1/4 of said Section 5, a distance of 584.66 feet to the POINT OF BEGINNING;

thence leaving the north line of the NW1/4 of said Section 5 and along said centerline the following thirteen (13) courses:

1. 84.12 feet along the arc of a non-tangent curve to the right, having a radius of 743.00 feet, through a central angle of $06^{\circ}29'13''$, said curve having a long chord that bears South $31^{\circ}02'31''$ West a chord distance of 84.08 feet;
2. South $34^{\circ}17'08''$ West, a distance of 118.40 feet;
3. 113.28 feet along the arc of a curve to the right, having a radius of 350.00 feet, through a central angle of $18^{\circ}32'39''$, said curve having a long chord that bears South $43^{\circ}33'27''$ West a chord distance of 112.79 feet;
4. South $52^{\circ}49'47''$ West, a distance of 105.59 feet;
5. 54.70 feet along the arc of a curve to the left, having a radius of 565.00 feet, through a central angle of $05^{\circ}32'51''$, said curve having a long chord that bears South $50^{\circ}03'22''$ West a chord distance of 54.68 feet;
6. South $47^{\circ}51'36''$ West, a distance of 160.83 feet;
7. 112.62 feet along the arc of a curve to the right, having a radius of 290.00 feet, through a central angle of $22^{\circ}15'02''$, said curve having a long chord that bears South $59^{\circ}14'25''$ West a chord distance of 111.91 feet;
8. 110.10 feet along the arc of a reverse curve to the left, having a radius of 90.00 feet, through a central angle of $70^{\circ}05'31''$, said curve having a long chord that bears South $35^{\circ}19'11''$ West a chord distance of 103.36 feet;
9. South $00^{\circ}16'26''$ West, a distance of 429.46 feet;
10. 148.41 feet along the arc of a curve to the right, having a radius of 250.00 feet, through a central angle of $34^{\circ}00'49''$, said curve having a long chord that bears South $17^{\circ}16'50''$ West a chord distance of 146.24 feet;
11. South $34^{\circ}17'14''$ West, a distance of 105.95 feet;
12. 108.77 feet along the arc of a curve to the right, having a radius of 110.00 feet, through a central angle of $56^{\circ}39'12''$, said curve having a long chord that bears South $62^{\circ}36'50''$ West a chord distance of 104.39 feet;
13. North $89^{\circ}01'58''$ West, a distance of 401.54 feet, more or less, to the POINT OF TERMINUS.

Jeremy Russell





File Name: 1710013 44.DWG, Printed By: JUB Engineers, Inc., Date: 04/11/2023 12:28:02 PM, JUB CONSULTING ENGINEERS, 1000 W. MAIN ST., COEUR D'ALENE, IDAHO 83814, TEL: 208.765.4100



LEGEND
 UTILITY EASEMENT



EXHIBIT
UTILITY EASEMENT
 A PORTION OF THE NW1/4 OF SECTION 5, AND THE NE1/4 OF SECTION 6, T 50N, R 3W, B.M.,
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



PCN Strategies, Inc.
 1420 K Street NW Suite 600
 Washington, District of Columbia 20005
 United States

Quotation (Open)
 Quote # : 1019132 1 rev of 1
 Modified Date: Apr 04, 2024 10:41 AM CDT
 Description: Getac V110 G7
Email: erin.v@pcnstrategies.com
Customer Contact
 Hollenbeck, Eric
 ehollenbeck@cdaid.org
 (P) 2087692220

Customer
 City of Coeur d'Alene (CO2956)
 Hollenbeck, Eric
 710 E. Mullan Ave
 Coeur d'Alene, ID 83814
 United States
 (P) (208) 769-2300

Bill To
 City of Coeur d'Alene
 Payable, Accounts
 710 E. Mullan Ave
 Coeur d'Alene, ID 83814
 United States
 (P) (208) 769-2220
 ehollenbeck@cdaid.org

Ship To
 Coeur d'Alene Police Department
 Hollenbeck, Eric
 3818 Schreiber Way
 Coeur d'Alene, ID 83815
 United States
 (P) (208) 769-2220
 ehollenbeck@cdaid.org

Customer PO:	Terms: Undefined	Ship Via: FedEx Ground
Special Instructions:		Carrier Account #:

#	Description	Part #	Qty	Unit Price	Total
Getac V110's					
1	Getac V110	VSCP6YJAB4BA	20	\$3,251.56	\$65,031.20

Note: V110G7-i5-1235U, Windows Hello Webcam, Windows 11+16GB RAM, 512GB PCIe SSD, Sunlight Readable FHD LCD+Touchscreen+Stylus, Membrane Backlit KBD, WIFI+BT+4G LTE+Dedicated GPS+Passthrough, Hard Handle

*3% surcharge fee for credit card purchases
 *Coeur D' Alene has approved NET 30 terms with PCN

Subtotal: \$65,031.20
Total: \$65,031.20

*These items are custom built and are not returnable once ordered.

**GENERAL SERVICES/PUBLIC WORKS
STAFF REPORT**

DATE: May 13, 2024
FROM: Mike Becker, Capital Programs Manager, Wastewater Dept.
SUBJECT: Compost Facility Maintenance Project – Rejection of Bids

DECISION POINT: Should City Council reject all bids for the 2024 Compost Facility Maintenance Project?

HISTORY: City growth equates to increased sewer flows and ultimately increased biosolids. Located at the Compost Facility, this project is intended to enhance compost production by reducing the Operation and Maintenance costs. Similar to the 2019 Compost Building Project, this design is a tremendous time saver. It places the aeration system within the floor which allows the loaders to freely operate without the assembling and disassembling of aeration pipes within the compost piles.

FINANCIAL ANALYSIS: On April 11, 2024, and in compliance with the City’s Procurement Policies and Idaho Code § 67-2805, the City solicited Public Works Construction Bids for this project. On May 2, 2024, the City received the following bids:

General Contractor/Bidder	Base Bid	Add Alt #1	Total Bid
TML Construction, Inc. Hayden, Idaho	\$365,500	\$54,000	\$419,500
Dardan Enterprises Post Falls, Idaho	\$334,400	\$60,683	\$395,083
Apollo, Inc Kennewick, Washington	\$312,699	\$46,799	\$359,498
Engineer’s Estimate:	\$175,000 to \$190,000		

The basis of award is for the base bid only and all of these base bids exceeded our 2023/2024 Budget (\$160,000.00).

PERFORMANCE ANALYSIS: Idaho Code § 67-2805(1)(d) allows Council to reject all bids and staff is recommending rejection because all bids greatly exceeded the engineer’s estimate. Another consideration for rejecting the bids is the first 21 days of composting requires the piles to aerate under a climate-controlled environment. Since this project is within the existing compost building footprint, the construction window is confined within the drier/warmer summer months (Mid-June to Mid-September). Per conversations with Apollo, some of the specialized


materials required for this project may delay the completion date, forcing longer facility composting days. Based on the above information, Staff believes rejecting all bids and allowing another year of equity to build up and rebid this project this next winter is in the best interest of the City.

DECISION POINT/RECOMMENDATION: City Council should reject all bids for the 2024 Compost Facility Maintenance Project and allow the Wastewater Department to rebid the project next winter.



1

**CITY OF COEUR D'ALENE
WASTEWATER DEPARTMENT
COMPOST FACILITY MAINTENANCE PROJECT
REJECTION OF BIDS**



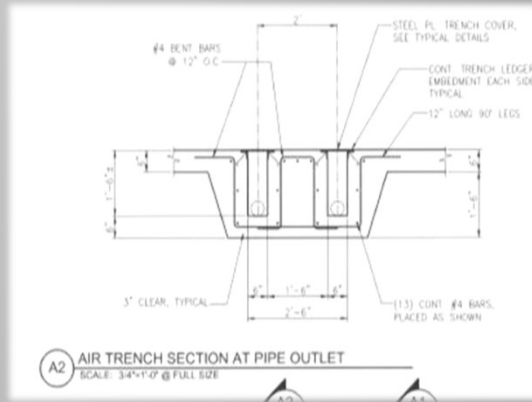
2

COMPOST FACILITY



3

VENT PIPES



TRENCH DRAIN



4

BID BREAKDOWN

General Contractor/Bidders	Base Bid	Add-Alt-#1	Total Bid
TML Construction, Inc. Hayden, Idaho	\$365,500	\$54,000	\$419,500
Dardan Enterprises Post Falls, Idaho	\$334,400	\$60,683	\$395,083
Apollo, Inc. Kennewick, Washington	\$312,699	\$46,799	\$359,498
Engineer's Estimate	\$175,000 to \$190,000		



5

STAFF'S RECOMMENDATION:

CITY COUNCIL SHOULD REJECT ALL BIDS FOR THE 2024 COMPOST FACILITY MAINTENANCE PROJECT AND ALLOW THE WASTEWATER DEPARTMENT TO REBID THE PROJECT NEXT WINTER.



6

QUESTIONS FOR STAFF?



7

STAFF REPORT

DATE: MAY 21, 2024
FROM: RENATA MCLEOD, MUNICIPAL SERVICES DIRECTOR/CITY CLERK
SUBJECT: APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE COEUR D'ALENE REGIONAL CHAMBER OF COMMERCE, INC. (CHAMBER) FOR THE 4TH OF JULY PARADE AND FIREWORKS SHOW

DECISION POINT: Should Council approve the proposed Memorandum of Understanding with the Coeur d'Alene Regional Chamber of Commerce, Inc., ("Chamber") for the 4th of July parade and fireworks show for 2024 and 2025?

HISTORY: At the July 19, 2022, Council meeting, Council requested staff to begin looking at options for entering into agreements with entities sponsoring the large special events held in the City. Agreements 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 payments in addition to the general fees. Last year was the first year that the City entered into an agreement with the Chamber. The proposed Memorandum of Agreement (MOU) mirrors the requirements from last year with additional insurance clauses. The MOU clarifies the roles and responsibilities to ensure there are no questions the day of the event. The Chamber 4th of July Parade and Fireworks Show has been a long-standing tradition in the community. The Parade takes place earlier in the day and then there is a large break in time before the evening firework display that requires a lot of traffic control for disbursement after the show.

The Streets and Engineering Department crafted the traffic safety plan, which will remain the plan into the future in the absence of significant changes to the event or the street system. This plan satisfies the requirements of the Manual on Uniform Traffic Control Devices (MUTCD). The Streets and Engineering Department have worked with the Chamber to provide flagger certification training and limit the number of volunteers needed at non-emergency intersections. Additionally, they have negotiated private traffic control numbers for the Chamber so that the cost will not exceed \$8,000.00.

FINANCIAL ANALYSIS: The fee included under the proposed Memorandum is \$750.00 for 2024 and \$787.50 for 2025, with a \$1,000.00 annual security deposit, based on permit fees in place at the time of this negotiation. There are some legal restrictions regarding covering event costs, including that the fee must be reasonably related to, and cannot be higher than, the actual costs for the event. When there is a controversial political message which might offend a hostile crowd, it is unconstitutional to add to the fees the sponsor must pay. Further, a fee that is based on the content of the message violates the First Amendment. While there are additional costs to City departments with the 4th of July events, the Chamber has picked up additional costs as well. Last year the Chamber provided a cost breakdown of \$64,062.28 in expenses. It also estimates volunteer hours to have a value of \$9,399.60 for a total of \$73,461.88. The Memorandum

outlines the responsibilities of the City and Chamber in order to level the amount of staff time needed for these types of community events.

The following are the City costs associated with the 2023 4th of July events, not including the rental of lighting for the Park needed at the Fireworks breakup costing approximately \$1,500.00. Please note these are costs for the entire day and they are not specific to the hours of the events.

7/4/2023	July 4th	
	Tuesday	
	All Wages	OT Wages
	& Benefits	& Benefits
Fire	\$ 31,388.89	\$ 7,015.15
Police	67,496.46	29,410.07
Streets	12,620.25	-
Parks	9,641.79	-
	\$ 121,147.39	\$ 36,425.22

DECISION POINT/RECOMMENDATION: Staff recommends the approval of the proposed Memorandum of Understanding with the Coeur d’Alene Regional Chamber of Commerce, Inc., (Chamber) for the 4th of July parade and fireworks show.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY OF COEUR D’ALENE AND
COEUR D’ALENE REGIONAL CHAMBER OF COMMERCE, INC.
FOR
4th of JULY PARADE AND FIREWORKS SHOW**

I. PURPOSE:

This Memorandum of Understanding is between the City of Coeur d’Alene, Idaho (“CDA”) and the Coeur d’Alene Regional Chamber of Commerce, Inc., (“CC”), and is intended to document the parties’ understanding of, and agreement to cooperate on, the 4th of July Parade and Fireworks Show (“Event”) for 2024 and 2025.

II. RECITALS:

WHEREAS, CDA is a municipal corporation organized and existing under the laws of the State of Idaho; and

WHEREAS, CC is a non-profit corporation organized and existing under the laws of the State of Idaho; and

WHEREAS, CC annually sponsors the Event in downtown Coeur d’Alene; and

WHEREAS, CDA and CC recognize the need for and efficiency of a Memorandum of Understanding (“MOU”) in establishing each party’s expectations, as well as the roles and responsibilities of each party, for the Event; and

WHEREAS, it is the mutual desire of CDA and CC to memorialize their understanding and agreement with respect to their cooperation on the Event; and

WHEREAS, this MOU creates a mutually beneficial solution for the parties involved.

NOW, THEREFORE, it is hereby agreed as follows:

III. AGREEMENT:

A. CC hereby agrees:

1. To sponsor a Parade on Tuesday, July 4, 2024, and Friday July 4, 2025, and pay CDA a fee of seven hundred fifty and no/100 dollars (\$750.00) for 2024 and a fee of seven hundred eighty-seven and 50/100 dollars (\$787.50), with a refundable damage deposit of one thousand and no/100 dollars (\$1,000.00). The fee and deposit have been paid for 2024 and shall be paid no later than June 1, 2025;

2. To be solely responsible for the organization and operation of the Parade, except as set out in paragraph III(B) of this MOU;
3. To meet with CDA at least fourteen (14) days prior to the date of the Parade to discuss the traffic control plan;
4. To provide one (1) qualified adult (“Monitors”) to monitor and oversee the traffic barricades used for the Parade at each intersection on E. Sherman Avenue needed for emergency services, which at this time are identified as Second, Third, Fourth, Seventh, Eleventh, Fifteenth, and Twenty-Second Streets, subject to modification in the traffic control plan; and to provide one (1) qualified adult to monitor and oversee the traffic barricades at all other intersections on E. Sherman Avenue along the parade route and assembly area. A qualified adult is a responsible person over the age of eighteen (18) who has received adequate instruction/training regarding the proper methods of traffic control for parades;
5. To supervise the Monitors in a reasonable and professional manner, and to provide and require said Monitors to wear a safety vest at all times when on duty, and to carry identification showing that they are authorized to oversee the traffic control devices on behalf of CC;
6. That the Monitors are not employees, volunteers, or agents of CDA, but act entirely under the authority and responsibility of CC;
7. CC shall coordinate the towing of vehicles parked in violation of the signs with the Coeur d’Alene Police Department;
8. To assure that all traffic barricades supplied by CDA remain in their proper positions, in accordance with the traffic control plan, to ensure that traffic from side streets does not enter the Parade route until the Parade is completed;
9. That the Parade route shall be on Sherman Avenue from 15th Street to 1st Street, with an assembly area on Sherman Avenue from 15th Street to 23rd Street. CC will inform Parade participants to exit at the end of the Parade from Northwest Boulevard onto N. Government Way, and CC shall station personnel at that intersection to assure compliance;
10. That CC may begin staging for the Parade no earlier than 8:00 a.m., on Tuesday, July 4, 2024;
11. That the Parade shall start at 10:00 a.m., and be completed by 1:00 p.m., on Tuesday, July 4, 2024, at which time CC will begin cleaning the Parade route, together with the open space at the southeast corner of Sixth Street and E. Sherman Avenue, and will remove any CC property that was placed for the Parade. Clean-up shall be completed no later than 4:00 p.m. on Tuesday, July 4, 2024;

12. That it will participate in a debriefing session with CDA within one (1) week of the conclusion of the Event, or such other time as agreed by CDA;
13. That CC shall sponsor a community Fireworks display on Lake Coeur d'Alene off City Beach;
14. To hire a maximum of twenty (20) certified flaggers to assist with traffic control for traffic exiting the downtown area after the Fireworks display, for a cost not to exceed \$8,000.00. CC will provide up to six (6) CC employee flaggers in addition to the 20 contractor flaggers. CC will enter into a contract for the certified flaggers at least ninety (90) days prior to the Event and provide a copy of the contract to CDA;
15. That CC shall lease the following listed City parking lots on July 4, 2024, from 12:01 a.m. to 11:59 p.m.:
 - a. -City Hall lot
 - b. -Independence Point lot
 - c. -Museum lot
 - d. -Memorial Field Paved lot
 - e. -4th Street Parking Garage
 - f. -Coeur d'Alene Public Library
 - g. -McEuen Park Parking Facility
16. That consideration for the lease of parking lots shall be \$9.00 per space, payable to the City of Coeur d'Alene Parking Fund;
17. That payment for the lease shall be made on or before July 31, 2024;
18. That CC agrees that it will charge no more than \$20.00 per space for all leased parking spaces during the term of the lease; and
19. That CDA shall be allowed spaces at the Independence Point lot for the Police Department command trailer, and Fire Ambulance and staff vehicle, spaces at the City Hall lower lot for Police Department staging purposes, and spaces in front of the Human Rights Education Institute on July 4, 2024, as shown on the attached photographs as Exhibit "A."
20. That CC, including its agents, employees, licensees, and all parade participants, shall be allowed to distribute candy during the Parade in accordance with the following rules:
21. Candy distribution should be done in a safe and responsible manner at all times.
22. Only authorized individuals or groups, such as parade volunteers or event organizers, should be designated as official candy distributors. Unauthorized individuals, including participants or spectators, should not distribute candy during the parade.

23. Candy Choices: Candy should be individually wrapped and in its original packaging.
24. Candy should be appropriate for all ages, taking into consideration potential choking hazards for young children.
25. CC is responsible for cleaning up any candy wrappers or debris left behind during the parade. It is important to leave the parade route clean and free of litter.
26. CC is responsible for enforcing these rules for the distribution of candy during the Parade.
27. That it will ensure the Fireworks display by the Hagadone Hospitality Co. (“HHC”) shall begin no earlier than 9:00 p.m. on the day of the Parade, and be completed by 11:00 p.m.;
28. To provide sufficient fixed street trash disposal containers and green cans capable of holding all trash generated by each Parade, placed at convenient locations. The containers shall be emptied periodically as necessary in order to ensure, at all times, public access to and use of the containers, and that the streets remain free and clear of trash;
29. To maintain general liability insurance with limits of at least \$500,000.00, proof of which shall be provided to the City, naming CDA as an additional insured;
30. To hold harmless, and indemnify CDA, its officers, agents, and employees, from and against any and all damages or liability to the extent such arises out of the CC’s negligent acts, errors, or omissions, including costs and expenses for or on account of any and all legal actions or claims of any character resulting from injuries or damages sustained by persons or property;
31. Neither party shall be liable to the other for indirect, consequential, or incidental damages that may result from this Agreement or related projects. Each party shall be liable for any and all claims, damages, or suits arising from the acts, omission or negligence of its officers, agents and employees;
32. To provide twelve (12) portable toilets for vendors and customers, placed in accordance to the traffic control plan. All portable toilets shall be equipped with, or shall be accompanied by, an approved hand washing/hand sanitizing station. Portable toilets shall be located so as to not obstruct existing structures, utilities, doorways, or pedestrian travel paths, and in such a manner as to not be potentially impacted by site conditions. All portable toilets shall be monitored and serviced by a person, firm or corporation engaged in the business of cleaning or emptying portable toilets and recharged at a sufficient frequency to prevent the escape of offensive odors or spillage. It is CC’s responsibility to ensure that portable toilets are not used in a dangerous or inappropriate manner, and shall be secured during periods of inactivity. At least two (2) of the portable toilets shall be ADA compliant. Portable toilets shall be placed and operational prior to setup;

B. CDA hereby agrees:

1. To provide a traffic control plan for the Parade and Fireworks as attached as Exhibit “B.” Among the elements of the plan shall be closure of E. Sherman Avenue from 23rd Street to Northwest Boulevard, Northwest Boulevard from E. Sherman Avenue to W. Garden Avenue, and Government Way from Northwest Boulevard to E. Wallace Avenue; and a hard closure at 2nd Street and E. Sherman Avenue thirty (30) minutes prior to the start of the Parade;
2. To meet with CC at least fourteen (14) days prior to the date of the Parade to discuss the traffic control plan;
3. That no more than three (3) days or less than two (2) days prior to the date of the Parade, CDA will place “No Parking” signs, approved and supplied by CDA, along the Parade route. CC is responsible for providing the appropriate information on the “No Parking” signs, CDA will insert the information and remove the signs following the Parade.
4. That the Coeur d’Alene Police Department shall coordinate with CC the towing of vehicles parked in violation of the “No Parking” signs;
5. To provide and set up traffic barricades needed to comply with the traffic control plan. Set up shall begin, and E. Sherman Avenue will be closed along the Parade route and the assembly area, at 5:00 a.m.;
6. To provide and set up a twelve-foot, three-tier aluminum bleacher in the open space between Third Street and Fourth Street on Sherman Avenue for CC’s Parade commentator;
7. To remove the traffic barricades following the completion of the Parade;
8. To provide five (5) portable lights for City Park, three (3) portable light within the park, and two (2) portable light at Independence Point at no charge to CC. These lights will be placed by CDA prior to dusk and will be removed after the Fireworks display has been completed. The location of the portable lights may be changed at the direction of the Coeur d’Alene Police Department;
9. To provide fire inspections for food trucks which may be located in City Park on July 4, 2024, by a third party;
10. To provide and set up traffic barricades needed to control traffic exiting the downtown area after the Fireworks display has been completed. Set up of these barricades shall begin at 6:30 p.m.;

11. To provide to CC the following listed City parking lots on July 4, 2024, for CC's exclusive use (except as provided herein) from 12:01 a.m. to 11:59 p.m.:

- a. City Hall lot
- b. Independence Point lot
- c. Museum lot
- d. Memorial Field Paved lot
- e. 4th Street Parking Garage
- f. Coeur d'Alene Public Library
- g. McEuen Park Parking Facility; and
- h. To charge CC \$9.00 per space for the parking lots.

C. It is further agreed by all parties:

1. That lines of communication shall be kept open in order to discuss any concerns arising from the terms of this MOU and to reach mutually agreeable solutions in a timely manner.
2. That this MOU may be modified only by mutual written agreement.
3. Each party shall be liable for any and all claims, damages or suits arising from the acts, omissions or negligence of its own officers, agents and employees.

IV. TERMINATION FOR CONVENIENCE:

CDA may terminate this Agreement at any time by giving thirty (30) days' written notice to CC of such termination and specifying the effective date of such termination. In the event that CDA terminates this Agreement, any unused portion of the security deposit and the fees for Parades not held will be refunded by CDA. CC may terminate this Agreement at any time by giving thirty (30) days' written notice to CDA of such termination and specifying the effective date of such termination. In the event that CC terminates this Agreement, any unused portion of the security deposit will be refunded by CDA, but no portion of the Parade fees will be refunded.

Dated this 21st day of May, 2024.

CITY OF COEUR D'ALENE

**COEUR D'ALENE REGIONAL CHAMBER OF
COMMERCE, INC.**

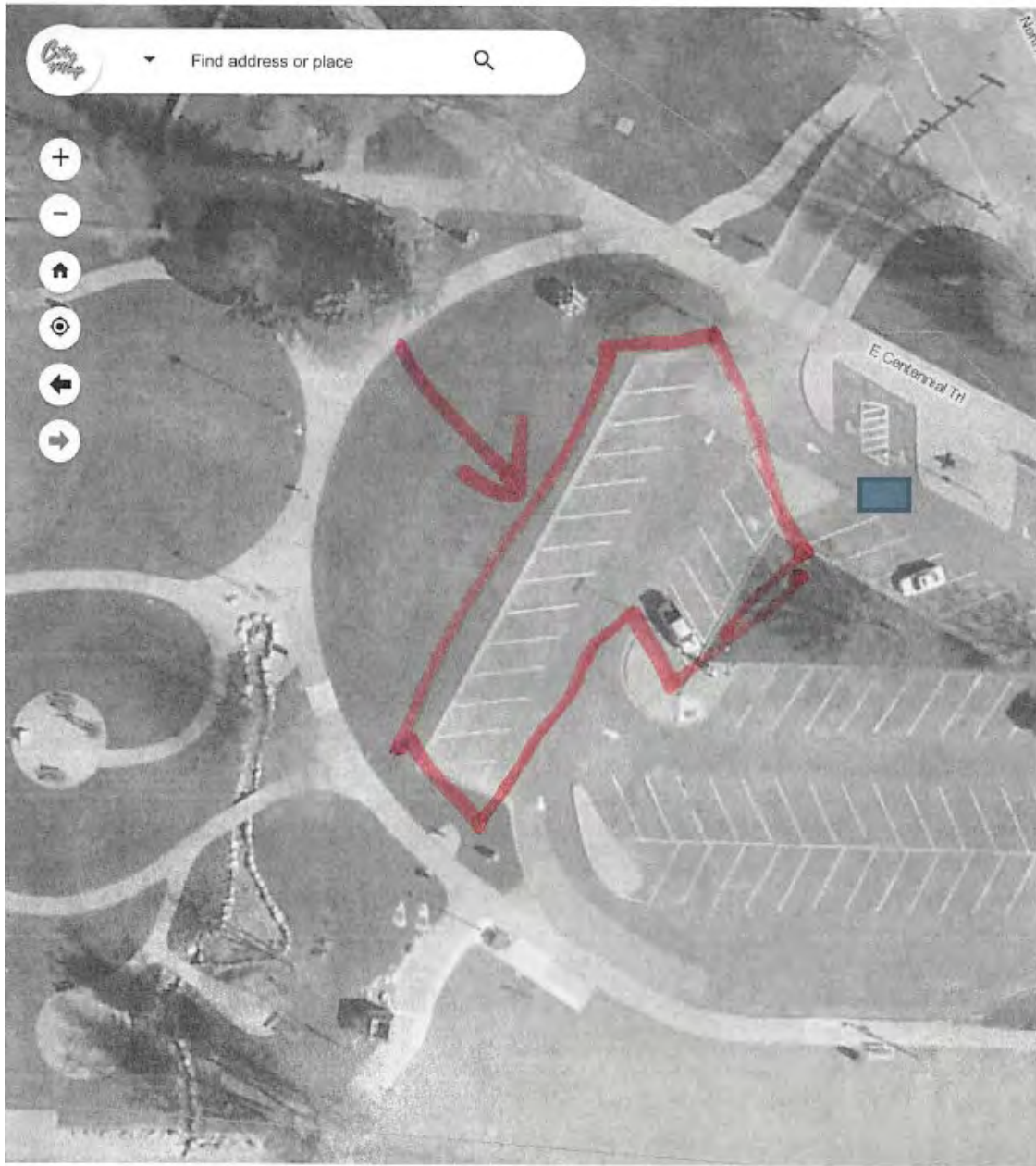
James Hammond, Mayor

Linda Coppess, President/CEO

ATTEST:

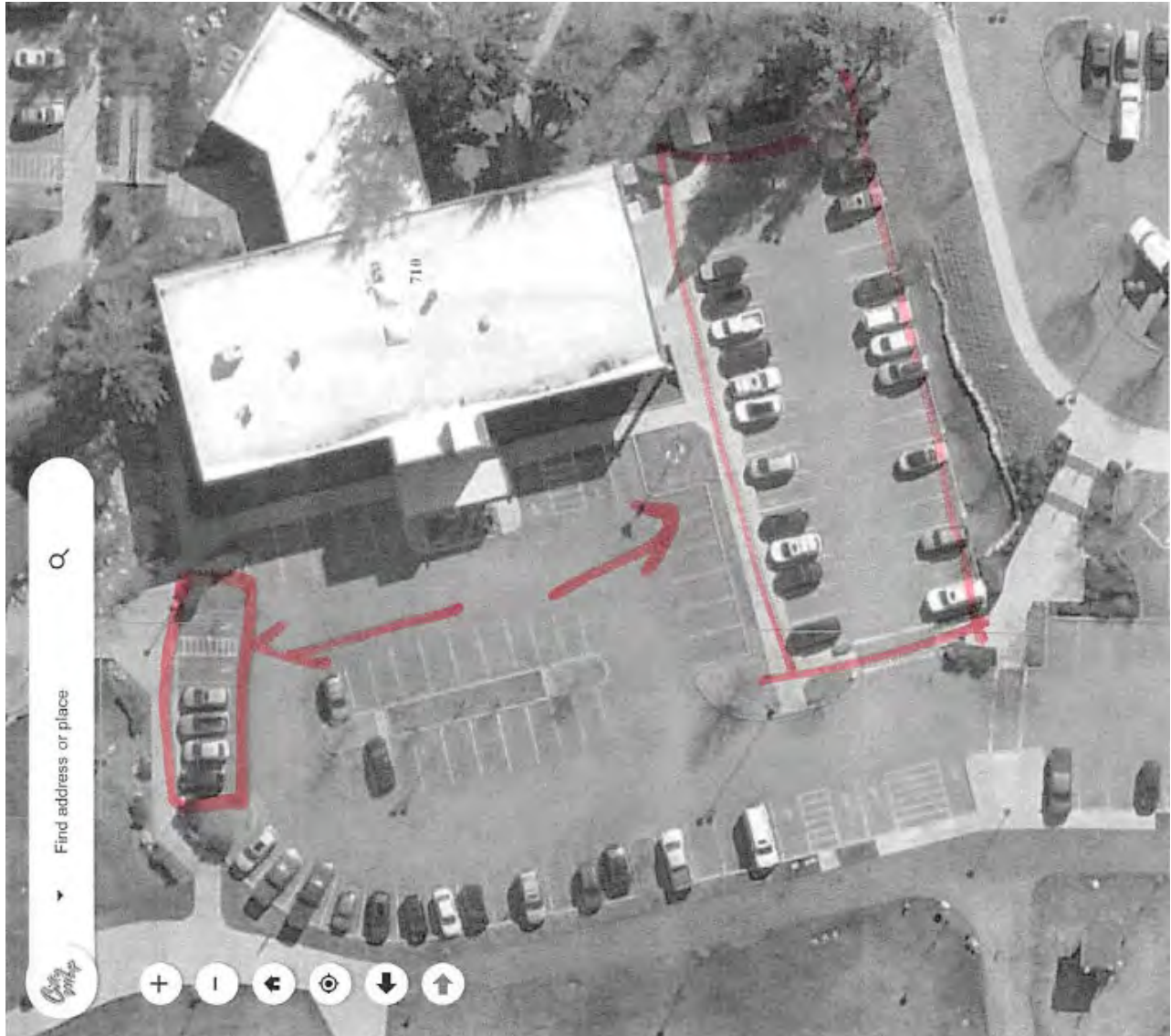
Renata McLeod, City Clerk

Exhibit "A"



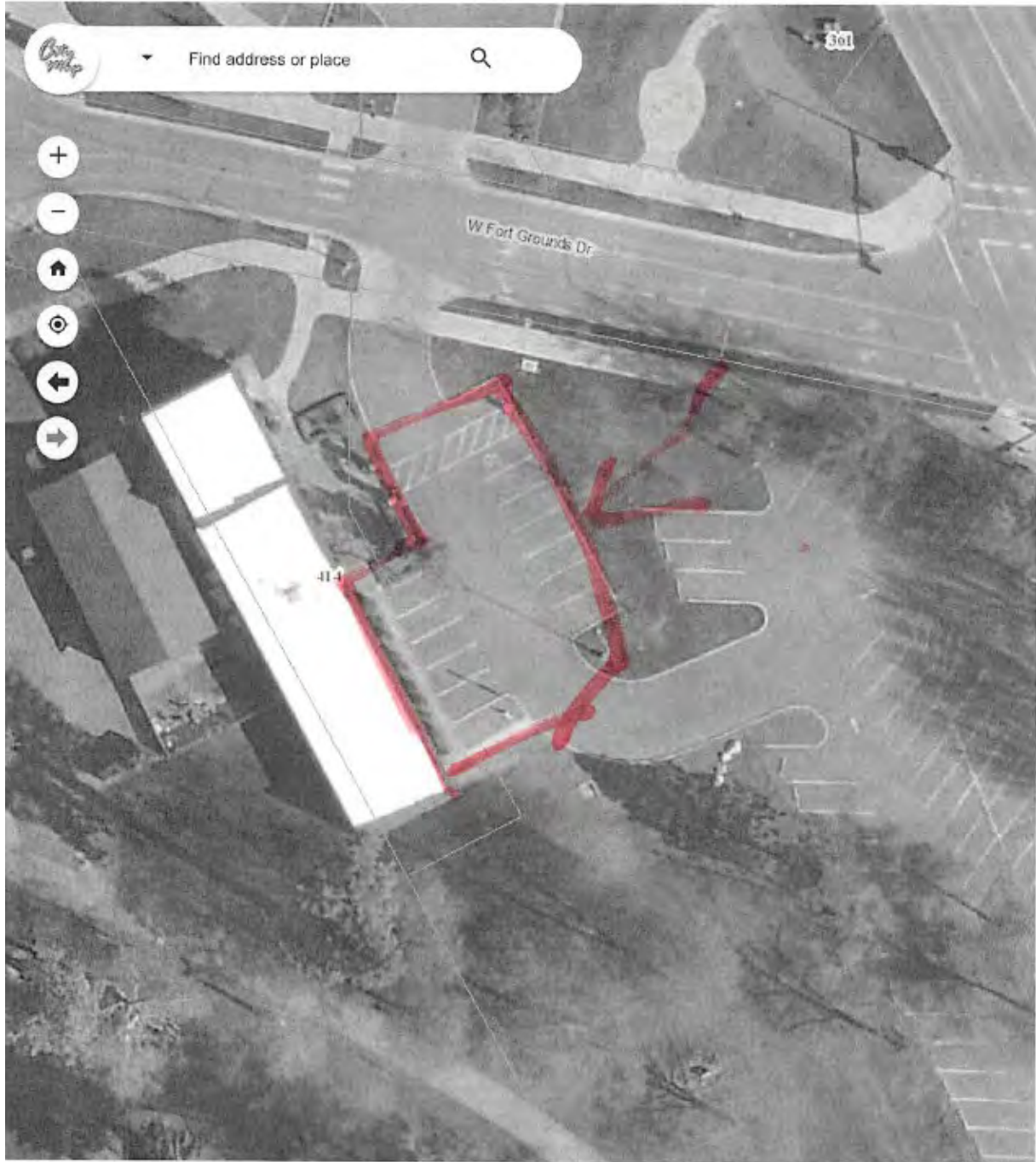
INDEPENDENCE POINT

Exhibit "A"

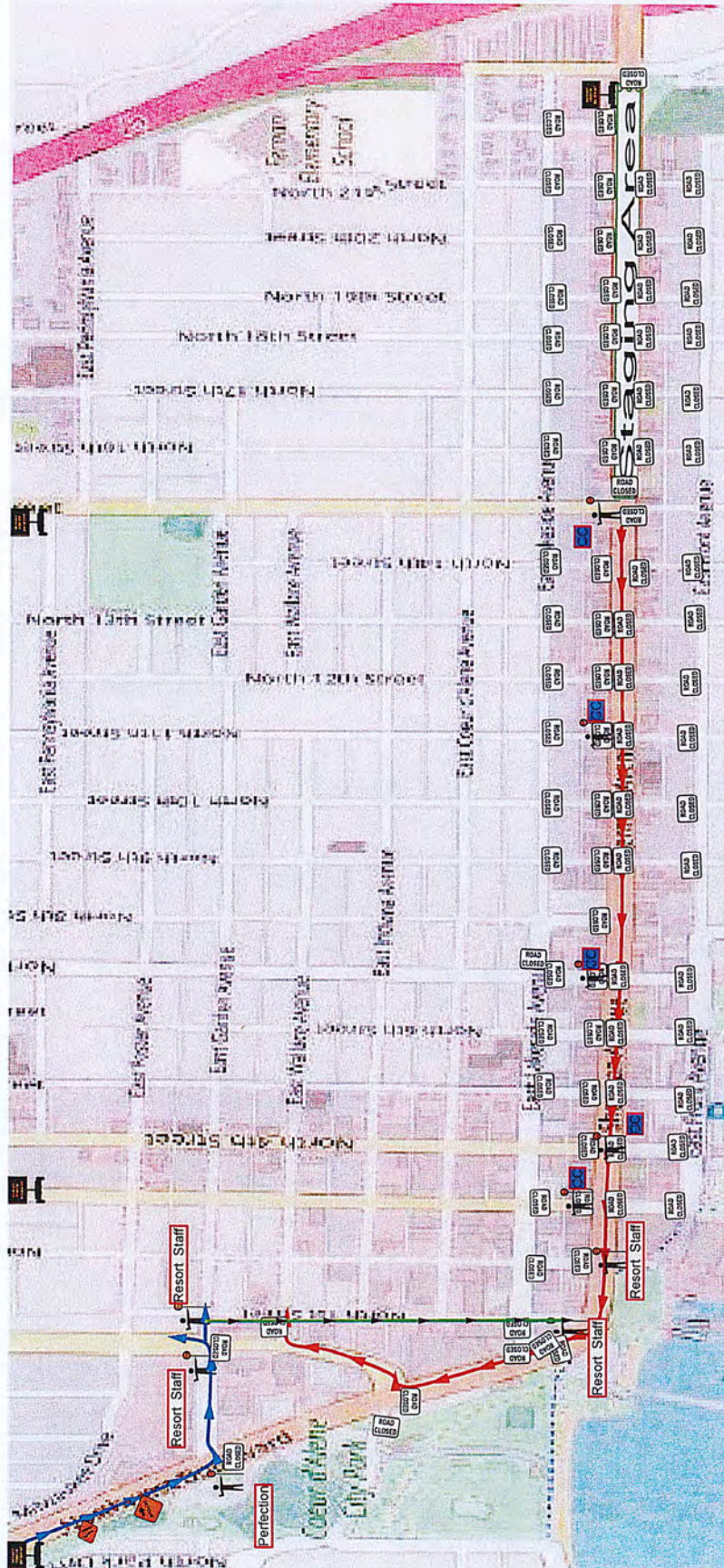


CITY HALL

Exhibit "A"



HUMAN RIGHTS EDUCATION INSTITUTE

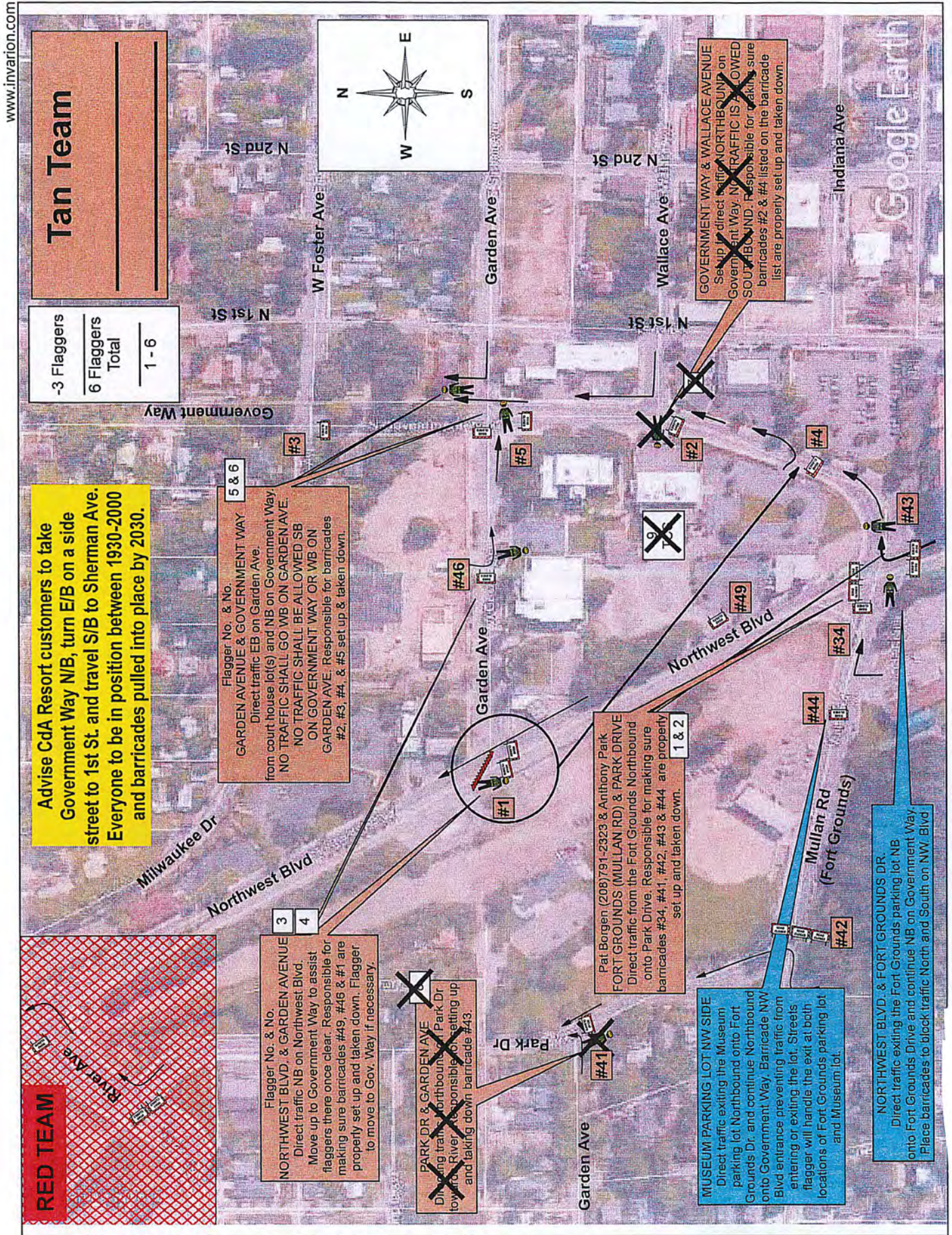


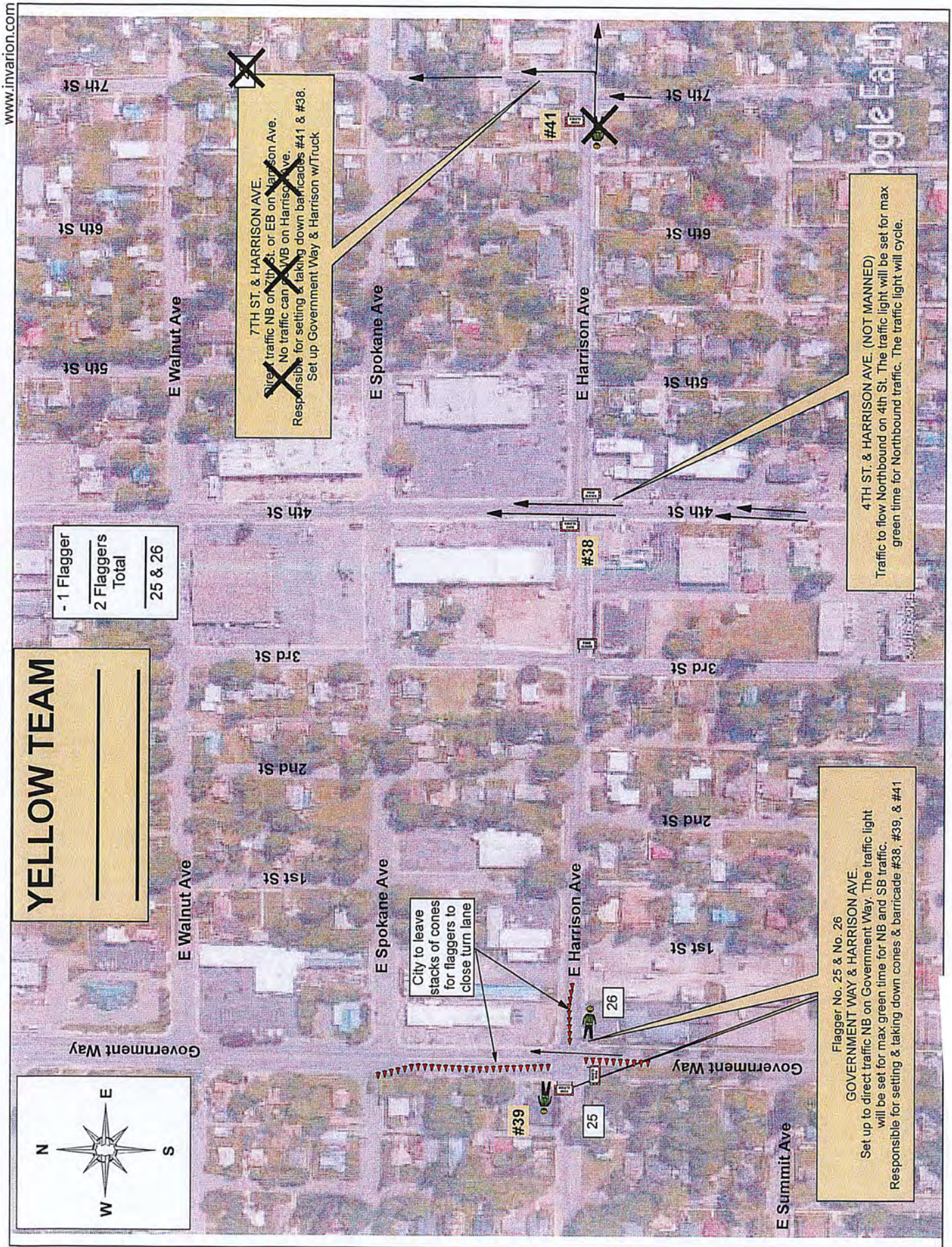
Manifest	
85 x R11-2 ROAD CLOSED	
12 x flagger flagger	
10 x Cone	
4 x VMS Board	
1 x SC9 (FWY) DETOUR with Arrow	
1 x W4-2R Lane Ends	

Date: 7-4-23 Project: 4th Of July Parade

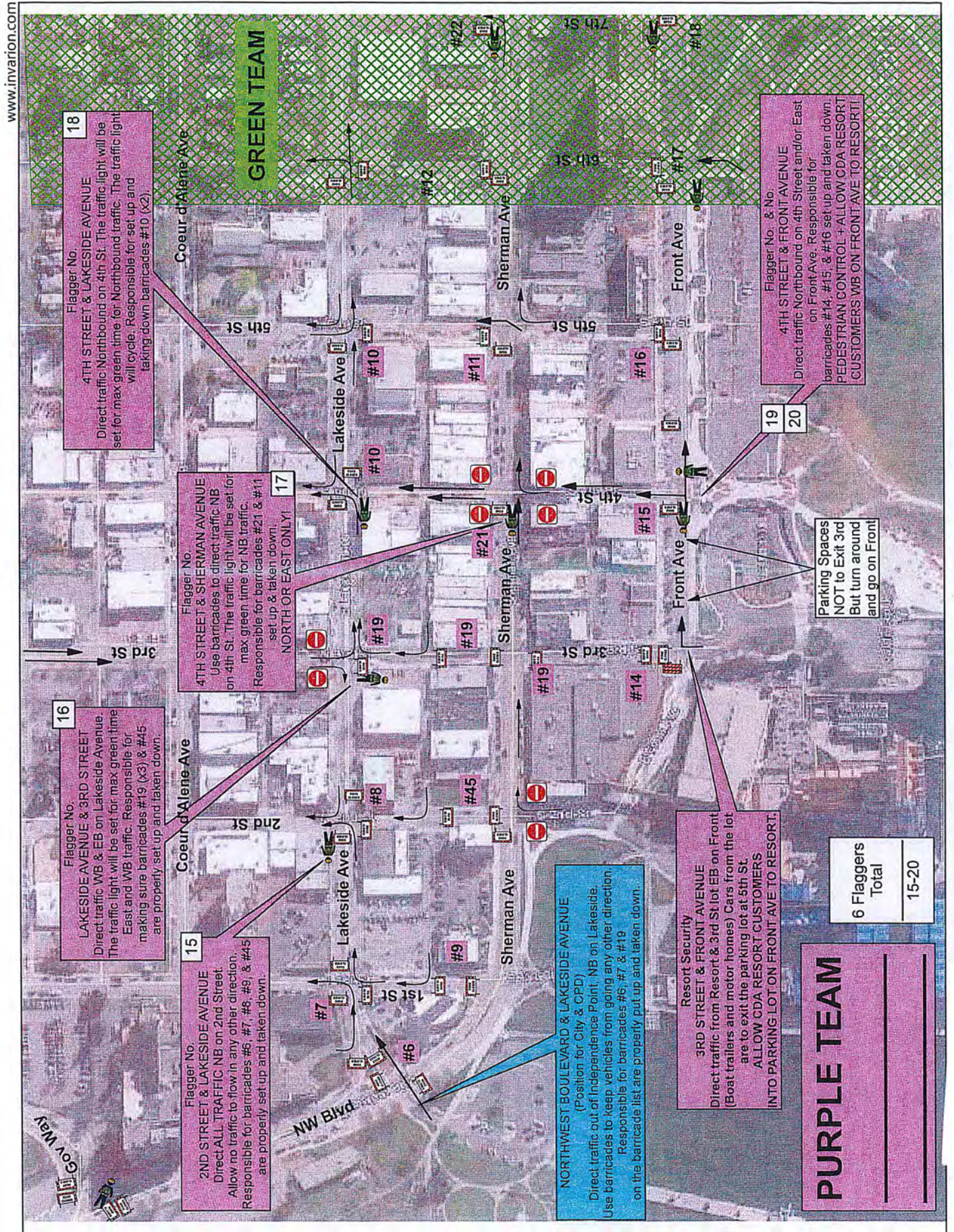
Comments:
 7am -15th to East set closure at
 9:30am- Closure to Resort and 3rd,4th,7th,15th signals in flash
 10am- Parade to start
 Note: Chamber staff does not need stop/slow paddles

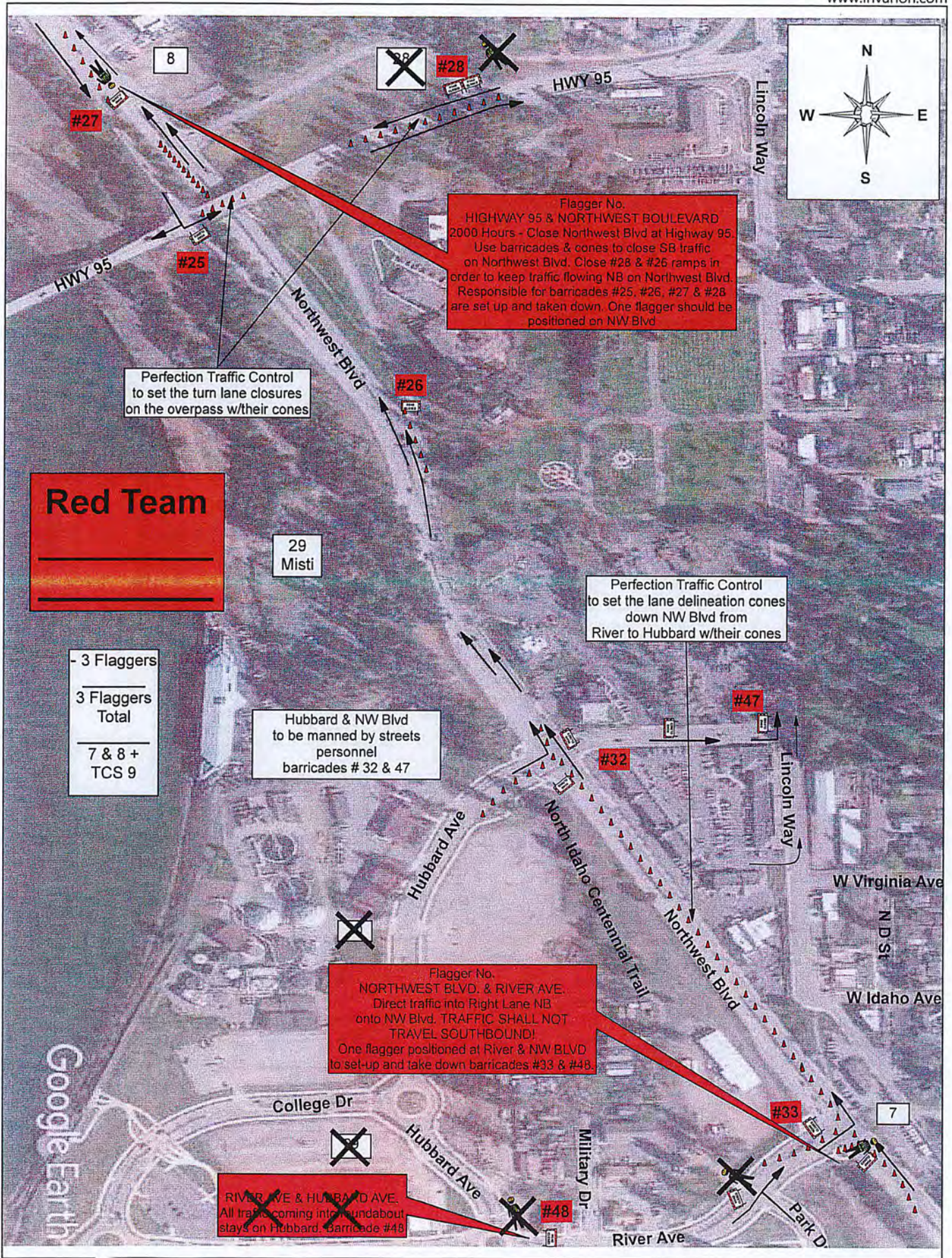
	Parade Route
	Traffic Route
	Resort Traffic
	Chamber Staff
	Resort Staff

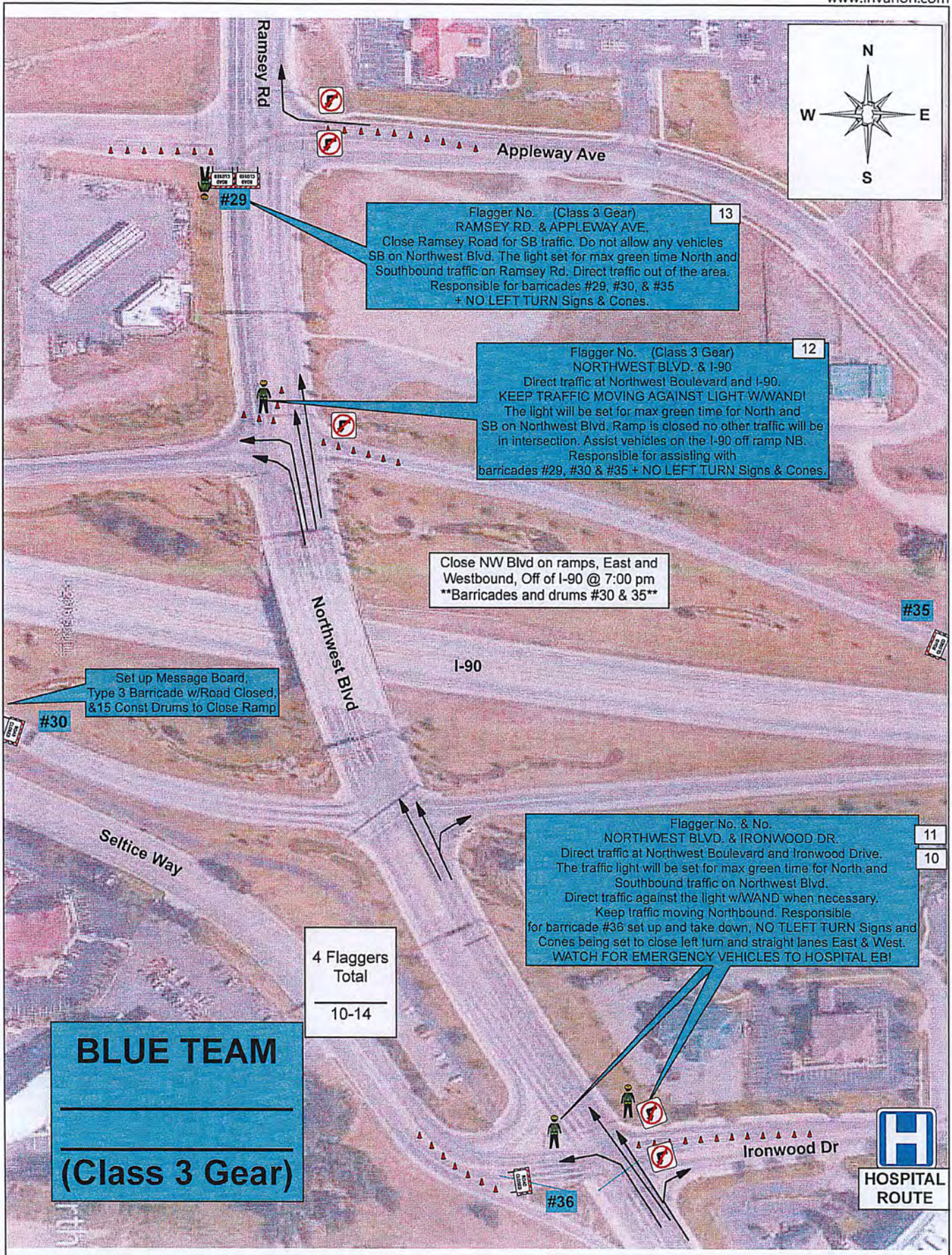


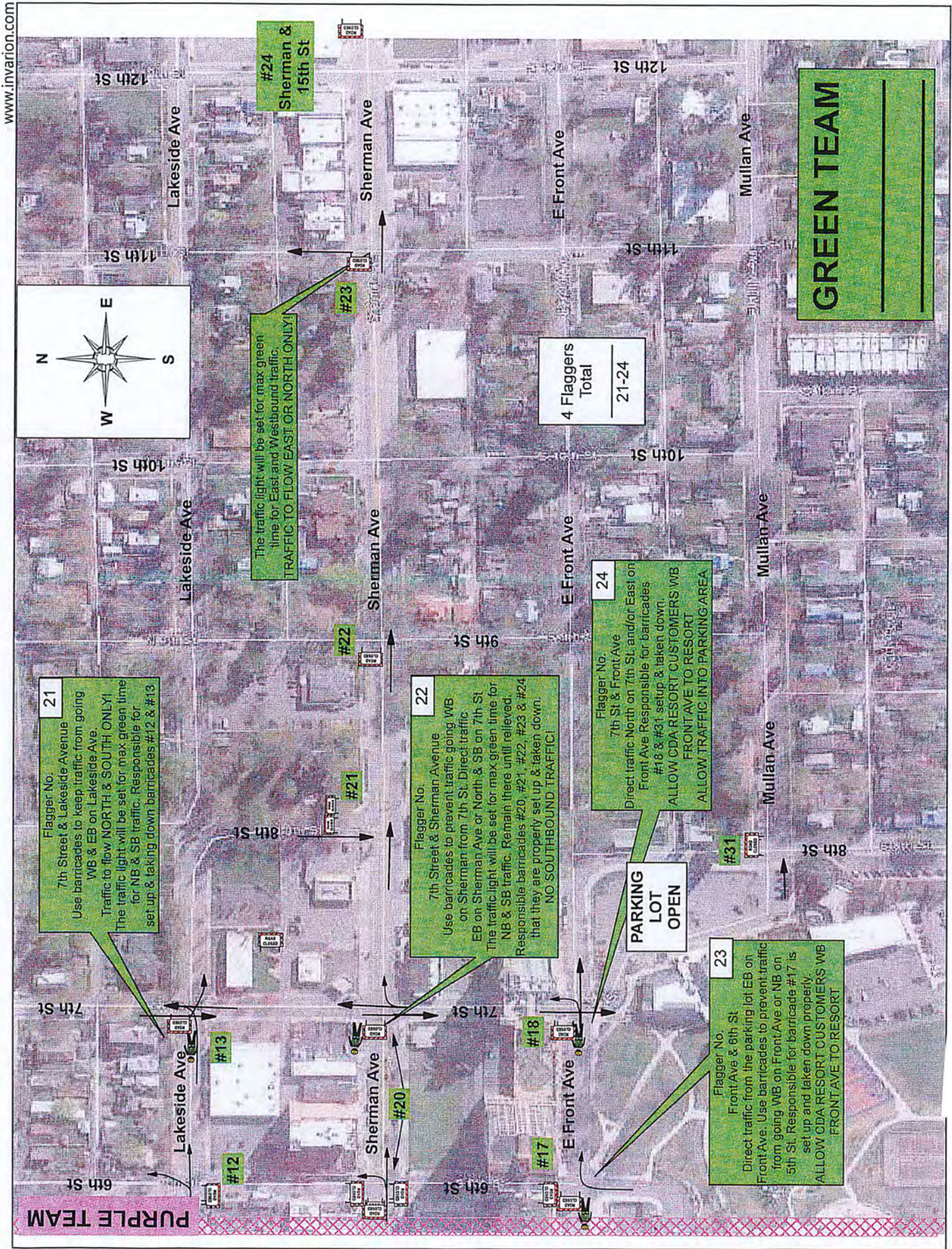


www.invarion.com









www.invarion.com

21
 Flagger No. 21
 7th Street & Lakeside Avenue
 Use barricades to keep traffic from going WB & EB on Lakeside Ave.
 Traffic to flow NORTH & SOUTH ONLY!
 The traffic light will be set for max green time for NB & SB traffic. Responsible for set up & taking down barricades #12 & #13

The traffic light will be set for max green time for East and Westbound traffic.
TRAFFIC TO FLOW EAST OR NORTH ONLY!

22
 Flagger No. 22
 7th Street & Sherman Avenue
 Use barricades to prevent traffic going WB on Sherman from 7th St. Direct traffic EB on Sherman Ave or North & SB on 7th St.
 The traffic light will be set for max green time for NB & SB traffic. Remain there until relieved. Responsible barricades #20, #21, #22, #23 & #24 that they are properly set up & taken down.
NO SOUTHBOUND TRAFFIC!

24
 Flagger No. 24
 7th St & Front Ave
 Direct traffic North on 7th St. and/or East on Front Ave. Responsible for barricades #18 & #31, setup & taken down.
ALLOW CDA RESORT CUSTOMERS WB FRONT AVE TO RESORT
ALLOW TRAFFIC INTO PARKING AREA

PARKING LOT OPEN

23
 Flagger No. 23
 Front Ave & 6th St
 Direct traffic from the parking lot EB on Front Ave. Use barricades to prevent traffic from going WB on Front Ave or NB on 5th St. Responsible for barricade #17 is set up and taken down properly.
ALLOW CDA RESORT CUSTOMERS WB FRONT AVE TO RESORT

GREEN TEAM

STAFF REPORT

DATE: MAY 7, 2024

FROM: RENATA MCLEOD, MUNICIPAL SERVICES DIRECTOR

SUBJECT: APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH
KOOTENAI COUNTY FOR IDAHO REGIONAL OPTICAL NETWORK
(IRON) HIGH SPEED FIBER

DECISION POINT: Should City Council approve the joint Memorandum of Understanding for high-speed fiber line known as IRON, Idaho Regional Optical Network, which will benefit public safety.

HISTORY: The County approached the City with a joint venture several months ago requesting our assistance in completing a high-speed fiber project. This joint venture would utilize existing fiber that the City has in place at Hubbard and Northwest Boulevard, near the Skate Park. The City does not have an accurate accounting of which fiber pairs are used for city services and which lines are available to share with the County. Under this agreement the County will fund the audit of those lines and provide us with that mapping for future use. Additionally, the goal of access to the IRON Network will improve general public safety communications and efficiency, but it also allows for future networking expansion to further benefit public safety in the region. The County noted that IRON has an existing presence on the North Idaho College campus. KCSO 911 is seeking to complete the “last mile” connection in a cost-effective approach by attempting to utilize existing “dark” fiber infrastructure in existence, and it would be mutually beneficial to use the City’s fiber infrastructure from the Hubbard/Northwest fiber vault to the Kootenai County Admin building on Government Way.

FINANCIAL ANALYSIS: There is no cost to the city for this agreement.

DECISION POINT/RECOMMENDATION: Staff recommends the approval of the joint Memorandum of Understanding for high-speed fiber line known as IRON, Idaho Regional Optical Network, which will benefit public safety.

MEMORANDUM OF UNDERSTANDING

Between

Kootenai County and the City of Coeur d'Alene

PARTIES

This MEMORANDUM OF UNDERSTANDING (hereinafter referred to as the “MOU”) is entered into this 7th day of May, 2024, by and between KOOTENAI COUNTY, hereafter called the KCSO 911, the CITY OF COEUR D’ALENE, hereafter called the CITY.

PURPOSE

The purpose of this MOU is to facilitate the connection of the Kootenai County Consolidated Emergency Dispatching System, commonly referred to as the 911 Center, Central Dispatch, or KCSO 911 to the Idaho Regional Optical Network (IRON). IRON is an Idaho dedicated high-speed fiber optical network purpose built to provide high-speed networking to Idaho’s education, healthcare, and public governments, and not-for-profit organizations. KCSO 911 has an operational and technological interest in bringing IRON connectivity to the 911 Center for public safety technologies, such as ESInet services or shared services networking. Bringing IRON connectivity to the KCSO 911 Center will benefit all agencies that utilize the Kootenai County Consolidated Emergency Dispatching System, which includes the CITY, and will open additional potential for other governmental agencies to easily utilize IRON services.

IRON has an existing presence on the North Idaho College campus. KCSO 911 is seeking to complete the “last mile” connection in a cost effective approach by attempting to utilize existing “dark” fiber infrastructure in existence. The CITY has fiber infrastructure from the Hubbard/Northwest fiber vault to the Kootenai County Admin building on Government Way. However, network diagrams currently do not indicate which of the current fiber infrastructure is in use or open for utilization. As such, KCSO 911 and the CITY enter into the agreement as describe below.

Authority for this Agreement is established by Section 40-317 of the Idaho Code.

SECTION I. KCSO 911 agrees to:

1. Utilizing an approved CITY contractor, audit the CITY fiber infrastructure between the following points:
 - a. Administration Building located at Wastewater Treatment Plant – 765 W. Hubbard Ave, Coeur d’Alene, ID
 - b. The CITY fiber vault located at W. Hubbard and Northwest Blvd.
 - c. The CITY fiber vault located at W. Hubbard and W Garden Ave.

- d. The termination point of the CITY fiber at the Kootenai County Admin building at 451 N. Government Way, Coeur d'Alene, ID.
2. The fiber audit will specify the current splicing configuration of CITY fiber between those points.
3. All cost for the fiber audit will be the responsibility of KCSO 911. The fiber audit quote is attached in EXHIBIT A.
4. At the conclusion of the fiber audit, all costs associated with repair of damage associated with the audit, will be the responsibility of KCSO 911.
5. A copy of the fiber audit results will be provided to the CITY without charge.
6. If the KCSO 911 exercises the option to pull fiber through existing CITY fiber conduit, the cost to pull, continued maintenance, and/or repair of that fiber will be the responsibility of KCSO 911.
7. Once IRON connectivity is extended to the 911 Center, KCSO 911 will allow the CITY to utilized the 911 Center as a connection point to IRON should the CITY wish to utilized IRON services.

SECTION II. The City agrees to:

1. Provide a representative to participate in facilitating contractor access to CITY properties and vaults.
2. At the completion of the fiber audit, provide TWO (2) fiber pairs from the W. Hubbard/Northwest Blvd. fiber vault to the Kootenai County Admin building for KCSO 911 utilization, dependent on the fiber audit identifying the availability of pairs.
3. Should the fiber audit determine there are no open pairs, the CITY shall allow KCSO 911 to pull new fiber through the exiting CITY conduit if determined the conduit has space available.
4. The CITY understands that the fiber audit requires the opening of the fiber splice boots which may cause interruption to services.
5. At the conclusion of the fiber audit, all costs associated with maintenance and/or repair of CITY fiber will be the responsibility of the CITY.

SECTION III. Term, Termination, and Review of Agreement

The term of this Agreement is from its date of final execution through September 30, 2024, and shall, on October 1 of each consecutive year following thence, be automatically renewed for additional terms of one year.

This Agreement may be terminated upon twelve (12) months written notice by any party.

The parties may review this Agreement on a regular basis or as needed to evaluate the sufficiency of the Agreement in addressing the needs of the parties. The parties may make any desired changes in this Agreement provided they are mutually agreed upon in writing.

SECTION IV. Miscellaneous

1. Nothing in this Agreement shall be construed as either limiting or extending the lawful jurisdiction of any party hereto other than as expressly set forth herein;
2. This Agreement does not create a separate legal entity.
3. This Agreement shall not limit KCSO 911's utilization of any fiber pairs from the CITY for solely IRON connectivity.

IN WITNESS WHEREOF, Kootenai County, and the City of Coeur d'Alene have given their respective consents and do execute this Agreement by and through their respective officers so duly authorized.

CITY OF COEUR D' ALENE

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

By regular meeting
on _____, 2024

ATTEST:

KOOTENAI COUNTY

County Clerk

Commissioner

(SEAL)

Commissioner

By regular / special meeting
on _____

Commissioner

**General Services/Public Works Committee
STAFF REPORT**

DATE: May 13, 2024
FROM: Lucas Pichette, Fire Department/Deputy Chief
SUBJECT: Contract approval-Verdis

DECISION POINT: Should City Council approve a contract with Verdis for a generator upgrade at our Fire Station 1?

HISTORY: Fire Station 1 (300 E. Foster) needs a generator upgrade, which will include minor construction and electrical changes to accommodate the upgrade.

This project was approved on 1-18-24 by Council when Council approved a sub-recipient agreement with the Idaho Office of Emergency Management.

FINANCIAL ANALYSIS: Total cost of the project is \$160,050.80. \$144,457.20 will be reimbursed through a state grant, leaving \$16,050.80 in matching funds required from the City. These funds are proposed to come from the general fund, either through an amendment to this year's budget or inclusion in next year's budget, depending upon the delivery date.

PERFORMANCE ANALYSIS: Completion of this project will upgrade the generator and systems at Fire Station 1, enabling the station and Fire Companies to operate at near full capacity during long term power outages.

DECISION POINT/RECOMMENDATION: Council should approve the contract with Verdis and expenditure of \$16,050.80 in City funds for the generator upgrade.



Idaho Office of Emergency Management

2022 Subrecipient Agreement for Coeur d'Alene Fire Department

Federal Award Date
March 15, 2023

1. Subrecipient Name and Address	2. Prepared by: Crooks, Julie	3. Award Number: 22NONE851
Coeur d'Alene Fire Department 300 Foster Coeur d'Alene, ID 83814	4. Federal Grant Information	
	Federal Grant Title:	4589 HMGP - Coeur d'Alene
	Federal Grant Award Number/CFDA Number:	4589DRIDP00000005 / 97.039
	Federal Granting Agency:	Grant Programs Directorate Federal Emergency Management Agency U.S. Department of Homeland Security

5. Award Amount and Grant Breakdowns	
Subrecipient DUNS Number:	4589 HMGP - Coeur d'Alene
Award Amount This Action: \$76,571.16	Performance/ Budget Period:
Subrecipient Match Amount: \$8,507.91	Mar 15, 2023 through Mar 4, 2025
Total Award Amount: \$85,079.07	

6. Requirements: This Subaward is approved subject to such conditions or limitations as are set forth on the following pages of this document and in the Project-Specific Programmatic Conditions of Approval and Standard Administrative Provisions for Hazard Mitigation Grant Program. This is a not a Research & Development Subaward. Subrecipients must give the Idaho Office of Emergency Management (IOEM), Department of Homeland Security (DHS) and auditors access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.

The Subrecipient certifies that the Subrecipient and its' contractors/vendors are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any federal department or agency and do not appear in the Debarred and Suspended list at <http://www.sam.gov>.

The Subrecipient certifies compliance with the 2CFR200 Subpart F – Audit Requirements and Idaho State Code 67-450B – Independent Financial Audits of Local Governmental Entities—Filing Requirements.

Acceptance of subaward certifies compliance with requirements detailed above.

7. Agency Approval	
Approving IOEM Official: Brad Richey, Director Idaho Office of Emergency Management (208) 258-6501	Signature of IOEM Director: Date:

8. Subrecipient Acceptance	
I have read and understand the attached Terms and Conditions. Signature certifies compliance with requirements detailed on subaward subrecipient agreement.	
Print name and title of Authorized Subrecipient official: James Hammond, Mayor	Signature of Authorized Subrecipient Official:

9. Enter Employer Identification Number (EIN) / Federal Tax Identification Number:	10. Date Signed :
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11. DUE DATE: 5/5/2023
Signed award and Direct Deposit Form (if applicable) must be returned to IOEM on or before the above due date.

Project-Specific Programmatic Conditions of Approval

Project: 22NONE851, Coeur d'Alene Fire Department

Project-Specific Programmatic Conditions of Approval

- The hazard mitigation advance assistance activities will not affect natural resources or the human environment.
- Subrecipients may not use the funds from this subaward to implement actions identified in the resulting mitigation project application.
- The result of the advance assistance-related activity developed through this grant must be consistent with the requirements in Hazard mitigation Assistance Guidance (015) Part II, Section K and Part VIII, Section A.12.
- Prior to the end of the Period of Performance, subrecipients must submit to the State their final application development documentation.

Standard Administrative Provisions for Hazard Mitigation Grant Program (HMGP)

FEMA Region 10 – Updated September 8, 2021

- The subrecipient agrees that all use of funds under this subaward will be in accordance with the Hazard Mitigation Assistance Unified Guidance in effect at the time of the Disaster Declaration, relevant HMGP guidance and policy memos and directives, as well as the HMGP regulations in 44 CFR 206.
- The recipient may receive payment in advance using the United States (U.S.) Department of Health and Human Services Payment Management System formerly known as SmartLink. The recipient may advance portions of the approved Federal share to the Sub-recipient provided the recipients maintain procedures to minimize the time elapsing between the transfer of funds from the U.S. Treasury and their disbursement to the Sub-recipient. Sub-recipients must comply with the same payment requirement as the recipient and must comply with the requirements specified in the recipient's subaward agreement.
- The subrecipient shall follow regulations found in Title 2 Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards and the FEMA/State/Tribe Agreement in effect for the subject Disaster Declaration.
- The Federal Funding Accountability and Transparency Act (FFATA) of 2006 (2 CFR Part 170) requires recipients and subrecipients to report certain information about themselves and their first-tier subrecipients for each Federal award of \$25,000 or more awarded on or after October 1, 2010.
- The subrecipient must obtain prior approval from the State Hazard Mitigation Officer (SHMO) before implementing changes to the approved project Scope of Work (SOW). The SHMO must receive FEMA approval prior to a change in the SOW regardless of the budget implications. Transfer of funds between total direct cost categories in the approved budget shall receive the prior approval of FEMA when such cumulative transfers among those direct cost categories exceed ten percent of the total budget. The subrecipient must fully document cost overrun requests; the project must remain cost-effective, and funds must be available within the HMGP ceiling for said disaster.

- The subrecipient must notify their assigned SHMO as soon as significant developments become known, such as delays or adverse conditions that might raise costs or delay completion or substantially lower cost (for reallocation of funding).
- The subrecipient shall submit quarterly financial and progress reports thereafter until the grant ends. Reports are due on January 15, April 15, July 15, and October 15. A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund drawdowns may be withheld if these reports are delinquent. The final financial and progress report is due 30 days after project completion or the end date of the performance period.

- **Performance Report:** The subrecipient shall submit performance progress reports through the Idaho Grant Management System (IDGMS), by the 15th day after the end of each quarter. The narrative shall consist of a comparison of actual accomplishment to the approved activity objectives. The subrecipient shall submit quarterly performance reports thereafter until the subaward is closed. Reports are due January 15, April 15, July 15, and October 15. Quarterly performance report shall report the name, completion status, expenditure, and payment-to-date of each approved activity/subrecipient award under the Subrecipient Award.

- **Final Reports:** The subrecipient shall submit a final financial and performance report 30 days upon project completion or the end date of the performance period.

- Unless otherwise approved by IOEM, the subrecipient must submit a closeout package with all financial, performance and other reports and required documentation within 30 days after subrecipient's notice of completion of the project, or expiration or termination of the project/subaward.

- For closeout of this project, the subrecipient shall send a letter of request to the SHMO to close the project programmatically and financially. The letter will include the following:

- The date work on the project was fully completed;

- The date of the subrecipient's final site inspection for the project;

- The subrecipient shall submit a final total project cost and Federal share, any cost underrun, or overrun, including a Final Cost Line Item budget, to enable any closeout deobligation or obligation of additional funds in NEMIS;

- Certification that reported costs were incurred in the performance of eligible work, and that the approved work was completed, or if not, an explanation as to the final status of the project and why the project was not completed;

- Confirmation that the mitigation measure is in compliance with the provisions of the FEMA/State/Tribe Agreement and this approval letter;

- A memo from the subrecipient addressing how each required environmental and special programmatic condition was met (including attachment of any required documentation);

- Submittal of all required documentation relative to the specific project type, e.g. acquisition/demolition, or elevation, including all necessary data to close the project in the Property Site Inventory in FEMA's Hazard Mitigation Assistance grant systems.

- By acceptance of this subaward, the subrecipient agrees to abide by all laws and regulations required under the HMGP as outlined in 44 CFR 206.432 - .440, 44 CFR 80, 44 CFR 201, the Grants Management requirements contained in 44 CFR 13 and/or 2

CFR 200, and all applicable Federal, State, Tribal, or Local laws.

- Subrecipients who have been awarded Mitigation grants are reminded that 10% of the total grant award will be retained by IOEM pending completion of the final project inspection or FEMA's approval of plans. Once approved, the retained funds will be reimbursed and the grant closed.
- The subrecipient shall follow cost-sharing requirements mandated by program guidance, statute or regulation and in compliance with 2 CFR 200.29. The cost-share requirement for this subaward is 75% federal and 25% non-federal.

Standard Administrative Provisions for Hazard Mitigation Grant Program (HMGP)

FEMA Region 10 – Updated September 8, 2021

- This review does not address all Federal, State, and local requirements. Acceptance of Federal funding requires recipient to comply with all Federal, State, and local laws. Failure to obtain all appropriate Federal, State, and local environmental permits and clearances may jeopardize Federal funding.
- Sub-recipient is responsible for complying with Required Conditions Resulting from Environmental Review identified in the Environmental Report attached to this award package.
- Any change to the approved Scope of Work will require re-evaluation for compliance with the National Environmental Policy Act and other laws and Executive Orders.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archaeological resources are discovered, will immediately cease construction in that area and notify the State and Federal Emergency Management Agency.
- Sub-recipient is responsible for determining the presence of hazardous materials prior to retrofit work. This may include, but not limited to, asbestos and lead-based paint. Sub-recipient shall identify, handle, transport, and dispose of hazardous materials and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies, including competing required noticing.

2022 DHS Standard Terms and Conditions

The 2022 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2022. These terms and conditions flow down to subrecipients, unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations.

All legislation and digital resources are referenced with no digital links. The FY 2022 DHS Standard Terms and Conditions will be housed on dhs.gov at www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions.

Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) [Standard Form 424B Assurances – Non-Construction Programs](#), or [OMB Standard Form 424D Assurances – Construction Programs](#), as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at [Title 2, Code of Federal Regulations \(C.F.R.\) Part 200](#), and adopted by DHS at [2 C.F.R. Part 3002](#).

By accepting this agreement, the recipient and its executives, as defined in 2 C.F.R. section 170.315, certify that the recipient's policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, or personnel.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.
6. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Standard Terms & Conditions

- I. **Acknowledgement of Federal Funding from DHS**
Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.
- II. **Activities Conducted Abroad**
Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.
- III. **Age Discrimination Act of 1975**
Recipients must comply with the requirements of the *Age Discrimination Act of 1975*, Public Law Number 94-135 (1975) (codified as amended at [Title 42, U.S. Code, § 6101 et seq.](#)), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
- IV. **Americans with Disabilities Act of 1990**
Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, Pub. L. No. 101-336 (1990) (codified as amended at [42 U.S.C. §§ 12101–12213](#)), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
- V. **Best Practices for Collection and Use of Personally Identifiable Information (PII)**
Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy Template](#) as useful resources respectively.
- VI. **Civil Rights Act of 1964 – Title VI**
Recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (codified as amended at [42 U.S.C. § 2000d et seq.](#)), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at [6 C.F.R. Part 21](#) and [44 C.F.R. Part 7](#).
- VII. **Civil Rights Act of 1968**
Recipients must comply with Title VIII of the *Civil Rights Act of 1968*, [Pub. L. 90-284, as amended through Pub. L. 113-4](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see [42 U.S.C. § 3601 et seq.](#)), as implemented by the U.S. Department of Housing and Urban Development at [24 C.F.R. Part 100](#). The

prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See [24 C.F.R. Part 100, Subpart D](#).)

- VIII. **Copyright**
Recipients must affix the applicable copyright notices of [17 U.S.C. §§ 401 or 402](#) and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.
- IX. **Debarment and Suspension**
Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) [12549](#) and [12689](#), which are at [2 C.F.R. Part 180](#) as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
- X. **Drug-Free Workplace Regulations**
Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of [2 C.F.R. Part 3001](#), which adopts the Government-wide implementation ([2 C.F.R. Part 182](#)) of Sec. 5152-5158 of the *Drug-Free Workplace Act of 1988* ([41 U.S.C. §§ 8101-8106](#)).
- XI. **Duplication of Benefits**
Any cost allocable to a particular federal financial assistance award provided for in [2 C.F.R. Part 200, Subpart E](#) may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.
- XII. **Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX**
Recipients must comply with the requirements of Title IX of the *Education Amendments of 1972*, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 *et seq.*), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at [6 C.F.R. Part 17](#) and [44 C.F.R. Part 19](#).
- XIII. **Energy Policy and Conservation Act**
Recipients must comply with the requirements of the *Energy Policy and Conservation Act*, Pub. L. 94- 163 (1975) (codified as amended at [42 U.S.C. § 6201 et seq.](#)), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
- XIV. **False Claims Act and Program Fraud Civil Remedies**
Recipients must comply with the requirements of the *False Claims Act*, [31 U.S.C. §§ 3729- 3733](#), which prohibit the submission of false or fraudulent claims for payment to the federal government. (See [31 U.S.C. §§ 3801-3812](#), which details the administrative remedies for false claims and statements made.)
- XV. **Federal Debt Status**
All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See [OMB Circular A-129](#).)
- XVI. **Federal Leadership on Reducing Text Messaging while Driving**
Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in [E.O. 13513](#), including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.
- XVII. **Fly America Act of 1974**
Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under [49 U.S.C. § 41102](#)) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974*, [49 U.S.C. § 40118](#), and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, [amendment](#) to Comptroller General Decision B-138942.
- XVIII. **Hotel and Motel Fire Safety Act of 1990**
In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, [15 U.S.C. § 2225a](#), recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, (codified as amended at [15 U.S.C. § 2225](#).)
- XIX. **Limited English Proficiency (Civil Rights Act of 1964, Title VI)**
Recipients must comply with Title VI of the *Civil Rights Act of 1964*, ([42 U.S.C. § 2000d et seq.](#)) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-departmentsupported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.
- XX. **Lobbying Prohibitions**
Recipients must comply with [31 U.S.C. § 1352](#), which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification

- XXI. **National Environmental Policy Act**
Recipients must comply with the requirements of the [National Environmental Policy Act of 1969, Pub. L. 91-190 \(1970\)](#) (codified as amended at [42 U.S.C. § 4321 et seq.](#) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
- XXII. **Nondiscrimination in Matters Pertaining to Faith-Based Organizations**
It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in [6 C.F.R. Part 19](#) and other applicable statutes, regulations, and guidance governing the participations of faithbased organizations in individual DHS programs.
- XXIII. **Non-Supplanting Requirement**
Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.
- XXIV. **Notice of Funding Opportunity Requirements**
All instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.
- XXV. **Patents and Intellectual Property Rights**
Recipients are subject to the *Bayh-Dole Act*, [35 U.S.C. § 200 et seq.](#) unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at [37 C.F.R. Part 401](#) and the standard patent rights clause located at 37 C.F.R. § 401.14.
- XXVI. **Procurement of Recovered Materials**
States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, [Pub. L. 89-272](#) (1965), (codified as amended by the *Resource Conservation and Recovery Act*, [42 U.S.C. § 6962.](#)) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 C.F.R. Part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
- XXVII. **Rehabilitation Act of 1973**
Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, Pub. L. 93-112 (1973), (codified as amended at [29 U.S.C. § 794.](#)) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
- XXVIII. **Reporting of Matters Related to Recipient Integrity and Performance**
If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.
- XXIX. **Reporting Subawards and Executive Compensation**
Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.
- XXX. **SAFECOM**
Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the [SAFECOM](#) Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.
- XXXI. **Terrorist Financing**
Recipients must comply with [E.O. 13224](#) and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.
- XXXII. **Trafficking Victims Protection Act of 2000 (TVPA)**
Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. section 7104. The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.
- XXXIII. **Universal Identifier and System of Award Management**
Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.
- XXXIV. **USA PATRIOT Act of 2001**
Recipients must comply with requirements of Section 817 of the [Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 \(USA PATRIOT Act\)](#), which amends 18 U.S.C. §§ 175–175c.

- XXXV. **Use of DHS Seal, Logo and Flags**
Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
- XXXVI. **Whistleblower Protection Act**
Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at [10 U.S.C § 2409](#), [41 U.S.C. § 4712](#), and [10 U.S.C. § 2324](#), [41 U.S.C. §§ 4304](#) and [4310](#).
- XXXVII. **Prior Approval for Modification of Approved Budget**
Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. Section 200.308. FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. Section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.
- XXXVIII. **Disposition of Equipment Acquired Under the Federal Award**
When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.
- XXXIX. **Acceptance of Post Award Changes**
In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@fema.dhs.gov if you have any questions.
- XL. **Environmental Planning and Historic Preservation (EHP) Review**
DHS/FEMA funded activities that may require an EHP review are subject to the FEMA Environmental Planning and Historic Preservation (EHP) review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/ FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive order, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.
- XLI. **John S. McCain National Defense Authorization Act of Fiscal Year 2019**
Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the J S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. sections 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute - as it applies to DHS recipients, subrecipients, and their contractors and subcontractors - prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.
- XLII. **Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**
Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act Sections 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure. Recipients and subrecipients of federal financial assistance programs for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States--this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States--this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. (a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: (1) applying the domestic content procurement preference would be inconsistent with the public interest;

(2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described. For awards by the Federal Emergency Management Agency (FEMA), existing waivers are available and the waiver process is described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. For awards by other DHS components, please contact the applicable DHS FAO. To see whether a particular DHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable DHS FAO, or for FEMA awards, please see Programs and Definitions: Build America, Buy America Act | FEMA.gov.

XLIII. *Applicability of DHS Standard Terms and Conditions to Tribes*

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

XLIV. *Indirect Cost Rate*

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

FIRE STATION I GENERATOR UPGRADE

IN REFERENCE TO REQUESTED APPROVAL OF SUB-RECIPIENT AGREEMENT FOR
THE AMOUNT OF 160,508.00.

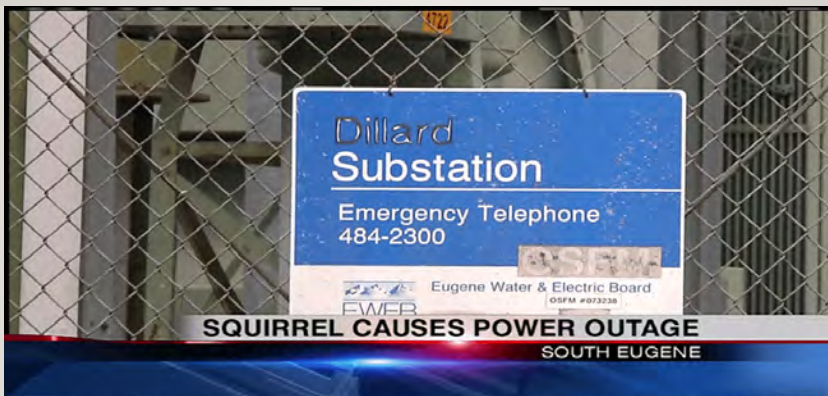
CURRENT LOCATION OF STATION I GENERATOR



CURRENT DIESEL GENERATOR CAPABLE OF PROVIDING 35 KW OF POWER TO THE STATION.



POWER OUTAGES DUE TO WINDSTORMS, LIGHTING AND OTHER POTENTIAL CAUSES HAVE SHOWN A WEAKNESS AT OUR DOWNTOWN FIRE STATION.



THE ELECTRICAL PANELS AND SOME WIRING WILL NEED TO BE UPGRADED TO FACILITATE THE NEW GENERATOR.



THE NEW GENERATOR, YET TO BE DETERMINED, WILL HAVE INCREASED POWER OUTPUT AND WILL BE CHANGED TO NATURAL GAS.

- The current generator is only able to power the bay door, some outlets and a few interior lights.
- The proposed generator would provide power to the following:
 - In house radio and alerting.
 - Expanded lighting and outlets.
 - A portion of the kitchen.
 - Additional computers to finish reports.
 - This will also simplify and improve our electrical panels for the station.

QUESTIONS?



**CITY OF COEUR D'ALENE FIRE DEPARTMENT
STATION 1 STANDBY GENERATOR
REPLACEMENT DESIGN-BUILD CONTRACT**

THIS CONTRACT is made and entered into this 7th day of May, 2024, between the **CITY OF COEUR D'ALENE**, Kootenai County, Idaho, a municipal corporation duly organized and existing under and by virtue of the laws of the state of Idaho, hereinafter referred to as the "CITY," and **VERDIS**, an Idaho company with its principal place of business at 601 East Front Avenue, Ste. 205, Coeur d'Alene, Idaho, hereinafter referred to as the "CONTRACTOR."

WITNESSETH:

WHEREAS, the CONTRACTOR has been awarded the contract for the design-build of the Station 1 Standby Generator Replacement in the City of Coeur d'Alene, according to the CONTRACTOR's proposal, and the plans and specifications on file in the office of the City Clerk of the CITY, which plans and specifications are entitled:

Station 1 Standby Generator Replacement Design-Build

NOW, THEREFORE,

IT IS AGREED that for and in consideration of the covenants and agreements to be made and performed by the CITY, as hereinafter set forth, the CONTRACTOR shall make design-build the Station 1 Standby Generator Replacement as set forth in the said plans and specifications described above, furnishing all labor and materials therefor, except that the City will purchase of the generator, according to said plans and specifications and under the penalties expressed in the performance bond bearing even date herewith, and which bond with said plans and specifications are hereby declared and accepted as parts of this contract. All material shall be of the high standard required by the said plans and specifications and approved by the Fire Chief or designee, and all labor performed shall be of first-class workmanship.

The CONTRACTOR shall indemnify, defend, and hold the CITY harmless from any and all claims arising from the CONTRACTOR's actions or omissions in performance of this Contract, including the actions and omissions of the CONTRACTOR's employees, representatives, agents, and subcontractors. In addition, the CONTRACTOR shall maintain liability insurance naming the CITY as an additional insured, and not merely a "certificate holder," in the amount of at least Five Hundred Thousand Dollars (\$500,000.00) for property damage or for bodily or personal injury, death, or loss as a result of any one occurrence or accident. It is the CITY's intent, and the CONTRACTOR's agreement, that the CONTRACTOR's liability insurance shall have limits of not less than those provided for by Idaho Code § 6-924. A certificate of insurance shall further provide at least thirty (30) days' written notice to the CITY prior to cancellation of the policy.

The CONTRACTOR agrees to maintain Worker's Compensation coverage on all employees, including employees of subcontractors, during the term of this contract as required by Idaho Code §§ 72-101 through 72-806. Should the CONTRACTOR fail to maintain such insurance during the entire term hereof, the CONTRACTOR shall indemnify the CITY against any loss resulting to the CITY from such failure, either by way of compensation or additional premium liability. The CONTRACTOR shall furnish to the CITY, prior to commencement of the work, such evidence as the CITY may require guaranteeing contributions which will come due under the Idaho Worker's Compensation Law including, at the option of the CITY, a surety bond in an amount sufficient to make such payments.

The CONTRACTOR shall furnish the CITY certificates of the insurance coverages required herein, which certificates must be approved by the City Attorney.

The CITY shall pay to the CONTRACTOR for the work, services and materials herein provided to be done and furnished by it, a sum not to exceed **One-hundred Twenty-seven Thousand Sixty-nine and No/100 Dollars (\$127,069.00)**. Partial payment shall be made on the third Tuesday of each calendar month on a duly certified estimate of the work completed in the previous calendar month less five percent (5%) retainage. Final payment shall be made thirty (30) days after completion of all work and acceptance by the City Council.

The Work shall be substantially complete within _____ calendar days after the date when a Notice to Proceed is issued, and shall be completed and ready for final payment within **thirty (30) calendar days** after the date of substantial completion.

The CITY and the CONTRACTOR recognize that time is of the essence and failure of the CONTRACTOR to complete the work within the time allowed shall result in damages being sustained by the CITY. Such damages are and will continue to be impractical and extremely difficult to determine. Therefore, in the event the CONTRACTOR shall fail to complete the work within the above time limit, the CONTRACTOR shall pay to the CITY or have withheld from moneys due, liquidated damages at the rate of **Five Hundred and no/100 Dollars (\$500.00)** per calendar day, which sums shall not be construed as a penalty.

IT IS AGREED that the CONTRACTOR must employ ninety-five percent (95%) bona fide Idaho residents as employees on any job under this contract except where under this contract fifty (50) or less persons are employed by the contractor, in which case the CONTRACTOR may employ ten percent (10%) nonresidents; provided, however, in all cases the CONTRACTOR must give preference to the employment of bona fide residents in the performance of said work. (Idaho Code § 44-1002).

The CONTRACTOR further agrees: In consideration of securing the business of constructing the works to be constructed under this contract, recognizing the business in which he is engaged is of a transitory character and that in the pursuit thereof, his property used therein may be without the state of Idaho when taxes, excises or license fees to which he is liable become payable, agrees:

1. To pay promptly when due all taxes (other than on real property), excises and license fees due to the State of Idaho, its subdivisions, and municipal and quasi-municipal corporations therein, accrued or accruing during the term of this contract, whether or not the same shall be payable at the end of such term.
2. That if the said taxes, excises and license fees are not payable at the end of said term but liability for said payment thereof exists, even though the same constitutes liens upon his property, to secure the same to the satisfaction of the respective officers charged with the collection thereof.
3. That in the event of his default in the payment or securing of such taxes, excises and license fees, to consent that the department, officer, board or taxing unit entering into this contract may withhold from any payment due him thereunder the estimated amount of such accrued and accruing taxes, excises and license fees for the benefit of all taxing units to which said contractor is liable.

IT IS FURTHER AGREED that for additions or deductions to the plans and specifications, the parties will negotiation an adjustment to the contract price in good faith.

For the faithful performance of this contract in accordance with the plans and specifications and payment for all labor and materials, the CONTRACTOR shall execute good and sufficient performance bond and payment bond each in the amount of one hundred percent (100%) of the total amount of the bid as herein before stated, said bonds to be executed by a surety company authorized to do business in the state of Idaho.

The CONTRACTOR will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, sexual orientation, and/or gender identity/expression. The CONTRACTOR shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, national origin, sexual orientation, and/or gender identity/expression. Such actions shall include, but not be limited to the following: employment, upgrading, demotions, or transfers; recruitment or recruitment advertising; layoffs or terminations; rates of pay or other forms of compensation; selection for training, including apprenticeship; and participation in recreational and educational activities. The CONTRACTOR agrees to post in conspicuous places available for employees and applicants for employment notices to be provided setting forth the provisions of this nondiscrimination clause. The CONTRACTOR will, in all solicitations or advertisements for employees placed by or on behalf of the CONTRACTOR, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, sexual orientation, and/or gender identity/expression. The CONTRACTOR will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this agreement so that such provisions will be binding upon each sub-Contractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials. The

CONTRACTOR shall keep such records and submit such reports concerning the racial and ethnic origin of applicants for employment and employees as the City may require.

Pursuant to Idaho Code § 67-2359, the **CONTRACTOR** certifies that it is not currently owned or operated by the government of the People's Republic of China and will not, for the duration of this Contract, be owned or operated by the government of People's Republic of China.

Pursuant to Idaho Code § 67-2346, the **CONTRACTOR** certifies that it is not currently engaged in, and will not for the duration of the contract engage in, a boycott of goods or services from Israel or territories under its control.

Pursuant to Idaho Code § 18-8703, the **CONTRACTOR** certifies that it is not, and will not for the duration of this Agreement become, an abortion provider or an affiliate of an abortion provider, as those terms are defined in the "No Public Funds for Abortion Act," Idaho Code §§ 18-8701 et seq.

The Contract Documents shall include the following, as applicable:

- Advertisement For Bids
- Information For Bidders
- Bid Proposal
- Bid Bond
- Bidding Forms as Required
- Contract
- Labor and Materials Payment Bond
- Performance Bond
- Notice of Award
- Notice to Proceed
- Change Orders
- General Conditions
- Technical Specifications
- Special Provisions
- Plans
- Addenda

THIS CONTRACT, with all of its forms, specifications and stipulations, shall be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the Mayor and City Clerk of the CITY OF COEUR D'ALENE have executed this contract on behalf of said city, the City Clerk has affixed the seal of said city hereto, and the CONTRACTOR has caused the same to be signed by its President, and its seal to be affixed hereto, the day and year first above written.

CITY OF COEUR D'ALENE

VERDIS

By _____
James Hammond, Mayor

By _____
_____(printed name)

ATTEST:

Renata McLeod, City Clerk

PUBLIC HEARINGS

CITY COUNCIL STAFF REPORT

FROM: MIKE BEHARY, ASSOCIATE PLANNER

DATE OF HEARING: MAY 21, 2024

SUBJECT: ZC-1-24: ZONE CHANGE FROM NC (NEIGHBORHOOD COMMERCIAL) TO C-17

LOCATION: THE SOUTHEAST CORNER OF THE INTERSECTION OF 15TH STREET AND BEST AVENUE

APPLICANT & OWNER:
GS4 Property LLC
3310 N Atlas Road
Coeur d'Alene, ID 83814

ARCHITECT:
Rex Anderson
Fusion Architecture, PLLC
221 N Wall Street, Suite 345
Spokane, WA 99201

DECISION POINT:

The applicant is requesting approval of a zone change from NC (Neighborhood Commercial) to C-17.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission considered this zone change request at their regularly scheduled hearing on January 9, 2024. In a unanimous vote of 7-0 they recommended that City Council deny the zone change request from NC to C-17.

BACKGROUND INFORMATION:

The subject property is vacant and is located on the southeast corner of the intersection of 15th Street and Best Avenue. The subject site is .93 acres in area and is relatively flat. The site is adjacent to two duplexes and one single family dwelling that are located in the county to the east. To the south is a multi-family apartment complex that is located within the city limits. There is a gas station on the northwest corner of intersection of 15th Street and Best Avenue that is zoned C-17.

The subject site is currently zoned Neighborhood Commercial (NC) and was annexed into the city in 2011 in item A-1-11. The applicant is now requesting that the C-17 zoning district be applied to the subject site.

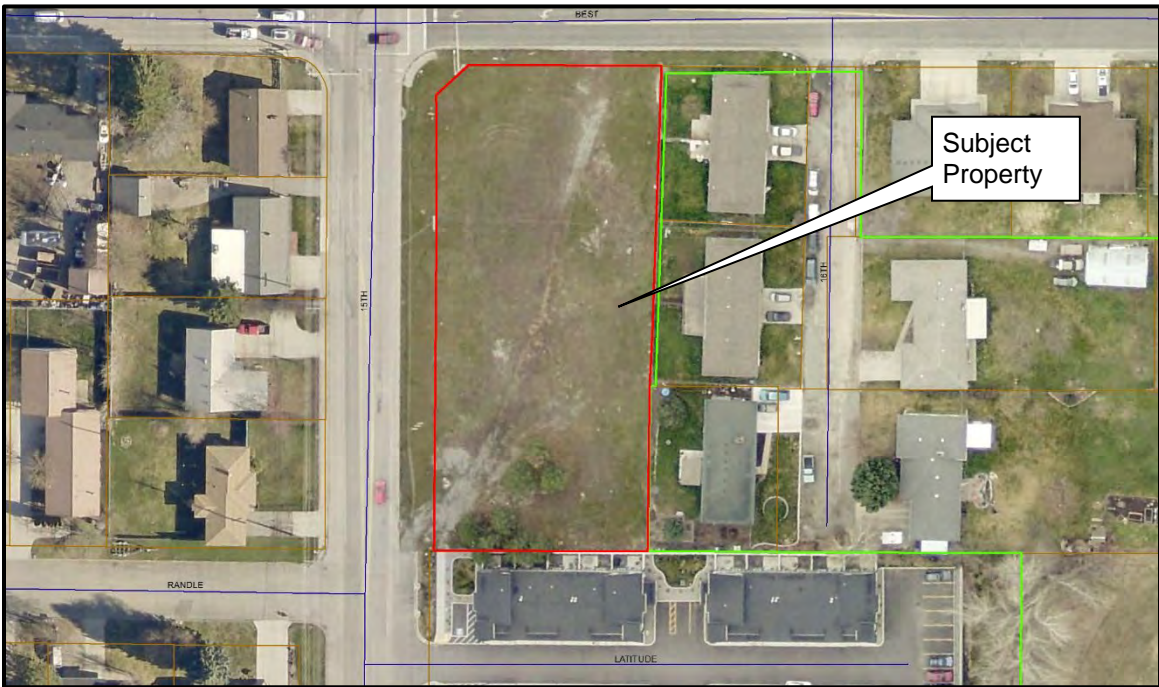
The applicant has indicated that if this zone change request is approved, then they intend to build a gas station with a mini mart and a quick serve restaurant on the subject site. However, it should be noted that if the zone change is approved all uses within the C-17 zoning district would be allowed. (See *the C-17 permitted uses on page 21*)

The applicant has submitted a site plan and a narrative as part of this request. See the attached site plan and narrative by the applicant at the end of this report for a complete overview of their annexation request.

PROPERTY LOCATION MAP:



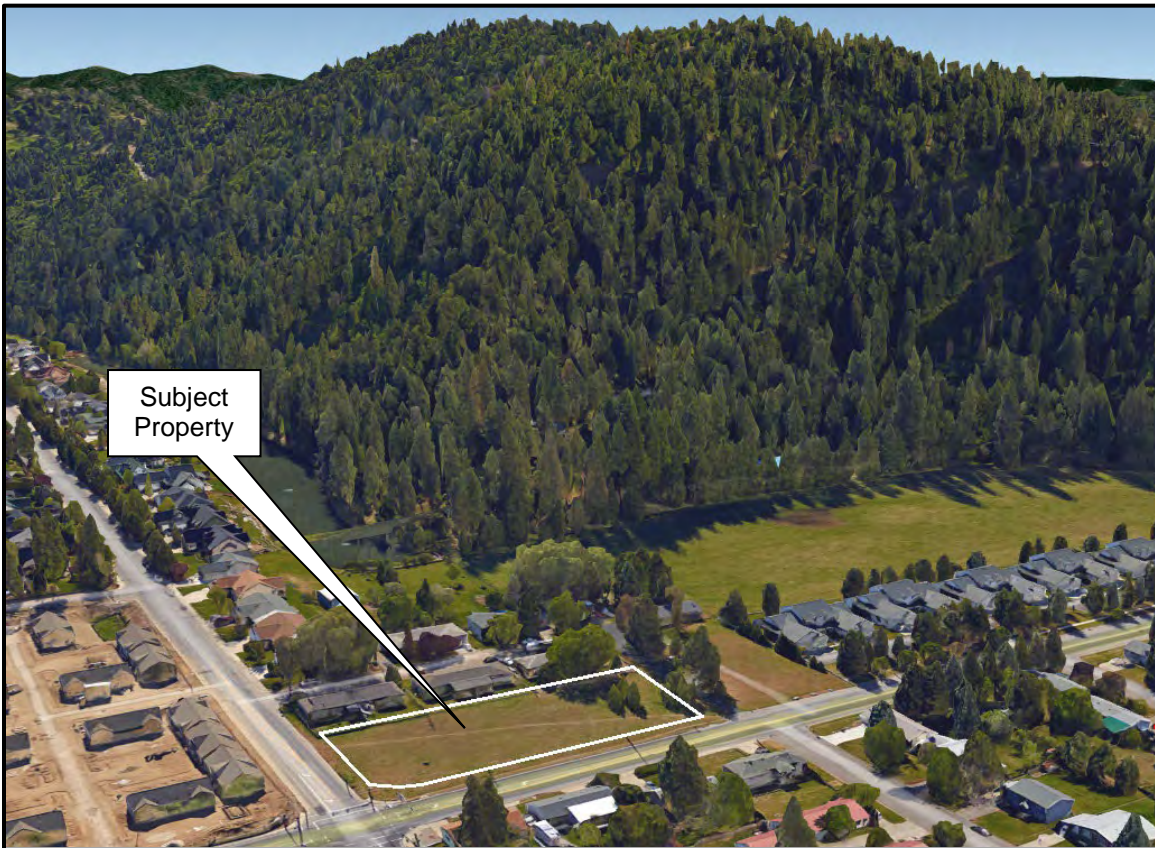
AERIAL PHOTO:



BIRDS EYE AERIAL: Looking North



BIRDS EYE AERIAL: Looking Southeast



PRIOR ZONE CHANGE REQUESTS



<u>Hearing</u>	<u>Request</u>	<u>City Council</u>
ZC-2-82	R-12 to C-17	Approved

SUMMARY OF FACTS:

A1. All public hearing notice requirements have been met for item ZC-1-24.

- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The notice was published in the Coeur d'Alene Press on May 4, 2024, seventeen days prior to the hearing.
- Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 12, 2024, nine days prior to the hearing.
- Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Fifty-four (54) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on May 3, 2024.
- Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on May 3, 2024, seventeen days prior to the hearing.
- Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on May 3, 2024.

A2. Public testimony was received at a public hearing on May 21, 2024.

A3. The subject property is vacant and is located on the southeast corner of the intersection of 15th Street and Best Avenue. The subject site is .93 acres in area and is relatively flat.

A4. The subject site is currently zoned Neighborhood Commercial (NC) and was annexed into the City in 2011 in item A-1-11.

A5. The neighborhood is a mix of commercial and residential uses. The site is adjacent to two duplexes and one single family dwelling that are located in the county to the east. To the south is a multi-family apartment complex that is located within the city limits. There is a gas station on the northwest corner of intersection of 15th Street and Best Avenue that is zoned C-17.

A6. The Comprehensive Plan Future Land Use Map designation is the Mixed-Use Low Place Type. The Comprehensive Plan states that the compatible zoning for such Place Type are C17, C17L, NC, and CC.

A7. The Place Types in the Comprehensive Plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types will, in turn, provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

A8. According to the Comprehensive Plan, Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

A9. The Comprehensive Plan Goals, Objectives and Policies that are applicable to this matter are as follows:

Community & Identity

Goal CI 1:

Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1:

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

OBJECTIVE CI 3.1

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Growth & Development

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

A10. There is adequate capacity in the public water system to support commercial, residential, irrigation, and fire flow for the proposed zone change. There is an existing 12" main on the west side of the property paralleling 15th Street approximately 5' behind the curb and a 12" main in Best Avenue. There are two 2" services currently stubbed in to the property as well as a 6" Fireline stub. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.

A11. The nearest public sanitary sewer is located in 15th Street to the west of subject property. The Subject Property is within the City of Coeur d'Alene and is in accordance with the 2023 Sewer Master Plan. The City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this zone change request as proposed.

A12. Fire department access to the site (road widths, surfacing, maximum grade and turning radiuses), and fire protection (size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance.

A13. The Police Department does not have concerns with the proposed zone change.

A14. The site is generally flat and has a slight slope to the east. The site is vacant, and is in a natural state with grass and trees located on it.

A15. The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the application shows eight fueling positions (four pumps) in the site plan, as well as a market. Using Land Use Code 853 – Convenience Market with Gasoline Pumps from the ITE Trip Generation Manual, it can be estimated that this use will generate 133 a.m. peak hour trips and 153 p.m. peak hour trips. It is assumed that many of these trips would be pass-by trips rather than diverted trips. It is unlikely that this use will adversely affect traffic on 15th Street.

A16. 15th Street is a Major Collector that experiences over 1000 trips per day. The Kootenai Metropolitan Planning Organization's traffic model predicts a potential maximum of 1200 vehicles per hour, but capacity would largely be controlled by the traffic signal, which can theoretically move over 1700 vehicles/hour. Future 15th Street improvements will upgrade the traffic signal to better accommodate traffic. Access to 15th Street will be limited to approximately the south ½ of the parcel to ensure approaches are not within the functional area of the Best Ave intersection.

A17. Both the NC and C17 zoning districts have design guidelines, performance standards, and parking requirements to minimize impacts to neighboring properties.

A18. The applicant has indicated that, if this zone change request is approved, he intends to build a gas station with a mini mart and a quick serve restaurant on the subject site. Per the applicant's narrative and testimony, the owner intends to develop a project with design aspects to be a good neighbor, such as using a low-profile signs, no LED reader boards, limiting the number of fuel stations, and turning off fuel canopy lights after 11:00pm. However, unless approved as a conditional zoning with conditions, it should be noted that if the zone change is approved all uses within the C-17 zoning district would be allowed and C-17 performance standards would apply. (See the C-17 permitted uses on page 21)

A19. The Planning and Zoning Commission considered this zone change request at their regularly scheduled hearing on January 9, 2024. In a unanimous vote of 7-0 they recommended that City Council deny the zone change request from NC to C-17. The Planning and Zoning Commission found that the proposed development would still negatively affect the surrounding neighborhood in terms of increased traffic, non-residential noise, and light which would be greater than uses permitted in the NC zone. In this case, the Planning and Zoning Commission found that the zoning is incompatible with the surrounding zoning and uses. Other than the commercial use to the northwest, everything else to the north, south, east and west is residential.

ZC-1-24 ZONE CHANGE FINDINGS:

REQUIRED FINDINGS FOR A ZONE CHANGE:

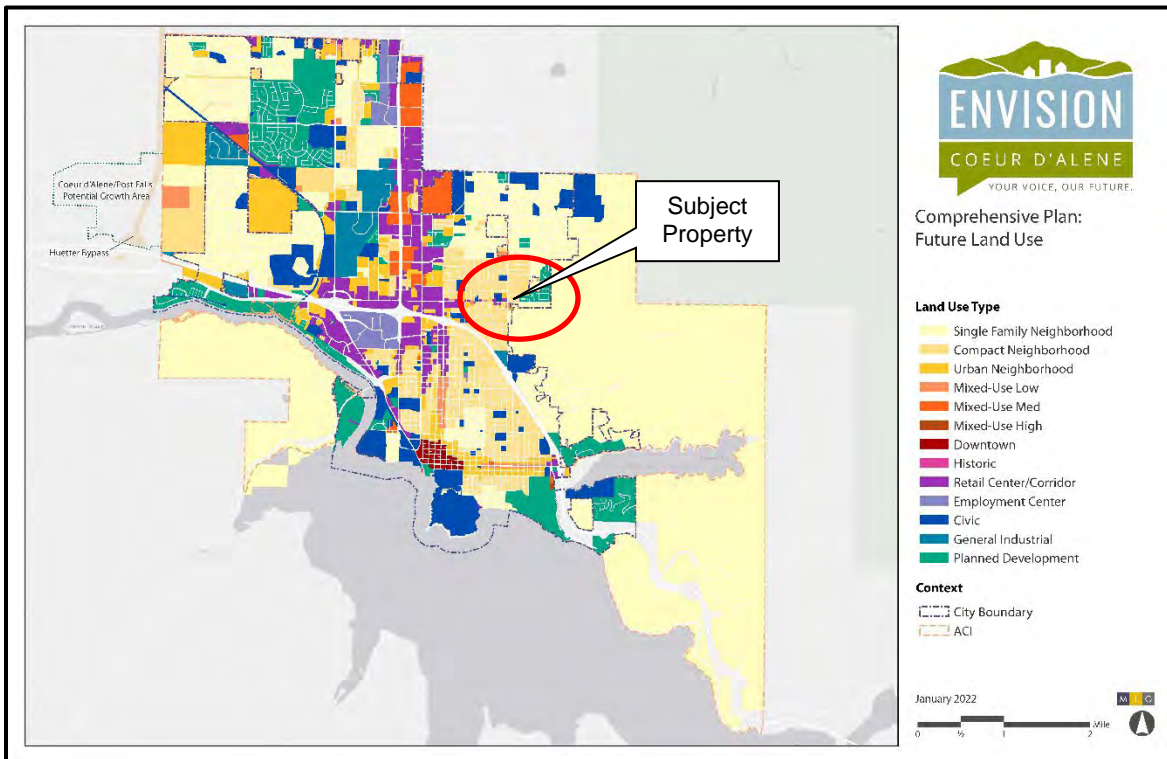
Finding B1: This proposal (is) (is not) in conformance with the Comprehensive Plan.

Use the following information, as well as the attached Comprehensive Plan goals, objectives, and policies to make findings **A6-A9** in the findings and order worksheet.

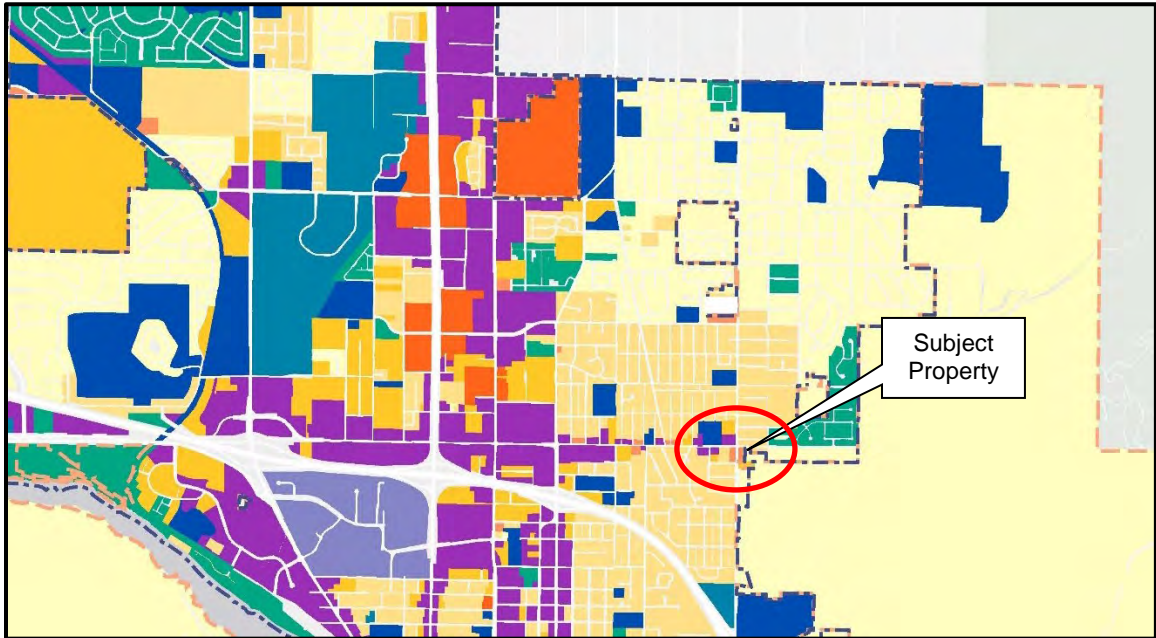
2042 COMPREHENSIVE PLAN LAND USE:

- The subject property is located within the existing city limits.
- The City’s Comprehensive Plan designates the subject property in the Mixed-Use Low place type.

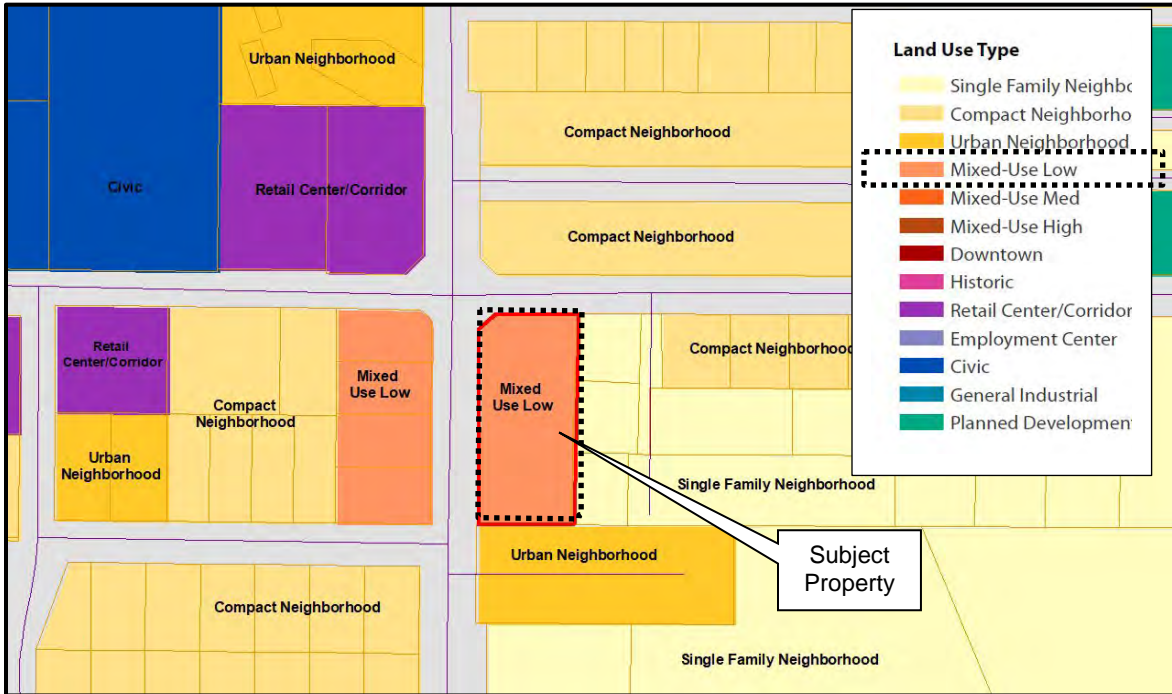
2042 COMPREHENSIVE PLAN LAND USE MAP:



2042 COMPREHENSIVE PLAN LAND USE MAP: *Mixed-Use Low*



2042 COMPREHENSIVE PLAN LAND USE MAP: *Mixed-Use Low*



The subject site lies within the Mixed Use Low place type as designated in the 2042 Comprehensive Plan.

2042 Comprehensive Plan Place Types:

The Place Types in the Comprehensive Plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types will in turn provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

Place Type: Mixed-Use Low

Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

Compatible Zoning Districts within the "Mixed-Use Low" Place Type:

- C17 and C17L; NC and CC Zoning Districts.

Key Characteristics of "Mixed-Use Low" Place Type:

Mixed-Use Low



Key Characteristics

Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

Transportation

- Gridded main streets and mid-block pedestrian connections
- High ease-of-use pedestrian and bicycle facilities



Typical Uses

- Primary: Retail, commercial, office, restaurant, multifamily residential
- Secondary: Civic uses, parking

Building Types

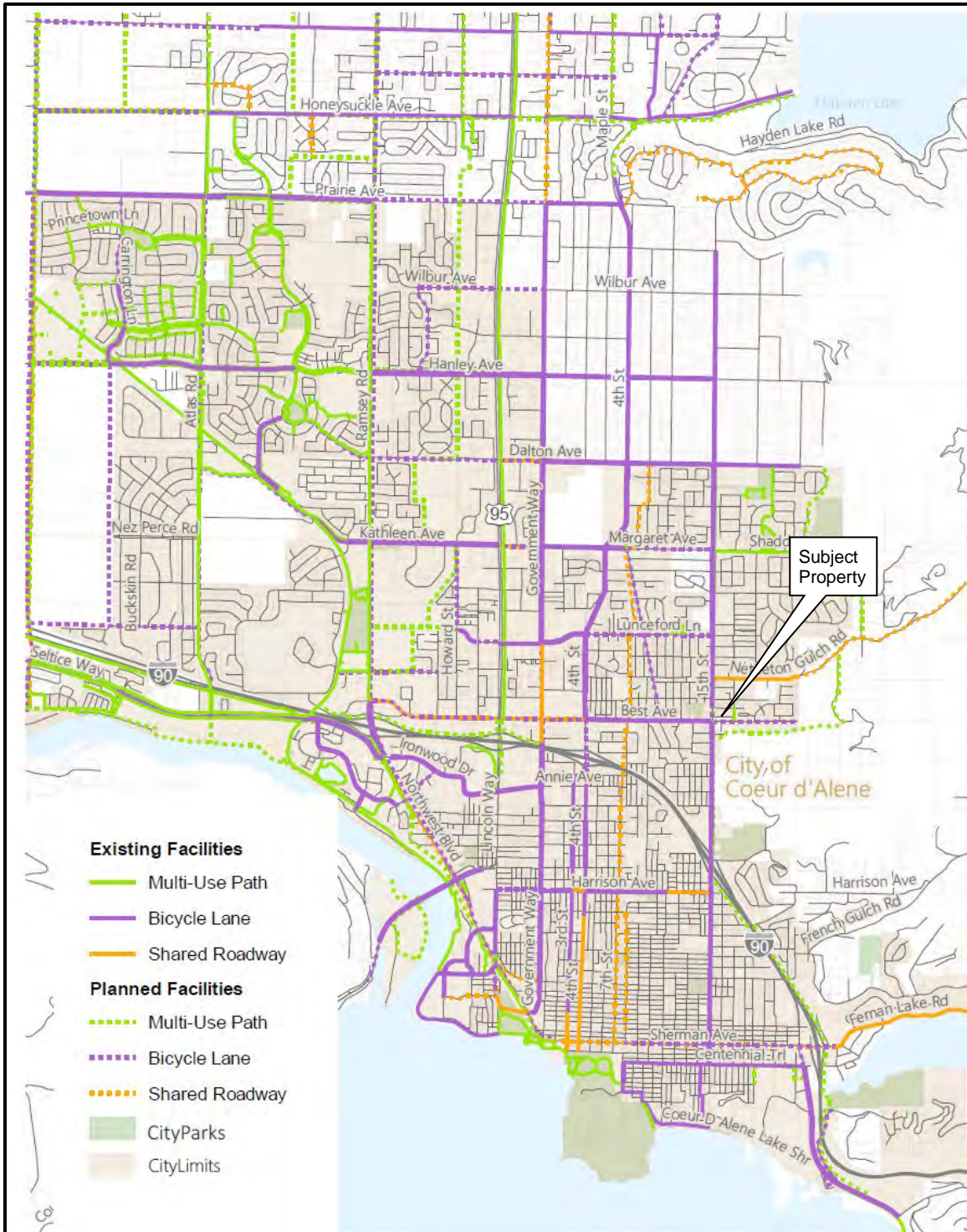
- Up to four stories, retail and commercial on the ground floor, with residential units above

Compatible Zoning

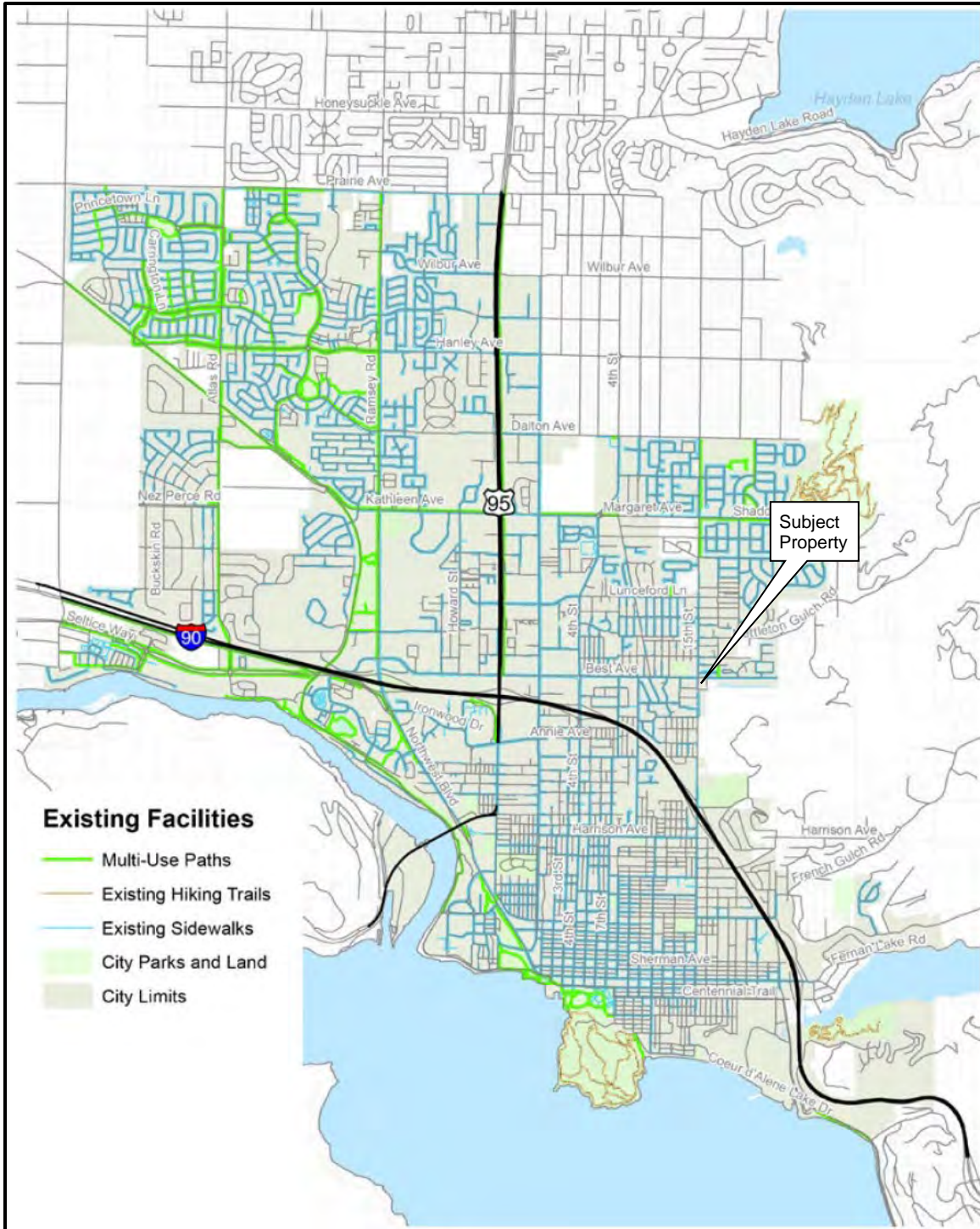
- C17 and C17L; NC and CC

Transportation

Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



Comprehensive Plan Policy Framework:

The following is staff's assessment of applicable goals and objectives. For a complete list of possible goals and objectives, see **Attachment 2**.

Goal CI 2

Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

OBJECTIVE CI 2.1

Maintain the community's friendly, welcoming atmosphere and its smalltown feel.

Goal ER 1

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

OBJECTIVE ER 1.1

Manage shoreline development to address stormwater management and improve water quality.

Goal ER 2

Provide diverse recreation options.

OBJECTIVE ER 2.2

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

OBJECTIVE ER 2.3

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.3

Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.

OBJECTIVE GD 1.4

Increase pedestrian walkability and access within commercial development.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

OBJECTIVE GD 1.7

Increase physical and visual access to the lakes and rivers.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Goal GD 3

Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.

Goal GD 4

Protect the visual and historic qualities of Coeur d'Alene

Goal JE 1

Retain, grow, and attract businesses

OBJECTIVE JE 1.2

Foster a pro-business culture that supports economic growth.

Evaluation: *City Council will need to determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

Finding B2: **That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

Use the following information as well as testimony from the hearing to make findings **A10-A13** in the findings and order worksheet.

STORMWATER:

City code requires that all stormwater remain on the property and for a stormwater management plan to be submitted and approved prior to any construction activity on the site.

-Submitted by Chris Bosley, City Engineer

STREETS:

The subject property is bordered by 15th Street to the west and Best Ave to the north. Frontage improvements including sidewalk and stormwater swales will be required at the time of construction.

-Submitted by Chris Bosley, City Engineer

WATER

There is adequate capacity in the public water system to support commercial, residential, irrigation, and fire flow for the proposed zone change.

There is an existing 12" main on the west side of the property paralleling 15th Street approximately 5' behind the curb and a 12" main on Best Avenue. There are two 2" services currently stubbed in to the property as well as a 6" Fireline stub. Any additional main extensions and /or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.

-Submitted by Glen Poelstra, Assistant Director, Water Department

SEWER:

The nearest public sanitary sewer is located in 15th Street to the west of subject property. The Subject Property is within the City of Coeur d'Alene and in accordance with the 2023 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this zone change request as proposed.

-Submitted by Larry Parsons, Utility Project Manager

FIRE:

The Fire Department works with the Engineering, Water, and Building Departments to ensure the design of any proposal meets mandated safety requirements for the city and its residents.

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. The CD'A FD can address all concerns at site and building permit submittals.

-Submitted by Craig Etherton, Deputy Fire Marshal

POLICE:

The Police Department does not have an issue with the proposed zone change.

-Submitted by Jeff Walther, Police Captain

Evaluation: *City Council will need to determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

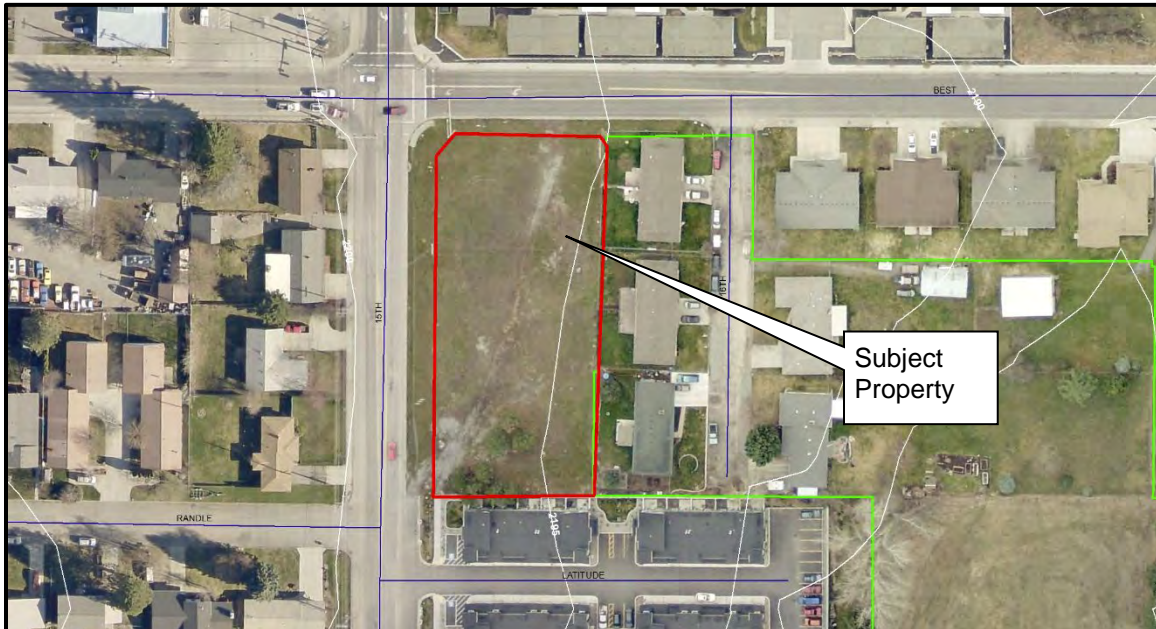
Finding B3: **That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

Use the following information as well as testimony from the hearing to make finding **A14** in the findings and order worksheet.

PHYSICAL CHARACTERISTICS:

The site is general flat and has a slight slope to the east. (See topography map below). The site is vacant of buildings and is in a natural state with grass and trees located on it. Site photos are provided on the next few pages showing the existing conditions.

TOPOGRAPHIC MAP:



SITE PHOTO - 1: View from the northeast corner of property looking south.



SITE PHOTO - 2: View from the northeast corner of property looking west along Best Avenue.



SITE PHOTO - 3: View from the north central part of property looking south.



SITE PHOTO - 4: View from the northwest corner of property looking east.



SITE PHOTO - 5: View from the center of property looking northwest.



SITE PHOTO - 6: View from the southwest corner of property looking north along 15th Street.



Evaluation: *City Council will need to determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

Finding B4: **That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.**

Use the following information as well as testimony from the hearing to make findings **A15-A19** in the findings and order worksheet.

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant depicts eight fueling positions (four pumps) in the site plan as well as a market. Using Land Use Code 853 – Convenience Market with Gasoline Pumps from the ITE Trip Generation Manual, it can be estimated that this use will generate 133 a.m. peak hour trips and 153 p.m. peak hour trips. It is assumed that many of these trips would be pass-by trips rather than diverted trips.

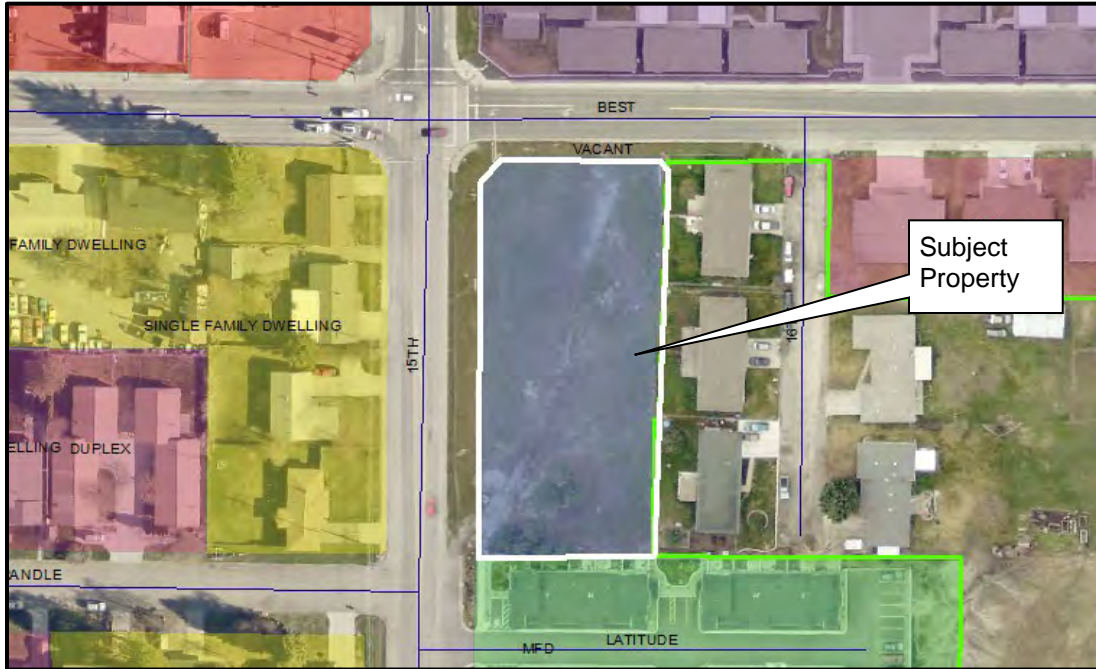
It is unlikely that this use will adversely affect traffic on 15th Street. 15th Street is a Major Collector that experiences over 1000 trips per day. The Kootenai Metropolitan Planning Organization's traffic model predicts a potential maximum of 1200 vehicles per hour, but capacity would largely be controlled by the traffic signal, which can theoretically move over 1700 vehicles/hour. Future 15th Street improvements will upgrade the traffic signal to better accommodate traffic. Access to 15th Street will be limited to approximately the south ½ of the parcel to ensure approaches are not within the functional area of the Best Ave intersection.

-Submitted by Chris Bosley, City Engineer

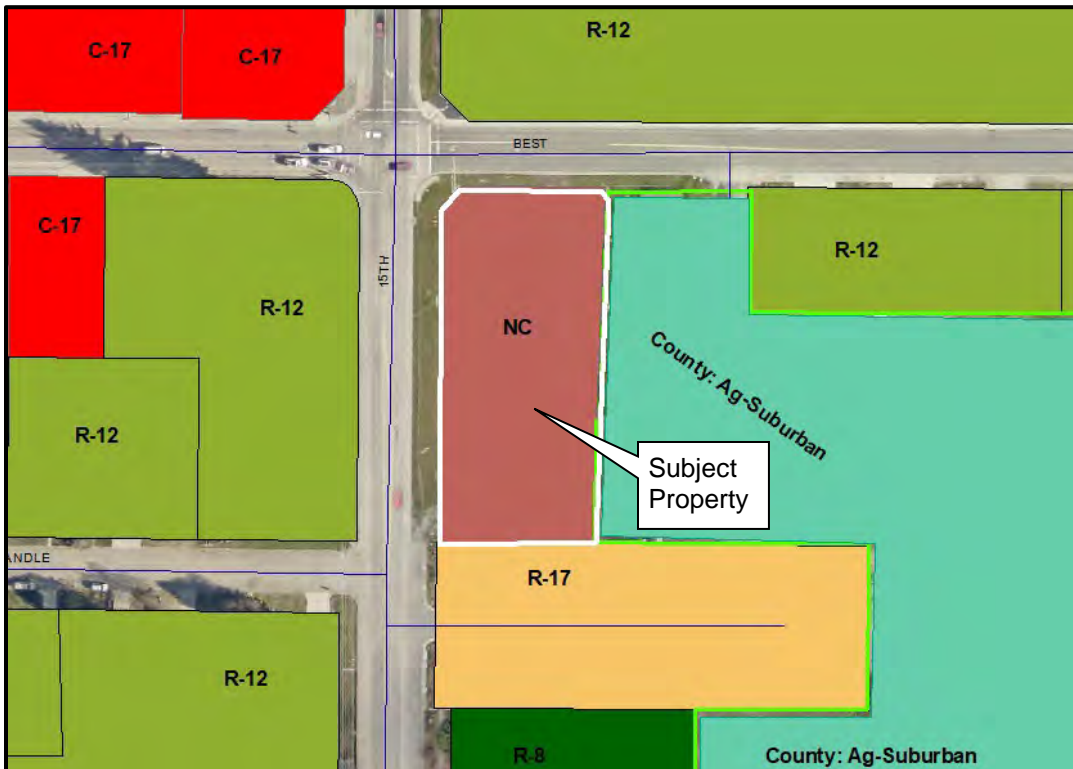
NEIGHBORHOOD CHARACTER:

The neighborhood is a mix of commercial and residential uses. A gas station mini-mart is located on the northeast corner of the intersection of 15th Street and Best Avenue. To the south is a multi-family apartment complex along with some duplex housing units. The remaining properties to the north, east, and west have residential uses located on them (See existing land use map located below).

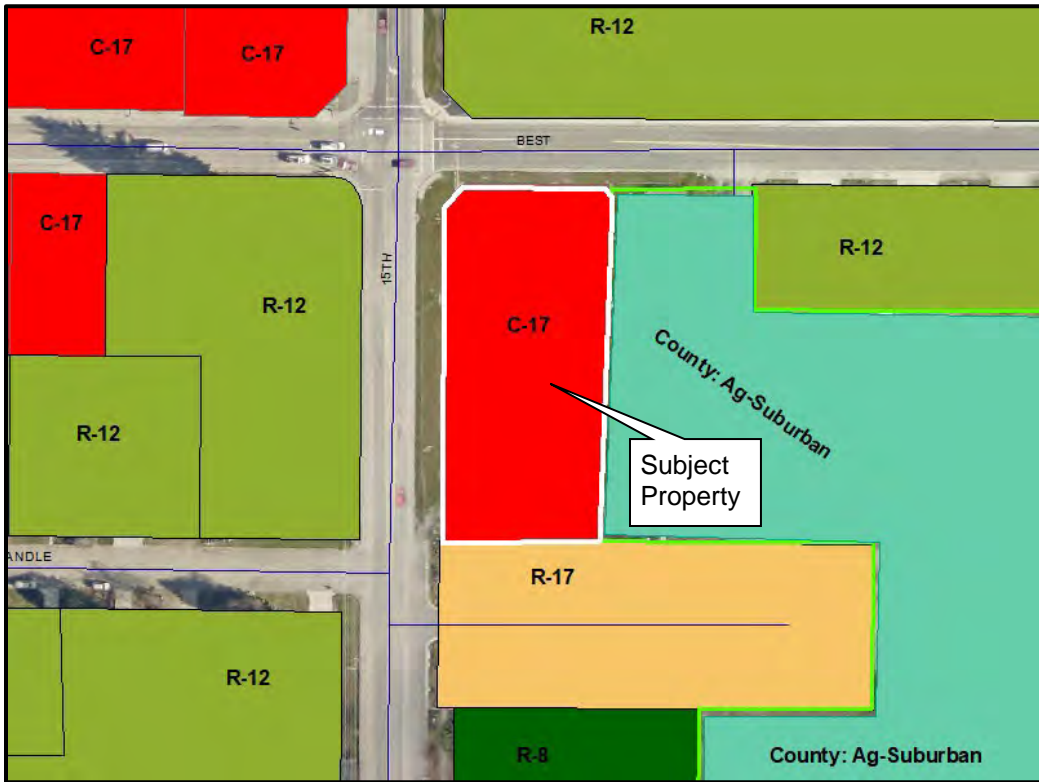
GENERALIZED LAND USE PATTERN:



EXISTING ZONING MAP:



PROPOSED ZONING MAP:



Existing Neighborhood Commercial (NC) Zoning District:

The neighborhood commercial district is intended to allow for the location of enterprises that mainly serve the immediate surrounding residential area and that provide a scale and character that are compatible with residential buildings. It is expected that most customers would reach the businesses by walking or bicycling, rather than driving.

Uses permitted by right:

- Commercial and professional office
- Daycare
- Medical/dental
- Parks
- Personal services
- Residential
(Above the ground floor only-new construction)
- Retail

Uses permitted by special use permit:

- Religious institutions
- Schools

× **Additional Prohibited Uses:** In addition to the uses listed above, any other uses that the Planning Director determines are not in conformity with the purpose and intent of the district are prohibited. The decision of the Planning Director may be appealed by following the administrative appeal procedure.

The following uses are prohibited in NC districts:

- Commercial parking
- Detention facilities
- Gasoline service stations
- Industrial
- Ministorage
- Outdoor storage or display of goods, other than plants
- Sales, repair or maintenance of vehicles, boats, or equipment
- Warehouses

Hours of Operation

Nonresidential uses may only be open for business between the hours of six o'clock (6:00) A.M. and ten o'clock (10:00) P.M.

Floor Area

Maximum Floor Area Ratio: The floor area ratio (FAR) for nonresidential uses in an NC district is 1.0 with a total FAR of 1.5 when a ground floor permitted use is combined with a second level residential unit.

Maximum Floor Area: The maximum floor area shall not exceed four thousand (4,000) square feet for retail uses. All other nonresidential uses shall not exceed eight thousand (8,000) square feet.

Parking

Nonresidential Uses: Nonresidential uses must provide at least three (3) parking stalls per one thousand (1,000) square feet of floor area.

Permitted Residential Uses: Permitted residential uses must provide 1.5 stalls per dwelling unit.

Development & Design Standards

- A. At least fifty percent (50%) of any first floor wall facing an arterial street must be glass.
- B. If the building does not abut the sidewalk, there must be a walkway between the sidewalk and the primary entrance.
- C. Surface parking should be located to the rear or to the side of the principal building.
- D. Trash areas must be completely enclosed by a structure constructed of materials similar to the principal building. Dumpsters must have rubber lids.
- E. Buildings must be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.
- F. Lighting greater than one foot-candle is prohibited. All lighting fixtures shall be a "cutoff" design to prevent spillover.
- G. Wall mounted signs are preferred, but monument signs no higher than six feet (6') are allowed. Roof mounted signs and pole signs are not permitted.
- H. Signs shall not be internally lighted, but may be indirectly lighted.

Height requirements

- A. The maximum height for all uses in an NC district shall not exceed thirty two feet (32').

The proposed C-17 zoning district is consistent with the existing commercial zoning of the surrounding properties in the vicinity of the subject property. Approval of the requested C-17 zoning would allow the following potential uses of the property.

Proposed C-17 Zoning District:

- A. The C-17 district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre.
- B. This district should be located adjacent to arterials, however, joint access developments are encouraged.
- C. A variance may be granted to partially waive off street parking and/or lot coverage requirements for commercial developments utilizing common parking facilities.
- D. Residential developments in this district are permitted as specified by the R-17 district.
- E. Project review (chapter 17.07, article IV of this title) is required for all subdivisions and for all residential, civic, commercial, service, and industry uses, except residential uses for four (4) or fewer dwellings. (Ord. 3288 §36, 2007; Ord. 1691 §1(part), 1982)

17.05.500: PERMITTED USES; PRINCIPAL:

Principal permitted uses in a C-17 district shall be as follows:

- Administrative offices.
- Agricultural supplies and commodity sales.
- Automobile and accessory sales.
- Automobile parking when serving an adjacent business or apartment.
- Automobile renting.
- Automobile repair and cleaning.
- Automotive fleet storage.
- Automotive parking.
- Banks and financial institutions.
- Boarding house.
- Building maintenance service.
- Business supply retail sales.
- Business support service.
- Childcare facility.
- Commercial film production.
- Commercial kennel.
- Commercial recreation.
- Communication service.
- Community assembly.
- Community education.
- Community organization.
- Construction retail sales.
- Consumer repair service.
- Convenience sales.
- Convenience service.
- Department stores.
- Duplex housing (as specified by the R-12 district).
- Essential service.
- Farm equipment sales.
- Finished goods wholesale.
- Food and beverage stores, on/off site consumption.
- Funeral service.
- General construction service.
- Group assembly.
- Group dwelling - detached housing.
- Handicapped or minimal care facility.
- Home furnishing retail sales.
- Home occupations.
- Hospitals/healthcare.
- Hotel/motel.
- Juvenile offenders facility.
- Laundry service.
- Ministorage facilities.
- Mobile food court.
- Multiple-family housing (as specified by the R-17 district).
- Neighborhood recreation.
- Noncommercial kennel.
- Nursing/convalescent/rest homes for the aged.
- Personal service establishments.
- Professional offices.
- Public recreation.
- Rehabilitative facility.
- Religious assembly.
- Retail gasoline sales.
- Single-family detached housing (as specified by the R-8 district).
- Specialty retail sales.
- Veterinary office. (Ord. 3560, 2017)

17.05.510: PERMITTED USES; ACCESSORY:

- Accessory permitted uses in a C-17 district shall be as follows:
- Accessory dwelling units.
- Apartment for resident caretaker watchman.
- Outside area or buildings for storage and/or preparation of merchandise or goods necessary for and incidental to the principal use.
- Private recreation (enclosed or unenclosed).
- Residential accessory uses as permitted by the R-17 district. (Ord. 3288 §38, 2007: Ord. 1691 §1(part), 1982)

17.05.520: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in a C-17 district shall be as follows:

- Adult entertainment sales and service.
- Auto camp.
- Criminal transitional facility.
- Custom manufacturing.
- Extensive impact.
- Residential density of the R-34 district as specified.
- Underground bulk liquid fuel storage - wholesale.
- Veterinary hospital.
- Warehouse/storage.
- Wireless communication facility.

17.05.530: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in a C-17 district shall be as follows:

MAXIMUM HEIGHT

Structure Type	Structure Location
	<i>In Buildable Area For Principal Facilities</i>
For residential uses	As specified by the R-17 district
For the remaining uses	No height limitation

17.05.550: SITE PERFORMANCE STANDARDS; MINIMUM LOT:

Minimum lot requirements in a C-17 district shall be as follows:

- Residential lot requirements are as specified for the R-17 district.
- For the remaining uses, there are no minimum lot requirements except as required by state or federal laws.

17.05.560: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

A. Minimum yard requirements in a C-17 district shall be as follows:

- Single-family and duplex structures must meet the minimum yard requirements for a single-family structure established by the R-3 district.
- For multiple-family housing, see the R-17 district.

For remaining uses:

- Front: The front yard requirement shall be ten feet (10') except where a majority of the property of the same block is already developed to the property line, in which case the front yard setback is zero feet (0').
- Side And Rear: The side and rear yard requirements shall be zero feet (0') except as required by life safety or uniform building codes and except when the side or rear abuts a lot in a different district that requires rear or side yards, in which case the property in this district shall have setbacks as specified in section 17.06.475 of this

title. In no circumstance shall an eave extend over a property line or result in stormwater impacts offsite. The building shall be set back five feet (5') minimum from the eave to the property line where the roof slopes towards the property line. If a metal roof is being used, the setback or installation of snow brakes shall be determined by the Building Department.

- D. For horizontal mixed use projects with both multiple-family housing and commercial uses, the setbacks shall be those which are applicable to the individual use in that portion of the project.
- E. There will be no permanent structures constructed within the corner cutoff.

17.05.565: BASIC DEVELOPMENT STANDARDS; DESIGN GUIDELINES AND DEPARTURES:

- A. Establishment Of Design Guidelines: The city council shall adopt by resolution a list of design guidelines that are applicable to all developments within the C-17 district. Each design guideline must be met by the proposed development. However, the design guidelines are intended to provide some flexibility in application provided that the basic intent of the guidelines is met. Compliance with these design guidelines will be determined by the planning director or the design review commission as provided by section 17.09.315 of this title. If the project is reviewed by the planning director, an appeal may be taken to the design review commission by an aggrieved party by following the appeal procedures specified in section 17.07.945 of this title.
- B. Design Departures: An applicant may request a design departure from any of the design guidelines adopted pursuant to this section. The planning director will review all requests for design departures on projects not subject to design review commission review under section 17.09.315 of this title. In order for the planning director to approve a design departure, he or she must find that:
 - 1. The project must be consistent with the comprehensive plan and any applicable plan;
 - 2. The requested departure meets the intent of statements relating to applicable development standards and design guidelines;
 - 3. The departure will not have a detrimental effect on nearby properties or the city as a whole;
 - 4. The proposed departure is part of an overall, thoughtful and comprehensive approach to the design of the project as a whole; and
 - 5. If a deviation from a building design guideline is requested, the project's building(s) exhibits a high degree of craftsmanship, building detail, architectural design, or quality of materials that are not typically found in standard construction. In order to meet this standard, an applicant must demonstrate to the planning director that the project's design offers a significant improvement over what otherwise could have been built under minimum standards and guidelines.

Evaluation: *City Council will need to determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

ORDINANCES & STANDARDS USED FOR EVALUATION:

2042 Comprehensive Plan
Transportation Plan
Municipal Code
Idaho Code
Wastewater Treatment Facility Plan
Water and Sewer Service Policies
Urban Forestry Standards
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices
2018 Coeur d'Alene Trails Master Plan

ACTION ALTERNATIVES:

City Council will need to consider this request and make findings to approve, approve with conditions, deny, or deny without prejudice the requested zone change from NC to C-17.

The City Council may also impose conditions for this zone change request pursuant to Title 17 (Zoning Code) Section 17.09.140: CONDITIONAL REZONING, which states, "The City Council may impose conditions upon rezoning where such conditions are required to ensure that proposed uses of the area are consistent with community needs and its public health, safety, and general welfare.

Attachments:

Attachment 1 – Comprehensive Plan Goals and Objectives
Attachment 2 – Applicant's Application and Narrative

City Council Meeting



City of
Coeur d'Alene
IDAHO

May 21, 2024

1

ZC-1-24 Zone change from NC to C-17 SE corner of Best Ave and 15th St. (+/- 0.93 Acres)

APPLICANT:

GS4 Property LLC
3310 N Atlas Road
Coeur d'Alene, ID 83814

ARCHITECT:

Rex Anderson
Fusion Architecture, PLLC
221 N Wall Street, Suite 3454
Spokane, WA 99201

REQUEST:

Zone change from Neighborhood Commercial (NC) to C-17.



2

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

LOCATION:

Property is located at the southeast corner of the intersection of 15th Street and Best Avenue.



3

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

LEGAL NOTICING:

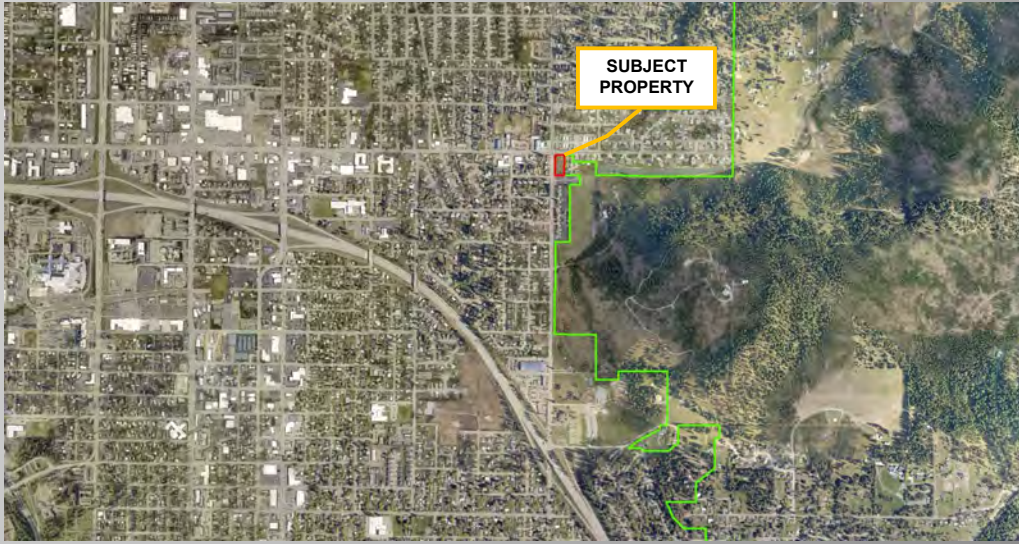
- Published in the CDA Press on May 4, 2024
- Mailed May 3, 2024 – property owners, political subdivisions, and natural gas pipelines
- Posted on subject site on May 12, 2024



4

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

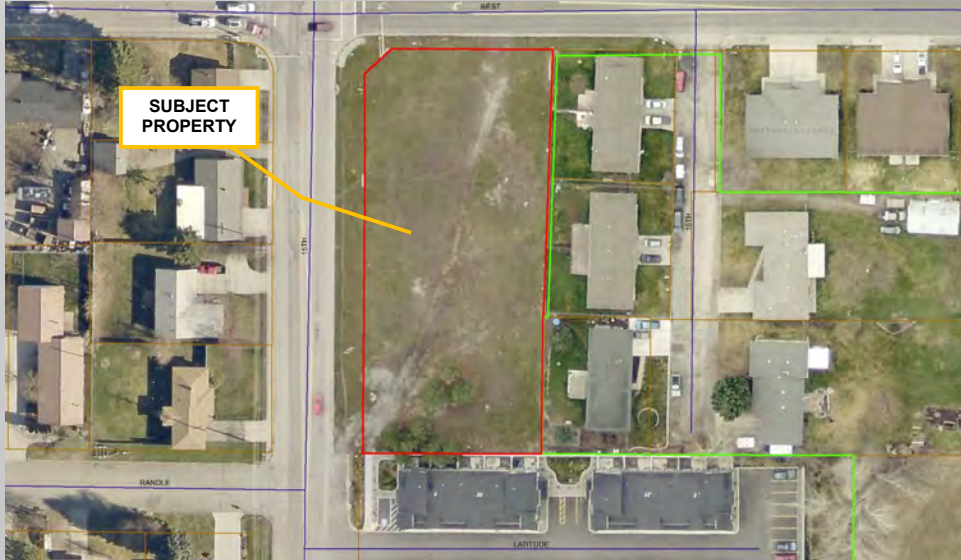
Location Map



5

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Aerial Photo



6

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**



7

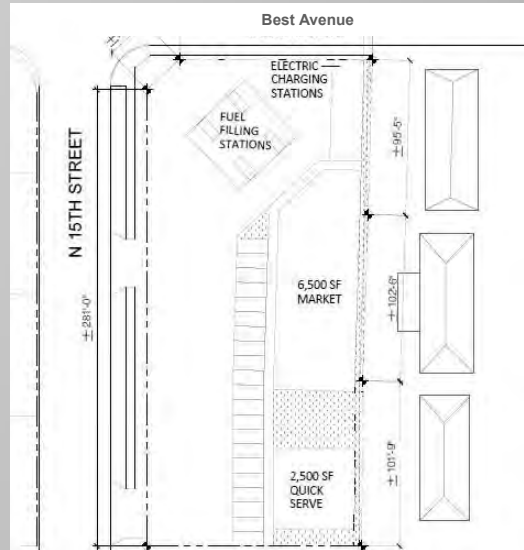
**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**



8

ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)

**Conceptual
Site Plan**



9

ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)

Applicant's Proposed Design & Performance Standards

The following items are being proposed by the applicant to address neighborhood compatibility. They are similar aspects as to the existing gas station and store that is located Seltice Way and Atlas Road.

- a) Low profile signage,
- b) No LED reader boards,
- c) Fuel refilling will not be excessive – limiting the number of filling stations,
- d) Electric car charging potential,
- e) Fuel canopy lights will be turned off after 11pm.

10

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Finding B1:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.

Finding B2:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

Finding B3:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

Finding B4:

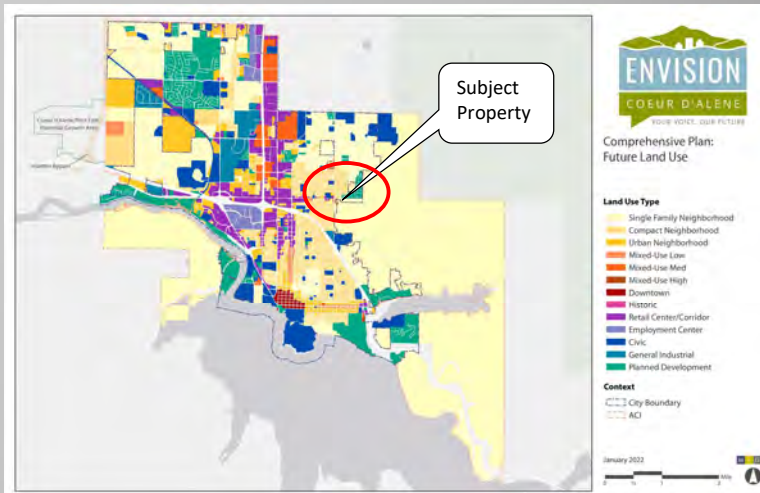
That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

11

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

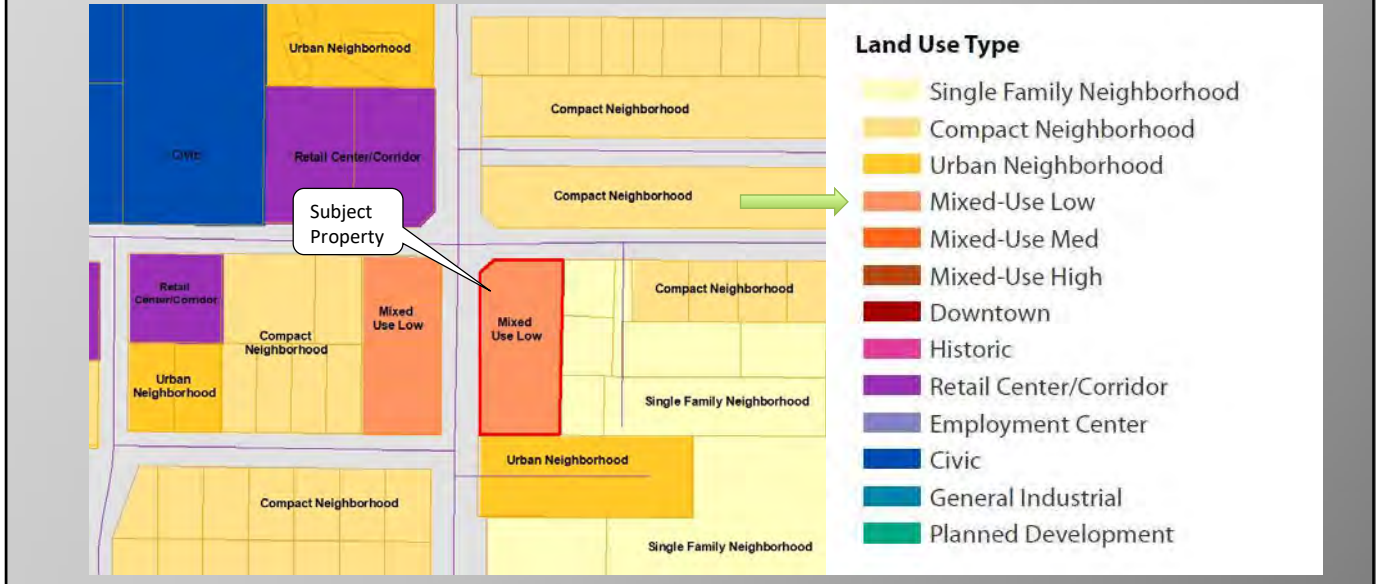
Finding B1:

That this proposal (is) (is not) in conformance with the Comprehensive Plan.



12

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**



13

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

2042 Comprehensive Plan Place Types

Place Types represent the form of future development, as envisioned by the residents of Coeur d’Alene. Place Types will in turn provide the policy level guidance that will inform the City’s Development Ordinance.

Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, and allowed uses.

14

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

2042 Comprehensive Plan Place Type:

Place Type: Mixed-Use Low

Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

Compatible Zoning Districts within the “Mixed-Use Low” Place Type:

- **C17** and C17L; NC and CC Zoning Districts.

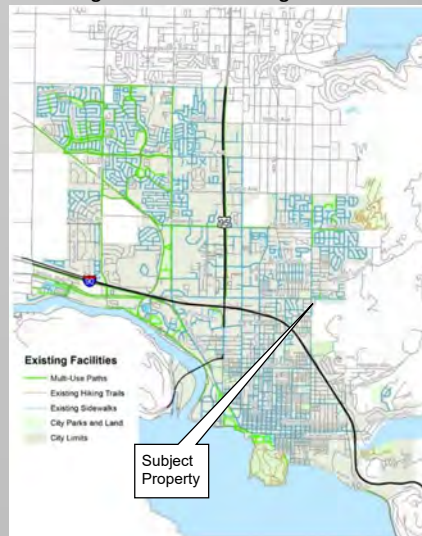
15

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

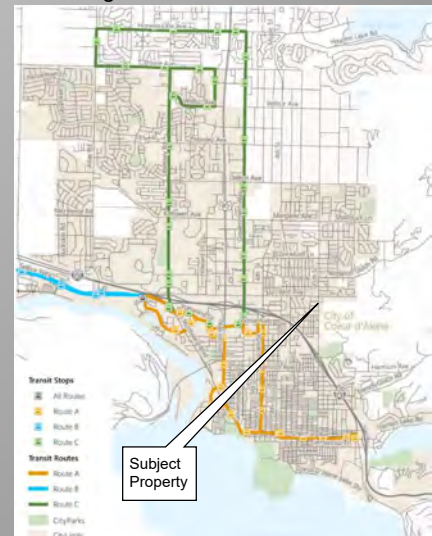
Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



16

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Comprehensive Plan Policy Framework:

Community & Identity

Goal CI 2: Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.

Objective CI 2.1: Maintain the community's friendly, welcoming atmosphere and its small-town feel.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Objective GD 1.5: Recognize neighborhood and district identities.



17

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Comprehensive Plan Policy Framework:

Growth & Development

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1 Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Goal GD 3: Support the development of a multimodal transportation system for all users.

OBJECTIVE GD 3.1 Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.



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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Finding B2:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

- City staff from Engineering, Streets, Water, Fire, Police, Parks, and Wastewater Departments have reviewed the application request in regards to public utilities and public facilities.
- Each department has indicated that there are adequate public facilities and public utilities available to serve the proposed zone change request.

** See pages 15 and 16 of the staff report for departmental comments.*



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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Finding B3:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

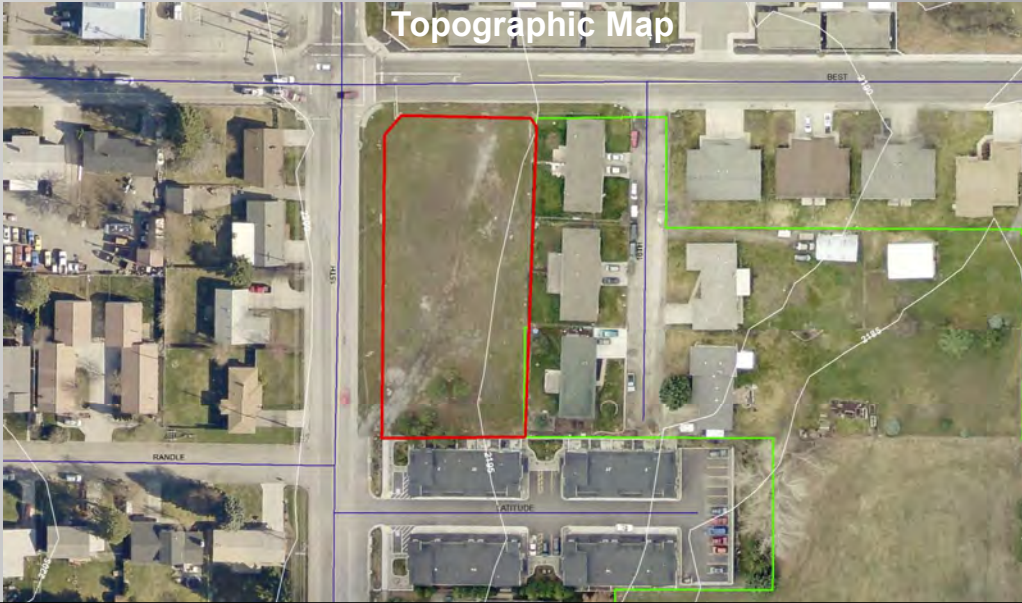
PHYSICAL CHARACTERISTICS:

The site is generally flat with a slight drop in elevation towards the east part of the property. There are no topographical or physical constraints that would make the subject property unsuitable to change the zoning from NC to C-17.



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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**



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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Site Photo - 1



22

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Site Photo - 2



23

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Site Photo - 3



24

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Site Photo - 4



25

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Site Photo - 5



26

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Finding B4:

That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

Traffic:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant depicts eight fueling positions (four pumps) in the site plan as well as a market. Using Land Use Code 853 – Convenience Market with Gasoline Pumps from the ITE Trip Generation Manual, it can be estimated that this use will generate 133 a.m. peak hour trips and 153 p.m. peak hour trips. It is assumed that many of these trips would be pass-by trips rather than diverted trips.

-Submitted by Chris Bosley, City Engineer

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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Finding B4: Continued.....

That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

Traffic:

It is unlikely that this use will adversely affect traffic on 15th Street. 15th Street is a Major Collector that experiences over 1000 trips per day. The Kootenai Metropolitan Planning Organization's traffic model predicts a potential maximum of 1200 vehicles per hour, but capacity would largely be controlled by the traffic signal, which can theoretically move over 1700 vehicles/hour. Future 15th Street improvements will upgrade the traffic signal to better accommodate traffic. Access to 15th Street will be limited to approximately the south ½ of the parcel to ensure approaches are not within the functional area of the Best Ave intersection.

-Submitted by Chris Bosley, City Engineer

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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Existing Zoning Map



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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Proposed Zoning Map



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ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)

Proposed C-17 Zoning District:

The C-17 district is intended as a broad spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) units per gross acre.

This district should be located adjacent to arterials; however, joint access developments are encouraged.



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ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)

The following is a list of some of the Principal Uses that are permitted in the C-17 district:

- Administrative offices
- Banks and financial institutions.
- Child Care Facility.
- Commercial kennel.
- Department stores.
- Food and beverage stores
- Funeral service
- Group assembly
- Hospitals/healthcare.
- Hotel/motel.
- Ministorage facilities.
- Mobile food court
- Professional offices
- Retail gasoline sales.
- Specialty retail sales.
- Veterinary office

* See the C-17 District information on pages 21-23 of the staff report



32

ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)

The following are uses permitted in the NC districts:

- Commercial and professional office
- Daycare
- Medical/dental
- Parks
- Personal services
- Residential (Above the ground floor only-new construction)

The following uses are prohibited in NC districts:

- Commercial parking
- Detention facilities
- Gasoline service stations
- Industrial
- Ministorage
- Outdoor storage or display of goods
- Sales, repair or maintenance of vehicles, boats, or equipment
- Warehouses



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ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)

The following are some of the development & design standards for the NC districts:

Hours of Operation

Nonresidential uses may only be open for business between the hours of six o'clock (6:00) A.M. and ten o'clock (10:00) P.M.

Development & Design Standards

- A. At least fifty percent (50%) of any first floor wall facing an arterial street must be glass.
- B. If the building does not abut the sidewalk, there must be a walkway between the sidewalk and the primary entrance.
- C. Buildings must be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.
- D. Surface parking should be located to the rear or to the side of the principal building.



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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

The following are some of the development & design standards for the C-17 districts:

BUILDING DESIGN

A. Screening Rooftop Equipment

Intent: In order to screen rooftop mechanical and communications equipment from the ground level of nearby streets and residential areas.

C. Windows Facing Street

Intent: To have commercial activities visible from streets.

SITE DESIGN

G. Parking Lot Landscaping

Intent: To allow for infiltration of run-off, to offer shade to otherwise bare paved areas, and to visually soften expanses of parking.

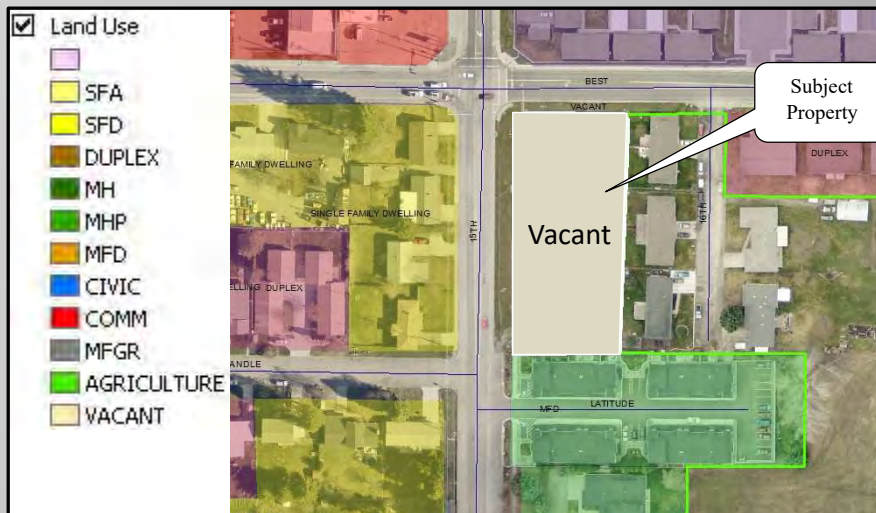
C. Street Trees

Intent: To maintain and enhance the urban forest, creating habitat, enhancing air quality, and providing softer edge to development.

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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Land Use Map



36

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

Zone Changes - Map



37

**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

DECISION POINT: Zone Change

City Council must consider the applicant's request for the zone change from Neighborhood Commercial (NC) to C-17.

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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

The City Council may impose conditions for this zone change request pursuant to Title 17 (Zoning Code) Section 17.09.140: CONDITIONAL REZONING, which states,

“The City Council may impose conditions upon rezoning where such conditions are required to ensure that proposed uses of the area are consistent with community needs and its public health, safety, and general welfare.”

Items for consideration are height, setbacks, landscaping, hours of operation, lighting, etc.



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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**

ACTION ALTERNATIVES:

The Council must consider the request, determine if the criteria for a zone change have been met, and make appropriate findings to:

- Approve
- Approve with Conditions *
- Deny
- Deny without prejudice

**If approved with conditions, Council must include the conditions in their Findings.*

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**ZC-1-24 Zone change from NC to C-17
SE corner of Best Ave and 15th St. (+/- 0.93 Acres)**



**COEUR D'ALENE CITY COUNCIL
FINDINGS AND ORDER**

ZC-1-24

A. INTRODUCTION

This matter having come before the City Council on, May 21, 2024, to consider ZC-1-24, a request for a zone change from NC (Neighborhood Commercial) to C-17 zoning district.

APPLICANT: GS4 Property LLC

LOCATION: A parcel of land in the Northwest Quarter of Section 7, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, as adjusted on Record of Survey, Book 21, page 85, records of Kootenai County, and located on the southeast corner of the intersection of 15th Street and Best Avenue, being Tax # 20177.

A. FINDINGS OF FACT:

The City Council finds that the following facts, A1 through A19, have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.

A1. All public hearing notice requirements have been met for item ZC-1-24.

- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The notice was published in the Coeur d'Alene Press on May 4, 2024, seventeen days prior to the hearing.
- Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on May 12, 2024, nine days prior to the hearing.
- Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Fifty-four (54) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on May 3, 2024.
- Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on May 3, 2024, seventeen days prior to the hearing.
- Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety

administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on May 3, 2024.

- A2. Public testimony was received at a public hearing on May 21, 2024.
- A3. The subject property is vacant and is located on the southeast corner of the intersection of 15th Street and Best Avenue. The subject site is .93 acres in area and is relatively flat.
- A4. The subject site is currently zoned Neighborhood Commercial (NC) and was annexed into the City in 2011 in item A-1-11.
- A5. The neighborhood is a mix of commercial and residential uses. The site is adjacent to two duplexes and one single family dwelling that are located in the county to the east. To the south is a multi-family apartment complex that is located within the city limits. There is a gas station on the northwest corner of intersection of 15th Street and Best Avenue that is zoned C-17.
- A6. The Comprehensive Plan Future Land Use Map designation is the Mixed-Use Low Place Type. The Comprehensive Plan states that the compatible zoning for such Place Type are C17, C17L, NC, and CC. The Comprehensive Plan Future Land Use Map designation is the Mixed-Use Low Place Type.
- A7. The Place Types in the Comprehensive Plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types will, in turn, provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.
- A8. According to the Comprehensive Plan, Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.
- A9. The Comprehensive Plan Goals, Objectives and Policies that are applicable to this matter are as follows:

Community & Identity

Goal CI 1:

Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1:

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

OBJECTIVE CI 3.1

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Growth & Development

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

OBJECTIVE GD 1.5

Recognize neighborhood and district identities.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

(The council may add other goals and objectives here, which are also included in their entirety as an attachment to the staff report)

- A10. There is adequate capacity in the public water system to support commercial, residential, irrigation, and fire flow for the proposed zone change. There is an existing 12" main on the west side of the property paralleling 15th Street approximately 5' behind the curb and a 12" main in Best Avenue. There are two 2" services currently stubbed in to the property as well as a 6" Fireline stub. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
- A11. The nearest public sanitary sewer is located in 15th Street to the west of subject property. The Subject Property is within the City of Coeur d'Alene and is in accordance with the 2023 Sewer Master Plan. The City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this zone change request as proposed.
- A12. Fire department access to the site (road widths, surfacing, maximum grade and turning radiuses), and fire protection (size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance.
- A13. The Police Department does not have concerns with the proposed zone change.
- A14. The site is generally flat and has a slight slope to the east. The site is vacant, and is in a natural state with grass and trees located on it.
- A15. The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the application shows eight fueling positions (four pumps) in the site plan, as well as a market.

Using Land Use Code 853 – Convenience Market with Gasoline Pumps from the ITE Trip Generation Manual, it can be estimated that this use will generate 133 a.m. peak hour trips and 153 p.m. peak hour trips. It is assumed that many of these trips would be pass-by trips rather than diverted trips. It is unlikely that this use will adversely affect traffic on 15th Street.

- A16. 15th Street is a Major Collector that experiences over 1000 trips per day. The Kootenai Metropolitan Planning Organization's traffic model predicts a potential maximum of 1200 vehicles per hour, but capacity would largely be controlled by the traffic signal, which can theoretically move over 1700 vehicles/hour. Future 15th Street improvements will upgrade the traffic signal to better accommodate traffic. Access to 15th Street will be limited to approximately the south ½ of the parcel to ensure approaches are not within the functional area of the Best Ave intersection.
- A17. Both the NC and C17 zoning districts have design guidelines, performance standards, and parking requirements to minimize impacts to neighboring properties.
- A18. The applicant has indicated that, if this zone change request is approved, he intends to build a gas station with a mini mart and a quick serve restaurant on the subject site. Per the applicant's narrative and testimony, the owner intends to develop a project with design aspects to be a good neighbor, such as using a low-profile signs, no LED reader boards, limiting the number of fuel stations, and turning off fuel canopy lights after 11:00pm. However, unless approved as a conditional zoning with conditions, it should be noted that if the zone change is approved all uses within the C-17 zoning district would be allowed and C-17 performance standards would apply. (See the C-17 permitted uses on page 21)
- A19. The Planning and Zoning Commission considered this zone change request at their regularly scheduled hearing on January 9, 2024. In a unanimous vote of 7-0 they recommended that City Council deny the zone change request from NC to C-17. The Planning and Zoning Commission found that the proposed development would still negatively affect the surrounding neighborhood in terms of increased traffic, non-residential noise, and light which would be greater than uses permitted in the NC zone. In this case, the Planning and Zoning Commission found that the zoning is incompatible with the surrounding zoning and uses. Other than the commercial use to the northwest, everything else to the north, south, east and west is residential.

(The council may add other facts here)

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the City Council makes the following Conclusions of Law.

- B1. This proposal **(is) (is not)** in conformance with the Comprehensive Plan.
- B2. Public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
- B3. The physical characteristics of the site **(do) (do not)** make it suitable for the request.
- B4. The proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and or existing land uses

C. DECISION

The City Council, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested zone change does comply with the required evaluation criteria and the zone change request is (approved) (approved with conditions) (denied) (denied without prejudice).

(NOTE: The City Council may also recommend conditions for this zone change request where such conditions are required to ensure that the proposed uses of the area are consistent with the community needs and its public health, safety and general welfare.)

(The council may add conditions here)

Motion by _____, seconded by _____, to adopt the foregoing Findings and Order and (approve) (approve with conditions) (deny) (deny without prejudice) the request.

ROLL CALL:

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER WOOD Voted

MAYOR HAMMOND Voted (if a tie)

Motion to (approve)(approve with conditions) (deny)(deny without prejudice) carried by a ____ to ___vote.

COMPREHENSIVE PLAN GOALS AND OBJECTIVES

Community & Identity

- Goal CI 1**
Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.
 - OBJECTIVE CI 1.1**
Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

- Goal CI 2**
Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.
 - OBJECTIVE CI 2.1**
Maintain the community's friendly, welcoming atmosphere and its smalltown feel.
 - OBJECTIVE CI 2.2**
Support programs that preserve historical collections, key community features, cultural heritage, and traditions.

- Goal CI 3**
Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.
 - OBJECTIVE CI 3.1**
Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

- Goal CI 4**
Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness.
 - OBJECTIVE CI 4.1**
Recognize cultural and economic connections to the Coeur d'Alene Tribe, acknowledging that this area is their ancestral homeland.
 - OBJECTIVE CI 4.2**
Create an environment that supports and embraces diversity in arts, culture, food, and self-expression.
 - OBJECTIVE CI 4.3**
Promote human rights, civil rights, respect, and dignity for all in Coeur d'Alene.

Education & Learning

- Goal EL 3**
Provide an educational environment that provides open access to resources for all people.
 - OBJECTIVE EL 3.2**
Provide abundant opportunities for and access to lifelong learning, fostering mastery of new skills, academic enrichment, mentoring programs, and personal growth.
 - OBJECTIVE EL 3.3**
Support educators in developing and maintaining high standards to attract, recruit, and retain enthusiastic, talented, and caring teachers and staff.

**Goal EL 4**

Support partnerships and collaborations focused on quality education and enhanced funding opportunities for school facilities and operations.

**OBJECTIVE EL 4.1**

Collaborate with the school district (SD 271) to help identify future locations for new or expanded school facilities and funding mechanisms as development occurs to meet Coeur d'Alene's growing population.

**OBJECTIVE EL 4.2**

Enhance partnerships among local higher education institutions and vocational schools, offering an expanded number of degrees and increased diversity in graduate level education options with combined campus, classroom, research, and scholarship resources that meet the changing needs of the region.

Environment & Recreation**Goal ER 1**

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

**OBJECTIVE ER 1.1**

Manage shoreline development to address stormwater management and improve water quality.

**OBJECTIVE ER 1.2**

Improve the water quality of Coeur d'Alene Lake and Spokane River by reducing the use of fertilizers, pesticides, herbicides, and managing aquatic invasive plant and fish species.

**OBJECTIVE ER 1.3**

Enhance and improve lake and river habitat and riparian zones, while maintaining waterways and shorelines that are distinctive features of the community.

**OBJECTIVE ER 1.4**

Reduce water consumption for landscaping throughout the city.

**Goal ER 2**

Provide diverse recreation options.

**OBJECTIVE ER 2.2**

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

**OBJECTIVE ER 2.3**

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

**Goal ER 3**

Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.

**OBJECTIVE ER 3.1**

Preserve and expand the number of street trees within city rights-of-way.

**OBJECTIVE ER 3.2**

Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.

**OBJECTIVE ER 3.3**

Minimize the risk of fire in wooded areas that also include, or may include residential uses.

**OBJECTIVE ER 3.4**

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

- Goal ER 4**
Reduce the environmental impact of Coeur d'Alene.
 - OBJECTIVE ER 4.1**
Minimize potential pollution problems such as air, land, water, or hazardous materials.
 - OBJECTIVE ER 4.2**
Improve the existing compost and recycling program.

Growth & Development

- Goal GD 1**
Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.
 - OBJECTIVE GD 1.1**
Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.
 - OBJECTIVE GD 1.3**
Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.
 - OBJECTIVE GD 1.4**
Increase pedestrian walkability and access within commercial development.
 - OBJECTIVE GD 1.5**
Recognize neighborhood and district identities.
 - OBJECTIVE GD 1.6**
Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.
 - OBJECTIVE GD 1.7**
Increase physical and visual access to the lakes and rivers.
 - OBJECTIVE GD 1.8**
Support and expand community urban farming opportunities.

- Goal GD 2**
Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.
 - OBJECTIVE GD 2.1**
Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.
 - OBJECTIVE GD 2.2**
Ensure that City and technology services meet the needs of the community.

- Goal GD 3**
Support the development of a multimodal transportation system for all users.
 - OBJECTIVE GD 3.1**
Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.
 - OBJECTIVE GD 3.2**
Provide an accessible, safe, efficient multimodal public transportation system including bus stop amenities designed to maximize the user experience.

- Goal GD 4**
Protect the visual and historic qualities of Coeur d'Alene
 - OBJECTIVE GD 4.1**
Encourage the protection of historic buildings and sites.

- Goal GD 5**
Implement principles of environmental design in planning projects.

- OBJECTIVE GD 5.1**
Minimize glare, light trespass, and skyglow from outdoor lighting.

Health & Safety

- Goal HS 1**
Support social, mental, and physical health in Coeur d'Alene and the greater region.

- OBJECTIVE HS 1.1**
Provide safe programs and facilities for the community's youth to gather, connect, and take part in healthy social activities and youth-centered endeavors.

- OBJECTIVE HS 1.2**
Expand services for the city's aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.

- OBJECTIVE HS 1.3**
Increase access and awareness to education and prevention programs, and recreational activities.

- Goal HS 3**
Continue to provide exceptional police, fire, and emergency services.

- OBJECTIVE HS 3.2**
Enhance regional cooperation to provide fast, reliable emergency services.

- OBJECTIVE HS 3.3**
Collaborate with partners to increase one on one services.

Jobs & Economy

- Goal JE 1**
Retain, grow, and attract businesses

- OBJECTIVE JE 1.1**
Actively engage with community partners in economic development efforts.

- OBJECTIVE JE 1.2**
Foster a pro-business culture that supports economic growth.

- Goal JE 3**
Enhance the Startup Ecosystem

- OBJECTIVE JE 3.1**
Convene a startup working group of business leaders, workforce providers, and economic development professionals and to define needs.

- OBJECTIVE JE 3.2**
Develop public-private partnerships to develop the types of office space and amenities desired by startups.

- OBJECTIVE JE 3.3**
Promote access to the outdoors for workers and workers who telecommute.

- OBJECTIVE JE 3.4**
Expand partnerships with North Idaho College, such as opportunities to use the community maker space and rapid prototyping (North Idaho College Venture Center and Gizmo) facilities.



APPLICANT'S APPLICATION

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DEC 01 2023

BY: **ZONE CHANGE APPLICATION**

STAFF USE ONLY
Date Submitted: 12-1 Received by: 12-1 Fee paid: \$1,506.00 Project # ZC-1-24

REQUIRED SUBMITTALS

Application Fee: \$ 1,200.00
Publication Fee: \$300.00
Mailing Fee: \$6.00 per hearing

**Public Hearing with the Planning Commission and City Council required*

\$ 1,506.00

A **COMPLETE APPLICATION** is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

- Completed application form**
- Application, Publication, and Mailing Fees**
- A report(s) by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
 1. All property owners within 300ft of the external boundaries. ** Non-owners list no longer required**
 2. All property owners with the property boundaries.
- A report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company and a copy of the tax map showing the 300ft mailing boundary around the subject property. The report(s) shall be a full Title Report and include the Listing Packet.
- A written narrative:** Including zoning, how proposal relates to the 2007 Comprehensive Plan Category, Neighborhood Area, applicable Special Areas and appropriate Goals and Policies, and Policies and how they support your request.
- A legal description:** in MS Word compatible format.
- A vicinity map:** To scale, showing property lines, thoroughfares, existing and proposed zoning, etc.

DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY:

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posed on the property is also required and must be returned to the Planning Department.

APPLICATION INFORMATION

PROPERTY OWNER: GS4 PROPERTY LLC		
MAILING ADDRESS: 3310 N ATLAS ROAD		
CITY: COEUR D'ALENE	STATE: IDAHO	ZIP: 83814
PHONE: 208.819.1753	FAX:	EMAIL: ASINGH1720@GMAIL.COM
APPLICANT OR CONSULTANT: REX ANDERSON		ARCHITECT STATUS: ENGINEER OTHER
MAILING ADDRESS: 221 N. WALL ST. , SUITE 345		
CITY: SPOKANE	STATE: WA	ZIP: 99201
PHONE: 509.808.0270	FAX:	EMAIL: REX@FUSIONARCH.COM

FILING CAPACITY

- Recorded property owner as to of _____
- Purchasing (under contract) as of _____
- The Lessee/Renter as of _____
- Authorized agent of any of the foregoing, duly authorized in writing. *(Written authorization must be attached)*

SITE INFORMATION:

PROPERTY LOCATION OR ADDRESS OF PROPERTY: SE CORNER OF 15TH AND BEST INTERSECTION		
EXISTING ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-1 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input checked="" type="checkbox"/> C-17 <input type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>		
PROPOSED ZONING (CHECK ALL THAT APPLY): R-1 <input type="checkbox"/> R-3 <input type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-1 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input checked="" type="checkbox"/> C-17L <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>		
TAX PARCEL #: C00000073105	EXISTING ZONING: NEIGHBORHOOD COMMERCIAL	TOTAL NET AREA/ACRES:
GROSS AREA/ACRES: .93	CURRENT LAND USE: VACANT LAND	ADJACENT LAND USE: C-17, R-12, R-17
DESCRIPTION OF PROJECT/REASON FOR REQUEST: OWNER WOULD LIKE TO CONVERT THIS PROPERTY FROM NEIGHBORHOOD COMMERCIAL TO C-17. THE OWNER WOULD LIKE TO DEVELOP A MARKET SIMILAR TO THE STORE THEY PUT IN AT THE CORNER OF ATLAS AND SELTICE. THIS STORE WILL PROVIDE FRESH PRODUCE, QUICK SERVE FOOD TO ORDER, CONVENIENCE ITEMS, ELECTRIC CAR CHARGING STATION, COFFEE AND FUEL FILLING STATION.		

REQUIRED CERTIFICATIONS:

OWNERSHIP LIST:

Attached is a listing of the addresses of all property owners within 300 feet of this request as described under "Submittals".

The list was compiled by TITLE ONE on 12/1/2023
(title company) (date)

RESIDENTS LIST:

Attached is a listing of the addresses of all residences that are not owner-occupied within 300 feet of this request as described under "Submittals".

The list was compiled by TITLE ONE on 12/1/2023
(name) (date)

CERTIFICATION OF APPLICANT:

I, Rex Kristian Anderson, being duly sworn, attests that he/she is the applicant of this
(Insert name of applicant)

request and knows the contents thereof to be true to his/her knowledge.

Signed: Rex Kristian Anderson
(applicant)

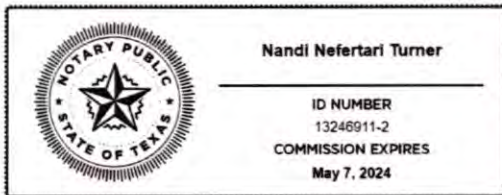
Notary to complete this section for applicant:

Subscribed and sworn to me before this 1st day of December, 2023.
Texas NT

Notary Public for Idaho Residing at: Fort Bend County

My commission expires: 05/07/2024

Signed: [Signature]
(notary)



Notarized online using audio-video communication

CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: _____ Telephone No.: _____

Address: _____

Signed by Owner: _____

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this _____ day of _____, 20____.

Notary Public for Idaho Residing at: _____

My commission expires: _____

Signed: _____
(notary)

For multiple applicants or owners of record, please submit multiple copies of this page.

I (We) the undersigned do hereby make petition for a zone change of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS _____ DAY OF _____ 20____

CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: Anjandeep Singh Telephone No.: 208 819 1753

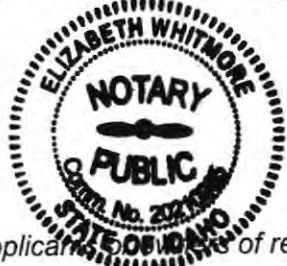
Address: C 000000 73105

Signed by Owner: [Signature]

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this 1st day of December, 2023.

Notary Public for Idaho Residing at: Boonville 912 NW BLVD, Coeur d'Alene, ID 83814



My commission expires: 3-1-2027

Signed: Elizabeth Whitmore
(notary)

*For multiple applications of record, please submit multiple copies of this page.

I (We) the undersigned do hereby make petition for a zone change of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS _____ DAY OF _____ 20____

Rex K. Anderson, AIA, LEED BD+C
Fusion Architecture, PLLC
221 N. Wall St., Suite 345
Spokane, WA 99201

December 1, 2023

Hillary Patterson
Community Planning Director
City of Coeur d' Alene
710 E Mullan Ave.
Coeur d'Alene, Idaho 83814

RE: Zone Change Narrative – Parcel Number C00000073105

Dear Ms. Patterson,

This letter along with the enclosed documents make up our zone change application for parcel number C00000073105. It is the intent of the owner of this parcel, Andy Singh with GS4 Property, LLC, to change the zoning from Neighborhood Commercial (NC) to C-17. The owner of this property will be building a market that will include fresh produce, quick serve food to order, convenience items, electric car charging capabilities, coffee and fuel filling station. In addition to the gas station, Andy is anticipating an opportunity to develop a quick serve restaurant on the same piece of property

Based on the input that Andy Singh received in a previous meeting with you, he understands that he would be developing this project near existing neighborhoods. It is Andy's intent to develop a project similar to the previous project that he recently built at the northwest corner of Atlas and Seltice, also in Coeur d'Alene. This recently built store has quickly become a popular store in its own neighborhood, featuring interesting architecture, a wide selection of snack and beverage options, quick serve food options and coffee. In this new store, Andy will be incorporating similar aspects as his existing store in addition to those recommended by you to be a good neighbor and fit in with the existing context, aspects such as a) low profile signage, b) no LED reader boards, c) fuel refilling will not be excessive – limiting the number of filling stations d) electric car charging potential, e) the fuel canopy lights will be turned off after 11pm.

When comparing this project with the the 2022 – 2042 comprehensive plan, we see this project as one that will fit in with the retail vision that is identified in the comprehensive plan. Currently there is another parcel positioned diagonally across this intersection, at the northwest corner, that is also C-17.

Please let me know if you have any questions.

Sincerely,

Rex Anderson



PUBLIC COMMENTS



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From: Polak, Chad M
To: [CLARK, TRACI](#)
Subject: FW: PUBLIC NOTICE HEARING ZC-1-24 CITY COUNCIL MEETING TUESDAY MAY 21, 2024
Date: Friday, May 3, 2024 9:29:54 AM
Attachments: [image001.png](#)
[ZC-1-24 CC public notice 5-21-24.pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Traci,

Based on the location, there is no impact to the YPL ROW or pipeline and we do not have any questions/comments.

Sincerely,

Chad M. Polak
Agent, Real Estate Services
O: (+1) 303.376.4363 | M: (+1) 720.245.4683
3960 East 56th Avenue | Commerce City, CO 80022
Phillips 66

From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, May 3, 2024 10:25 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: [EXTERNAL]FW: PUBLIC NOTICE HEARING ZC-1-24 CITY COUNCIL MEETING TUESDAY MAY 21, 2024

This Message Is From an External Sender

[Report Suspicious](#)

This message came from outside your organization.

Greetings,

Attached is a copy of the public hearing notice for the next **City Council Meeting Tuesday May 21, 2024.**

If you have any comments, please let me know.

Traci Clark
Planning Department, City of Coeur d'Alene
Administrative Assistant

208.769-2240
tclark@cdaid.org



From: Di
To: [CLARK, TRACI](#)
Subject: Best and 15th Intersection CDA
Date: Tuesday, January 9, 2024 12:44:52 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My name is Dianne Farsetta. We live in the community called Best Hill Meadows.

We planned on coming to tonight's meeting regarding rezoning the corner of 15th and Best. Unfortunately, we are experiencing plumbing issues and may have to stay elsewhere this evening.

We are baffled why the prospective developer would want to make that corner commercial. There are so many homes in the immediate area. Nom Nom service station is across the street.

There is also a very new apartment complex next to the vacant lot.

With no affordable housing and the lack of housing in general, we assumed a developer would build another apartment/condo complex. There are 2 other markets on Best Avenue and also 2 markets further down 15th. Otherwise, it is all residential.

Young families can not find suitable or reasonably priced homes. It does not make any sense to us to build another service station with another market. Nom Nom has a market.

Build homes that the young people can raise their families in a safe environment not a gas station. Absolutely ludicrous.

We hope others feel the same sentiment. This is a very quiet and low key area. We do not need developers to change that.

Thank you.
Dianne and Paul Farsetta

From: Donna Phillips
To: [CLARK, TRACI](#)
Subject: RE: PUBLIC NOTICE HEARING ZC-1-24 CITY COUNCIL MEETING TUESDAY MAY 21, 2024
Date: Friday, May 3, 2024 9:29:42 AM
Attachments: [image001.png](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning,

Thank you for the opportunity to provide comments. The City of Hayden has no comments regarding the proposed zone map amendment.

Donna

Donna Phillips
Community Development Director
(208)209-2020
dphillips@cityofhaydenid.us

Please check out the City's new Website at <https://www.cityofhaydenid.us/> and let us know what you think. Thank you. ☺

From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, May 3, 2024 9:25 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: FW: PUBLIC NOTICE HEARING ZC-1-24 CITY COUNCIL MEETING TUESDAY MAY 21, 2024

Greetings,

Attached is a copy of the public hearing notice for the next **City Council Meeting Tuesday May 21, 2024.**

If you have any comments, please let me know.

Traci Clark
Planning Department, City of Coeur d'Alene
Administrative Assistant

208.769-2240
tclark@cdaid.org



From: Ineke Hearing
To: [CLARK, TRACI](#)
Subject: Rezoning
Date: Saturday, January 6, 2024 4:35:08 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I Don't want 15th and Best Av. rezoned at all to put in a gas station!!!

From: westjamest@gmail.com
To: [CLARK, TRACI](#)
Subject: Item: ZC-1-24
Date: Tuesday, January 9, 2024 10:41:49 AM
Attachments: [CDA Public Hearing.pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern:

This is intended as an objection to the zoning change represented by what I understand to be your Item: ZC-1-24 (attached) related to a parcel of land at the intersection of 15th street and Best Avenue. I write on behalf of myself and my wife, as owners of a private residence indicated below and whose only ingress and egress to that residence is via the intersection at issue.

I am an attorney by trade and my family purchased our residence with awareness of relevant existing zoning and covenants, and their attendant expectations. A change to this zoning would likely dramatically and negatively effect traffic volume and flow at our only ingress and egress, and thereby our property value and property enjoyment. We have neither heard about nor witnessed any rational, let alone worthwhile, reasoning to alter the current zoning of the subject property and respectfully request this commission deny any change.

Thank you.

Sincerely,

James and Jenny West
2874 E. Red Cedar Ct.
Coeur d'Alene, Idaho 83815
208-446-2058

From: James Giraudo
To: [CLARK, TRACI](#)
Subject: ZC-1-24
Date: Tuesday, January 9, 2024 2:55:05 PM
Attachments: [Outlook-k2qczznx.png](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom it may concern in the Planning Commission:

Unfortunately, I am not able to attend your meeting scheduled for January 9th regarding the changing of zoning from residential to commercial involving the piece of property located in the City of Coeur d'Alene on 15th at Best (S/E corner). I am a resident of Best Hill Meadows, and I'm against this zoning change.

When I purchased my home, I wanted to live in the City of Coeur d'Alene, I wanted to live in a beautiful neighborhood, and I wanted to take the time to know my neighbors and my community. Over the years, I have been able to do this. I have been fortunate to create lifelong friendships. When issues arise, we work together to find solutions.

A while back a developer wanted to build a 24-unit apartment complex north Best Ave., and east of 15th. The Best Hill Meadows neighborhood and our neighbors were opposed to this change because it would change our neighborhood. We came out in force, and members of the planning commission made public comments that they had never seen such a turnout. The planning commission denied the request from the owner to change the zoning.

I am speaking again because if the planning commission grants this request, you will change the zoning on the east side of 15th. You have residents that live behind this piece of property and numerous residents that live directly to the south. If a gas station is built you are allowing large flammable tanks to be installed only feet from people's homes. Would you like this to happen next to your home? Traffic on 15th is growing every day with more and more commuters and residents of Hayden, CDA, Dahlton Gardens and other areas trying to avoid traffic on 95. This in turn puts more use on 15th and damages the roadway. The city public works department attempted to patch 15th last year. To say they did a less than satisfactory job is an understatement. There are still issues with 15th and it's only going to get worse.

Station 3 is less than a mile away, and Engine 3 goes through this intersection numerous times throughout the day. With a large station there and only one lane in each direction, you are going to have backed up traffic which can delay response times from Engine 3. As someone that needed emergency services from Engine 3 in 2022, I hope no one is ever delayed services because of a backup caused by this zoning change.

The owner of this property is not concerned about their neighbors. They are only concerned

about the bottom line. Just follow the money.

There are plenty of gas stations and convenience stores within a ¼ mile and across the street.
We don't need another one.

Thank you for your time,

James Giraudo - Partner
800.453.3524

jgiraudo@msn.com



From: Patricia R. H. May
To: [CLARK, TRACI](#)
Subject: Proposed zone change
Date: Monday, January 8, 2024 1:27:28 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To: CdA Planning Department Re: ZC-1-24

In regard to the proposed zone change to allow a gas station/convenience store to be built at the vacant corner of 15th St. and Best Ave., we would like to provide input from a neighborhood viewpoint.

We live in the Best Hill Meadows subdivision just east of the subject property. It is a quiet and much respected area. We strongly feel that the addition of yet another convenience store/gas station at that same intersection would most assuredly bring more traffic, noise, and less security for us as residents.

Many of the citizens living here are retirees who have sought the peace and tranquility of this neighborhood. A zone change for the aforementioned property would change the tenor of our safe haven.

We urge you to deny this zone change request.

Jerry and Patricia May

From: Jonathan Gray
To: [CLARK, TRACI](#)
Subject: Re: Planning Commission Meeting (01/09/2024)
Date: Friday, January 5, 2024 1:14:02 AM

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To: Whom it may concern at the CDA Planning Commission
From: Jonathan Gray (CDA resident)

Hello and thank you for taking the time to read this short memo.

Recently, I heard about GS4 Property, LLC's request to have a certain lot rezoned. As I understand it, the parcel in question is located at the SE corner of 15th Street and Best Avenue.

Although I'm uncertain about the requestor's intentions for the parcel, my request is that the commission not rezone it. I live close to said parcel and I do not want to see more commercial development on an already well-traveled 2-way road with other existing commercial developments close by.

Furthermore, the C-17 zoning allocation is, in my opinion, too broad and therefore exposes that neighborhood to undue future risk, even if GS4 Property, LLC's intended development may offer short-term benefits to nearby residents.

Thanks again for taking the time to hear and consider my concerns.

Sincerely,
Jonathan Gray

From: Julie Jenkins
To: [CLARK, TRACI](#)
Subject: ITEM: ZC-1-24
Date: Monday, January 8, 2024 4:22:14 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

This property has been for sale for multiple years as NC (Neighborhood Commercial) and now the request has been made to change it to C-17. If my understanding is correct, C-17 allows 17 units per acre.

I urge you to look at this property before deciding to allow this change. How would multiple family residents have ingress and egress to their dwellings so close to a busy intersection? The 15th and Best intersection cannot safely sustain that type of traffic.

It also seems that the City of Coeur, though wanting to diversify its neighborhoods, should look at the placement of these requests and the impact on the surrounding areas.

J. Jenkins
2502 N 16th Street
Coeur d Alene, ID 83814

From: Kevin Howard
To: [CLARK, TRACI](#)
Subject: RE: PUBLIC NOTICE HEARING ZC-1-24 CITY COUNCIL MEETING TUESDAY MAY 21, 2024
Date: Monday, May 6, 2024 6:17:05 AM
Attachments: [image001.png](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Worley Highway District is neutral to the request.

KEVIN J. HOWARD
DIRECTOR OF HIGHWAYS
WORLEY HIGHWAY DISTRICT
OFFICE: 208-664-0483

From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, May 3, 2024 9:25 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: FW: PUBLIC NOTICE HEARING ZC-1-24 CITY COUNCIL MEETING TUESDAY MAY 21, 2024

Greetings,

Attached is a copy of the public hearing notice for the next **City Council Meeting Tuesday May 21, 2024.**

If you have any comments, please let me know.

Traci Clark
Planning Department, City of Coeur d'Alene
Administrative Assistant

208.769-2240
tclark@cdaid.org



From: Kiersten Volz
To: [CLARK, TRACI](#)
Subject: Item# ZC-1-24
Date: Monday, May 13, 2024 9:01:38 PM

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To whom it may concern,

Please vote no to item ZC-1-24. We don't need another gas station in the neighborhood.

Thanks,

Kiersten Volz

From: kim seely
To: [CLARK, TRACI](#)
Subject: ITEM ZC-1-24
Date: Monday, May 13, 2024 9:01:35 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

PLEASE do not approve the gas station on the corner of 15th and Best. There is no need for 2 in our neighborhood, let alone across the street. The street is busy enough with out a 2nd station. We live across the street and my children's quality of life with playing in our yard will take a hit.

Please take all the other families in account and don't approve the zone change.

Thank you,
Kim

From: kim seely
To: [CLARK, TRACI](#)
Subject: Item ZC-1-24 SE corner of 15th and Best Ave
Date: Thursday, December 28, 2023 8:21:47 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

I am truly outraged by the zone request from GS4 Property LLC to have it zoned for Commercial use.

This is not the place to potentially put in another gas station/store when Nom Nom is literally across the street. This neighborhood is full of families. To add another one is just going to make the intersection busier and more hazardous to us that cross the street to walk with our small children and pets.

I really hope that is taken into consideration before allowing the request to be approved. Please don't over build our beautiful city.

Thank you,
Kim Seely
1422 E Randle Ave.

From: Kim Stevenson
To: [CLARK, TRACI](#)
Subject: FW: PUBLIC NOTICE HEARING ZC-1-24 CITY COUNCIL MEETING TUESDAY MAY 21, 2024
Date: Tuesday, May 7, 2024 2:30:18 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[ZC-1-24 CC public notice 5-21-24.pdf](#)

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Good Afternoon,
The Coeur d'Alene Airport has no comment.
Kind Regards, Kim



From: Gaston Patterson <gpatterson@kcgov.us>
Sent: Friday, May 3, 2024 11:52 AM
To: Kim Stevenson <kstevenson@kcgov.us>
Subject: FW: PUBLIC NOTICE HEARING ZC-1-24 CITY COUNCIL MEETING TUESDAY MAY 21, 2024



From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, May 3, 2024 9:25 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: FW: PUBLIC NOTICE HEARING ZC-1-24 CITY COUNCIL MEETING TUESDAY MAY 21, 2024

Greetings,
Attached is a copy of the public hearing notice for the next **City Council Meeting Tuesday May 21, 2024.**

If you have any comments, please let me know.

Traci Clark
Planning Department, City of Coeur d'Alene
Administrative Assistant

208.769-2240

tclark@cdaid.org



From: Kristin Tuttle
To: [CLARK, TRACI](#)
Subject: Item# ZC-1-24
Date: Monday, May 6, 2024 7:56:50 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

Please do not allow there to be another gas station on the corner of 15th and Best Ave in Coeurd'Alene. I live down the street and Nom Nom is never even that busy so another one is not needed.

Thank you for your consideration,

Kristin Tuttle

From: Mike Lippman
To: [CLARK, TRACI](#)
Cc: [Debra Lippman](#)
Subject: ZC-1-24
Date: Monday, January 8, 2024 2:30:12 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing regarding the request by GS4 Property to change the zoning from MC to C-17 to build a gas station and convenience store. We live in Best Hills Meadows on Sugar Pines Drive and strongly protest the zoning change. Allowing a gas station and convenience store in this property will seriously impact the surrounding residential neighborhoods. It also does not make sense when there already exists a gas station and convenience store (NomNom) across the street, another convenience store 6 blocks away on Best Avenue (Best Food Shop) and a gas station and convenience store one mile away on the corner of Best Avenue and 4Th Street. Please help preserve the residential flavor of Best and 15th by denying this request.

Respectfully Submitted,
Michael and Debra Lippman

From: Rex
To: [CLARK, TRACI](#)
Subject: ITEM: ZC-1-24
Date: Saturday, January 6, 2024 1:07:24 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Pertaining to GS4 Property, LLC requesting a zone change from a NC to C-17.

As a property owner across 15th Street from the named parcel I would like to comment that I would prefer that the current zoning of NC remain in place.

After review of the permitted uses allowed under C-17, I find that most of these allowed uses would be unsuitable for this neighborhood.

With the greatly increased traffic on 15th Street over the last five years I do not see how it would be sensible to increase traffic in this area by allowing service activities to occur that produce noise, odors and dust that affect the surrounding residential areas that border this subject parcel on all sides.

In the event that this parcel is allowed to be developed in either NC or C-17 zoning, that the ingress/egress to the parcel be limited to East Best Avenue. For as I mentioned the current heavy traffic of 15th Street would make it an unsafe condition to have vehicles entering and exiting this parcel from 15th Street due to its proximity to the 15th Street and East Best Avenue intersection.

Sincerely,

Rex Goatcher
2505 N 15 St.
Coeur d'Alene, ID 83814

From: ross morton
To: [CLARK, TRACI](#)
Subject: Item # ZC-1-24
Date: Friday, December 29, 2023 1:30:07 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings,

My name is Ross Morton and I am a lifelong resident of North Idaho (39 years). I am a resident of Coeur D' Alene at 2938 E Silvertip Ave. and I am writing in opposition for the proposed zone change at the SE corner of 15th & Best. I believe the property is best suited for residential purposes as that is the greatest need at this dire hour of the severe home affordability crisis that we are facing. As you know, there is limited land available for new residential construction and Coeur D' Alene is constrained by mountains and the lake for further development. If we consider what is the greatest need—much needed residential land to help address the affordability crisis, or another gas station and convenience store directly across the street from an existing gas station, it's clear to see the former is the most reasonable path forward. Add in environmental and traffic concerns, and I believe it's evidently clear and rational to decline this rezone request.

Thank you for your time and consideration.

Best Regards,

Ross Morton

Sent from my iPhone

From: spencer mcculley
To: [CLARK, TRACI](#)
Subject: #ZC-1-24
Date: Tuesday, May 7, 2024 9:52:18 AM

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We absolutely do not need ANOTHER gas station on the corner of 15th and Best. The gas station that is ALREADY THERE is perfect. Thank you!!

Spencer McCulley
Pristine Management + Design
208.661.4480

From: Victoria Hall
To: [CLARK, TRACI](#)
Subject: Item #ZC-1-24
Date: Wednesday, May 15, 2024 12:11:48 PM

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To whom it may concern,

Please vote NO to item # ZC-1-24! No more gas stations.

Thank you,
Victoria Hall

From: Matthew Larson
To: [CLARK, TRACI](#)
Subject: NO #ZC-1-24
Date: Wednesday, May 15, 2024 2:38:53 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

Please vote NO to item # ZC-1-24! No more gas stations.

Thank you !!
Matthew Larson

From: Tara LeBaron
To: [CLARK, TRACI](#)
Subject: Vote NO
Date: Wednesday, May 15, 2024 5:22:01 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

Please vote NO to item # ZC-1-24! No more gas stations.

Thank you,
Tara LeBaron

From: Christina Enders
To: [CLARK, TRACI](#)
Subject: # ZC-1-24
Date: Thursday, May 16, 2024 9:29:53 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

Please vote NO to item # ZC-1-24! No more gas stations.

Thank you,

Christina



MINUTES



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**PLANNING & ZONING COMMISSION
MINUTES
JANUARY 9, 2024
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Jon Ingalls, Vice-Chair
Lynn Fleming
Phil Ward
Peter Luttrupp
Sarah McCracken
Mark Coppess

STAFF MEMBERS PRESENT:

Hilary Patterson, Community Planning Director
Sean Holm, Senior Planner
Traci Clark, Administrative Assistant
Randy Adams, City Attorney
Chris Bosley, City Engineering

CALL TO ORDER:

The meeting was called to order by Chairman Messina at 5:30 p.m.

APPROVAL OF MINUTES:

Motion by Commissioner McCracken, seconded by Commissioner Ward, to approve the minutes of the Planning Commission meeting on December 12, 2023. Motion carried.

Motion by Commissioner McCracken, seconded by Commissioner Fleming, to approve the minutes of the Planning Commission's workshop on December 13, 2023. Motion carried.

PUBLIC COMMENTS:

Bill Irving, introduced himself and said he lives in Coeur d'Alene, is a member of the City's ped bike committee and has lived here since 1986. He is here to find out how the commission works, and to encourage a more pedestrian, bicycle friendly community. He wants to further his knowledge of what he can do to become more engaged with the commission. He feels the value of homes would increase if neighborhoods are walkable or bikeable. When people are driving less, we have less congestion. If there are high requirements for parking imposed by the city, it makes it less safe for pedestrians and bicycles. Additionally, parking is very expensive and takes up a lot of space. He would like to help minimize the requirements that the city requires for the people to build and reduce as much parking as possible.

Chairman Messina suggested there are many committees and encouraged that he get involved.

Ms. Patterson replied to Mr. Irving and said she was aware that he already spoke with Senior Planner, Sean Holm, and she would be happy to talk to him as well. She also suggested he contact the City Engineer, Chris Bosley.

Commissioner Luttrupp replied he should talk to Trails Coordinator, Monte McCully, with the Parks and Recreation Department.

STAFF COMMENTS:

Hilary Patterson, Community Planning Director, provided the following comments:

- The Commission will have a short recess after the hearing, and then reconvene with a workshop regarding findings and facts.
- The February 27th Planning Commission Meeting will have one item on the agenda, a PUD (Planned Unit Development) amendment request.
- The Joint Workshop will be January 22, 2024 regarding the Atlas Waterfront project with City Council, Planning & Zoning Commission and Ignite CDA at noon.
- The Impact Fees hearing will be January 16th with City Council. They did approve the code amendments that allow the city to move forward with the Impact Fees changes. On January 16th City Council will adopt the Capital Improvement Plans for the Parks, Transportation Fire and Police and adoption of the Fee Study and adoption of the Fees, if the Council elects.

COMMISSION COMMENTS:

Commissioner Ingalls confirmed the January 22nd workshop will take place at noon in the Community Library room.

Ms. Patterson confirmed that he was correct about the date and time of the joint workshop.

Commissioner Luttrupp asked about the last meeting when he had asked about River's Edge and staff informed him that the developer has not progressed far enough to present the revision to council. He believes that there is some expectation that the people would like to see progress done in a timely fashion. Is there a requirement to keep the public posted in a way at certain points in time. He would also like the community to understand that there are tradeoffs with a PUD (Planned Unit Development) and compromises on both sides. The City and the property owner reach an agreement. As one has been approved and one has not followed through with the property owner, his questions is do we have an issue on which PUD takes precedence, the first one which he assumes does and secondly if there is a conflict between the 1st PUD and the 2nd, where the 2nd takes control. The confusion would be the items of the 1st PUD are implemented and they want to go back to the 2nd PUD, he feels this could cause a lot of confusion. It would be nice if staff could help clarify that for the commission in the next few months.

Ms. Patterson replied that she will look at this issue.

ADMINISTRATIVE: *ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

1. Applicant: GS4 Property, LLC
 Location: SE Corner of the intersection of 15th Street and Best Avenue
 Request: A proposed zone change from a NC (Neighborhood Commercial) to C-17 (ZC-1-24)

Mr. Behary, Associate Planner, provided the following statements:

The applicant is requesting approval of a zone change from NC (Neighborhood Commercial) to C-17.

BACKGROUND INFORMATION:

The subject property is vacant and is located on the southeast corner of the intersection of 15th Street and Best Avenue. The subject site is 0.93 acres in area and is relatively flat. The site is adjacent to two duplexes and one single family dwelling that are located in the county to the east. To the south is a multi-family apartment complex that is located within the city limits. There is a gas station on the northwest corner of intersection of 15th Street and Best Avenue that is zoned C-17.

The subject site is currently zoned Neighborhood Commercial (NC) and was annexed into the city in 2011 in item A-1-11. The applicant is now requesting that the C-17 zoning district be applied to the subject site.

The applicant has indicated that if this zone change request is approved, then he intends to build a gas station with a mini mart and a quick serve restaurant on the subject site. However, it should be noted that if the zone change is approved all uses within the C-17 zoning district would be allowed.

The applicant has indicated that they will be incorporating similar aspects as to the existing gas station and store that is located on the northwest corner of the intersection Seltice Way and Atlas Road.

- Low profile signage.
- No LED reader boards.
- Fuel refilling will not be excessive – limiting the number of filling stations.
- Electric car charging potential.
- Fuel canopy lights will be turned off after 11 p.m.

There are four (4) findings that must be met for the re-zoning, Findings #B8-#B11.

1. **Finding #B8: That this proposal (is) (is not) in conformance with the Comprehensive Plan goals, objectives and policies.**

2042 COMPREHENSIVE PLAN LAND USE:

- The subject property is located within the existing city limits.
 - The City's Comprehensive Plan designates the subject property in the Mixed-Use Low place type

2042 Comprehensive Plan Place Types:

The Place Types in the Comprehensive Plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These Place Types will in turn provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

Place Type: Mixed-Use Low

Mixed-Use Low places are highly walkable areas typically up to four-stories. Development types are primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This place type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access.

Compatible Zoning Districts within the "Mixed-Use Low" Place Type:

- C17 and C17L; NC and CC Zoning Districts.

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make CDA a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and further growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

2. **Finding #B9: That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

- City staff from Engineering, Streets, Water, Fire, Police, Parks and Wastewater Departments have reviewed the application request in regards to public utilities and public facilities.
- Each department had indicated that there are adequate public facilities and public utilities available to serve the proposed zone change request.

3. **Finding #B10: That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

The site is general flat and has a slight slope to the east. The site is vacant of buildings and is in a natural state with grass and trees located on it. Site photos are provided on the next few pages showing the existing conditions.

4. **Finding #B11: That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses**

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant depicts eight fueling positions (four pumps) in the site plan as well as a market. Using Land Use Code 853 – Convenience Market with Gasoline Pumps from the ITE Trip Generation Manual, it can be estimated that this use will generate 133 a.m. peak hour trips and 153 p.m. peak hour trips. It is assumed that many of these trips would be pass-by trips rather than diverted trips.

It is unlikely that this use will adversely affect traffic on 15th Street. 15th Street is a Major Collector that experiences over 1000 trips per day. The Kootenai Metropolitan Planning Organization's traffic model predicts a potential maximum of 1200 vehicles per hour, but capacity would largely be controlled by the traffic signal, which can theoretically move over 1700 vehicles/hour. Future 15th Street improvements will upgrade the traffic signal to better accommodate traffic. Access to 15th Street will be limited to approximately the south ½ of the parcel to ensure approaches are not

within the functional area of the Best Ave intersection.

NEIGHBORHOOD CHARACTER:

The neighborhood is a mix of commercial and residential uses. A gas station mini-mart is located on the northeast corner of the intersection of 15th Street and Best Avenue. To the south is a multi-family apartment complex along with some duplex housing units. The remaining properties to the north, east, and west have residential uses located on them.

Proposed C-17 Zoning District:

The C-17 district is intended as a broad-spectrum commercial district that permits limited service, wholesale/retail and heavy commercial in addition to allowing residential development at a density of seventeen (17) unites per gross acre.

This district should be located to arterials; however, joint access developments are encouraged.

The following is a list of some of the principle uses that are permitted in the C-17 District:

- Administrative Offices
- Banks and financial institutions
- Child Care Facility
- Commercial kennel
- Department stores
- Food and beverage stores
- Funeral service
- Group Assembly
- Hospitals/healthcare
- Hotel/motel
- Ministorage facilities
- Mobile food court
- Professional offices
- Retail Gasoline sales
- Specialty retail sales
- Veterinary office

Hours of Operation

Nonresidential uses may only be open for business between the hours of six o'clock (6:00) A.M. and ten o'clock (10:00) P.M.

Development & Design Standards

- A. At least fifty percent (50%) of any first-floor wall facing an arterial street must be glass.
- B. If the building does not abut the sidewalk, there must be a walkway between the sidewalk and the primary entrance.
- C. Surface parking should be located to the rear or to the side of the principal building.
- D. Trash areas must be completely enclosed by a structure constructed of materials similar to the principal building. Dumpsters must have rubber lids.

- E. Buildings must be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.
- F. Lighting greater than one foot-candle is prohibited. All lighting fixtures shall be a "cutoff" design to prevent spillover.
- G. Wall mounted signs are preferred, but monument signs no higher than six feet (6') are allowed. Roof mounted signs and pole signs are not permitted.
- H. Signs shall not be internally lighted, but may be indirectly lighted.

There was a zone change in 1982 from R-12 to C-17 on the opposite corner where there is a Nom Nom gas station.

Decision Point: Zone Change

The Planning Commission is being asked to provide a recommendation to the City Council on whether the proposed zone change from Neighborhood Commercial (NC) to C-17 should be adopted or rejected.

Mr. Behary, concluded his presentation.

Commission Comments:

Commissioner Ingalls stated there is a caution of a proposal of a vision from an applicant, such as a gas station. The applicant will propose all these different design features to soften the fact it will be a gas station. Once the zone takes effect, the applicant can change his mind, or even sell the property and the property could be developed with any allowable use in that zone. He would like to understand, if the Commission puts conditions on the decision such as turning the lights off at 11:00, how does it survive into perpetuity, if the applicant sells the property and now the C-17 does not go away.

Mr. Behary stated the conditional zoning will be on record and the Planning & Zoning along with the building department will know when it comes forward for development that those conditions would be implemented. If the conditions need to be changed or wanted, they would have to come back to the Planning & Zoning Commission to request those changes.

Commissioner Ingalls asked about traffic and how it would be really hard to figure out the amount of traffic generated by this project since much of the traffic would be passing by anyway. Is there a way to quantify how the traffic would impact the neighborhood.

Mr. Behary stated the City Engineer is here to answer any questions about the traffic counts. The owner does have neighborhood commercial rights now, and can build a project right now under the use.

Chairman Messina asked regarding the traffic, will it be in and out on 15th Street and no access on Best Ave.

Mr. Behary stated this would need to be answered by the City Engineer.

Commissioner Luttrupp stated that if the commission approves this zone change, he does not need to build a gas station, he could build anything on the property as long as it meets the C-17.

Mr. Behary states that is correct.

Commissioner Luttrupp asked about what other business are on East 15th St., from the north city limits to Sherman.

Mr. Behary stated there are a few convenience stores down by the middle school.

Commissioner Coppess asked Mr. Behary about the Comprehensive Plan and trying to get a broader picture of what it is intended for this area by 2042. He asked if the plan was developed by the citizens of Coeur d'Alene.

Mr. Behary stated that is correct, there were multiple public hearings and workshops for the citizens.

Commissioner Coppess stated when you look at this neighborhood it lists as potential zoning from NC to C-17 these zones are in this area where the people had envisioned the growth.

Mr. Behary replied, that is correct.

Commissioner Coppess asked was this based on urban sprawl and growth, or based on what was there at the time when the Comprehensive Plan was what the people saw C-17, NC, etc. so these zones are intended to stay.

Mr. Behary replied it is based on multiple factors, but it is based on what is existing there now and also where the growth is going to happen, how much traffic will be a factor, what will support the residential neighborhood down the road, also what kind of mix use and what the vision will be in the future.

Commissioner Coppess stated in the end if the owner of the property who is going to make an educated guess that the people want a certain service. Also, are there conditions that can be made on the C-17 zone if it was granted.

Mr. Behary replied you can have conditions on items, such as the lights be turned off at 11:00 p.m, but not the uses.

Ms. Patterson clarified that yes, the Commission can limit the uses and the hours the business is open and closed as a condition of the zone change request.

Chairman Messina would like Ms. Patterson to clarify that if the zone gets the approval, can the Commission put a condition on this property that since it was presented as a gas station it must stay as a gas station and if the applicant would like something different, he has to come back.

Ms. Patterson stated if the Commission makes a recommendation, it's ultimately up to the City Council to make the final decision on the zoning and if there are conditions placed on the zone change. The Planning & Zoning Commission has the ability to recommend conditions. If there is a change in the future, if there were conditions approved and they wanted to change them, they would have to amend the conditions. This would have to go back to City Council.

Commissioner Ingalls asked Mr. Behary about the applicant's gas station at Seltice and Atlas and if this new gas station that he is proposing might be like the one on Atlas. He wondered if this would be considered a good fit for the neighborhood on Seltice (Circuit at Seltice). He asked if the Atlas gas station was already zoned C-17.

Mr. Behary states that the neighborhood was done through a PUD and is zoned C-17. The residential PUD came first, then the gas station came after.

Commissioner Ingalls stated if he had bought a house in the residential neighborhood, he can't complain now that this development went through because they were both zoned C-17.

Chairman Messina asked Mr. Behary if this property has always been in the city.

Mr. Behary replied it was annexed in 2011, A-1-11 with a NC zone.

Commissioner Ward asked on the east side and south side of Best Avenue if everything is residential. The Site Plan shows two curb cuts off of 15th Street. This would make a very awkward situation for them to be able to access this gas station off of Best Avenue.

Mr. Behary replied that the entrances they are showing on the Site Plan have not been approved. They are just proposed. The City Engineer will review those Site Plans if the project moves forward.

Chairman Messina stated he would like the City Engineer to address the in and out on Best Avenue or 15th Street only based on what is in front of the Commission now.

Chris Bosely, City Engineer, replied that he had spoken with the applicant regarding the access points. They need to be out of the functional area of the intersection so that it would not conflict with left turns on 15th Street or Best Avenue. An approach onto Best Avenue would work and it would be similar to the gas station at Ironwood and Government Way. It would be easier to turn left onto Best and make the left turn to go south onto 15th Street, there would be fewer conflicts than if you turned left out of the gas station onto 15th Street. The applicant has not proposed approaches at this time.

Commissioner Fleming asked about north 15th Street and if the city was going to widen the road.

Mr. Bosely, replied it will not be widened but it will be improved. The project is in design right now. It will go from Harrison Street to Best Avenue. It will be three (3) lanes (including the center turn lane) for the entire length with bike lanes on each side, and a shared use path on the east side from Cherry Hill Park up to Best Avenue. There will be signal improvements as well at this intersection.

Commissioner Coppess stated that the Commission has received a few public comments regarding the property if it was re-zoned stating that it would increase traffic flow and impact safety. The report from the City Engineer Department does not predict additional traffic flow or safety.

Mr. Bosley states there could be some increased traffic flow, but his staff report comment was that the traffic would be pass by trips, meaning they are already heading up 15th Street, generally for residents that need to get gas. He doubts that someone living on the west side of town is going to go out of there way to go to a gas station at this location. This is going to act similar to the gas station on the NW corner, (Nom Nom). It would be more convenient if you are going northbound to hit this gas station, southbound traffic would hit Nom Nom.

Chairman Messina asked Ms. Patterson when it comes to Plan Review, in regards to the Planning Department, does landscaping and setbacks, etc. go through the Planning Department.

Ms. Patterson replied yes, there are performance standards for either of the zoning districts, when the plan comes in, staff from all departments make sure it meets all of the setbacks, landscaping, buffering, parking requirements, bike racks, and access driveway locations.

Public testimony open.

Applicant testimony.

Rex Anderson, Fusion Architecture, applicant's representative/architect, introduced himself and was sworn in. He stated he grew up in Coeur d'Alene and now lives in Spokane. In 2023 Andy Singh proposed this project. It was Andy's intent to bring something in to the neighborhood that was a good neighbor. Mr. Singh has three (3) of these projects already and understands the neighborhood connection. The applicant wants his business to fit into the neighborhood and the zone change to make this successful. Mr. Singh intends to have the lights off after 11:00 p.m. and low-profile signage. He looked at the 2022-2024 comprehensive plan and aligning that document to the proposed building type and gas station and store that would fit the needs that are local for the community. He has quick serve items, open coolers that provide coffee and donuts. He also wants to provide electric car charging

stations to fit the need for electric cars. Along with a building that would have more of a quick serve or retail. He will follow the developmental requirements. The NC zone does align with the Comprehensive Plan but it would also have an impact on the community and what it would be doing with regard to traffic. He feels the best use for this site would be the C-17 because of the Comprehensive Plan designation for this area.

Chairman Messina asked in regards to the market and the quick serve if the quick service is going to be rented out, or is the owner going to be doing that as well.

Mr. Anderson, replied that it has not been decided. In the C-17 zone it would allow a free-standing restaurant or coffee shop use, but it would be again something that would be relevant to the community and serve a need.

Chairman Messina asked is the design going to be similar to the design that is on Atlas.

Mr. Anderson replied that it would not be a knockoff of that design. Mr. Singh wants to create something that looks good and will fit the neighborhood.

Commissioner Fleming stated that the market on Atlas that Mr. Singh owns is great. On the C-17 there are no height restrictions, other than for residential buildings. He needs to look around the neighborhood and make sure he keeps in proportion on height.

Mr. Anderson commented that Mr. Singh would like to offer fresh produce. He wants to fill a need at this location, with more grocery items. In regards to the height limit, this building will be scaled down.

Commissioner McCracken asked about the size comparison.

Mr. Anderson replied the one on Atlas is over 8500 sq, the proposed building will be considerably smaller.

Chairman Messina asked how many fueling stations will there be.

Mr. Anderson that Mr. Singh will answer that question.

Commissioner Coppess asked Mr. Anderson about scaling down from the initial plan. Was it based on the interaction with city staff.

Mr. Anderson replied no, the same model does not fit this neighborhood.

Commissioner Luttrupp asked if the applicant had met with the neighbors.

Mr. Anderson replied, no.

Commissioner Luttrupp stated that was unfortunate.

Andy Singh, applicant, introduced himself and was sworn in. He has lived in Coeur d'Alene for over 25 years, and states there is no grocery store nearby. He feels that this location is a food desert and if you go into Nom Nom, everything is overpriced. His margins are only 15% markup regarding frozen food, grocery, and dairy. He wants to serve the people in this residential area. People have a need and he is willing to work with the neighborhood. If there are any complaints or recommendations that the people will want, he is willing to go the extra mile. He feels this area has nothing to offer with regards of fresh food. There is only one option going to Nom Nom. He states there will be no big signs and he will do things the right way.

Chairman Messina asked how many fuel pumps will there be.

Mr. Singh replied there will be four (4) pumps. He understands that the neighborhood does not want something 24 hours a day so he will be turning off the lights after 11:00. The hours of operation will be open 6:00 a.m.-11:00 p.m. every day. Lights turned off when the business is closed. This is not a high crime area. For the lease space, the Union Coffee has inquired about it. He would like to sell coffee, donuts and pastries. Mr. Singh indicated that he wants to partner with someone local. Not a corporate business like Subway.

Public Testimony.

Jon Thomasset, introduced himself and was sworn in. He is opposed to the zone change. He would have liked to have seen a rendition of what the building would look like. He lives in Best Hill Meadows. He states there are 106 homes in his neighborhood and did not receive a Public Notice. He feels this gas station would impact his neighborhood.

Mr. Adams, City Attorney, clarified that the Public Notices were sent out within 300 feet of this property. Not 300 notices and that staff is following State Law.

Mr. Thomasset stated that he thought 300 notices were sent out and that 300 feet only notifies the homes in front and side, and that is like shooting a water gun and saying those people have been notified. He stated the C-17 would allow an all-encompassing change. He addresses the list of what opens up for the future use, mini storage, mobile food court, etc. Some of these things would not be desirable in the neighborhood. He referred to the 2022-2024 Comprehensive Plan and said it appears when this plan was developed, the powers to be saw fit to have the neighborhood be NC zoning.

Ms. Patterson states the Comprehensive Plan sets the vision not the zoning for the Community.

Mr. Thomasset quoted from the one of the letters that was sent in from Ross Morton, "...if we consider what is the greatest need much needed residential land to help the affordability crises or another gas station/convenience store directly across the Street from the existing gas station is clear to see the former is the most reasonable path forward." He feels that affordable housing is a better use for this space.

Steve Listman, introduced himself and was sworn in. He stated he did not want this property to be annexed into the city. His house backs up to the lot, with no privacy, The apartments that have been built have lights on at night that make his property lit up like a Walmart parking lot. He has chickens. People throw food over the fence for his chickens. He does not want a gas station in his back yard. The apartments already block his sun and this will ruin his sunsets. He has lived at his property for 34 years. He did not vote for the Commission since he lives in the County. He is not against progress and growth. But he would like to see housing instead. This will ruin his lifestyle. Put duplex or three duplexes. His quality of life is going downhill.

Commissioner Luttrupp stated the Commission is not elected. They are appointed by the City Council.

Cathy Moehling introduced herself and was sworn in. She is opposed to the gas station. She is concerned for the need of affordable housing. There is not a need for another gas station, since there is one on the corner already. She feels the public's needs are already being met with Nom Nom. The traffic has increased because of Highway 95 becoming so busy. If there are added more services, this will increase the traffic. She is also concerned about the access into the business. The residents will be trying to move on Best Avenue, there will be more traffic coming out of a business. There is a no extra need of this service in this neighborhood.

Chairman Messina stated to Ms. Moehling if she is concerned about the extra traffic that if the applicant wanted to build a commercial business or housing, there will be more traffic than there is right now.

Ms. Moehling stated that with C-17 you do not have the height restrictions. This is impeding upon the privacy in the neighborhood to have a large structure obscuring their view and sunsets.

Chairman Messina reminded Ms. Moehling that the zone that it is in right now, it can go up to 32 feet of height and that is with the residential above ground with commercial. The potential of having traffic is still going to be the same. Traffic will be on the property no matter what is developed. He also wants to point out that when the Commission makes their recommendation that we put in the findings what the commission sees here in the NC.

Ms. Moehling stated she would prefer a combination of a residential/commercial. She feels if a gas station would go in there would be more foot traffic through the doors, so more traffic in general.

Commissioner Fleming stated by right with the NC zoning there could be commercial and professional office daycare, medical/dental practices, parks, personal services, hairdresser, and residential above ground floor only new construction and retail. By the Special Use, religious institutions, and schools. These all drive traffic.

Ms. Moehling stated, yes anything will drive traffic but what does the community want and need.

Joe Archambault, introduced himself and was sworn in. He lives in Best Hill Meadows Subdivision and is the President of the HOA. He states you can argue about traffic for anything that could possibly go in. He would like it to remain the NC zoning. The gas station will cause more traffic, and Nom Nom is across the street. Yes, the city is going to be improving 15th Street but that is along way down the road. We don't need a gas station at this corner. The constant traffic flow of a gas station would be a problem. The lights are already insufficient at Best and 15th Street.

Bob Newkirk, introduced himself and was sworn in. He lives in Best Hill Meadows. He is opposed to the gas station. There is no need, the neighborhood has Nom Nom. This does not add to the neighbors. This will only add more noise and traffic.

Jim Meyers, introduced himself and was sworn in. He states he walks the neighborhood every day. He watches the traffic going in and out of Nom Nom, fuel tankers, 18 wheelers, and ATVs. He feels this would be multiplied if there was another gas station. Yes, traffic will go up with any new development, if there is only 2 ways to get in and out on 15th Street. Trying to get a fuel tanker to do a U-turn to get back out on 15th Street in this lot will be very difficult. There has been no discussion as to how big the facility will be, which will create a question of how much product can go into the store.

Debbie Smith, introduced herself and was sworn in. She lives in Best Hill Meadows. Her concern is Best Meadows has no outlet. There are over 100 homes, in the event of an emergency with an evacuation there is only one way out and that is on Best Avenue. Any more traffic would hinder this.

Chris Booth, introduced himself and was sworn in. He is opposed to the gas station. He lives on Borah Ave and has lived at the home for 22 years. He chose this area because there was not a lot of commercial buildings it was calm. There is a station on the corner already.

Thayer Hornby, introduced himself and was sworn in. He is opposed to the gas station. He lives in Best Hill Meadows for 25 years. There needs to be more housing not another gas station. If the zoning does change, will there be a limit to what the uses would be. If the zoning where to change this could open up for a variety of things to be put in.

Mark Carlton, introduced himself and was sworn in. He is opposed to the gas station and feels the neighborhood is not in a food desert. We are five minutes from Costco, gas stations, and grocery stores. This development would not add anything for the neighborhood.

Kim Seeley, introduced herself and was sworn in. She states she has a young family. She lives on Randall Avenue. The street is used as a cut through to get back onto Best. Any business would bring more traffic. She does not want all of her family pictures from the front yard to have a gas station in the background. She is fine with residential housing.

Gerrie Schoenhard, introduced herself and was sworn in. She states she has lived in her home for 60 years. It is very peaceful, lots of traffic already, the gas station would make it worse. All the extra lights, and noise. Competition is good but this is more of a residential neighborhood. The neighborhood does not need two gas stations. This was not in the city limits when she first bought the home.

James West, introduced himself and was sworn in. He is opposed to the gas station, and lives in cda, He agrees with everyone, there is only one way in or out on Best Avenue. The food will be the same that Nom Nom offers. He thought he heard some disingenuous from the presentation. Talked about no impact on traffic and then there is going to be a big plan to enhance 15th Street and add traffic lights. There are many concerns about traffic and the type of people that might come to this type of business. There is not enough certainty to change the existing zoning. The neighborhood did not get notified in Best Hill Meadows at all.

Carl Gove, introduced himself and was sworn in. He is opposed to the gas station. He states he was not informed at all about the zone change, the city did not fire very far with the notices.

Chairman Messina states again the city did the proper mailing as per the code. The notice's go out within 300 feet of the subject property.

Ms. Patterson stated, the city also posts the site and publishes in the newspaper.

Mr. Gove states the sign is 2x2. The east side of 15th Street all the way down to Sherman there is a gas station. Further up through our area all the way up to the Middle School at Dalton Avenue. This is completely residential. This will change that now by putting this gas station here. The west side has Nom Nom. He moved from that "place down South" a few years back. He considers himself an Idahoan now. He had acreage and down sized to Best Hill Meadows. There is no outlet which is a great advantage because there is no thru traffic. He is five minutes from everywhere, he can go downtown, freeway, Costco and get gas and groceries. He hopes this will stay residential.

Carol Dewolf, introduced herself and was sworn in. She lives alone in Best Hill Meadows. It's safe and she feels secure in her home. She states there is one way in and out of the development. She is concerned about the potential of having riff raff coming around with a convenience store. She has no problem with Nom Nom. She is concerned for the public safety if a store is put on this corner.

Rob Knudson, introduced himself and was sworn in. He is neutral. He lives in Indian Meadows. He states that Mr. Singh does offer lower prices at his establishment, but he is worried about the encouraged traffic because he does have lower prices.

Applicant rebuttal.

Mr. Singh states this will be a market on this property. He states this will fit into the neighborhood. He wants to have fuel pumps because the money that is made, it helps pay the employees better. His current employees make \$18.00 an hour. He does not have high turnover. He wants to do a good job and satisfy the community's needs. He will listen to any complaints and concerns. He will set up a meeting at a hotel for the neighbors and listen to what they want. He will not run low prices just to get a bunch of people to come to the store. He will be fair and competitive. Will give \$100.00 gift cards to the neighbors that come to the meeting. The Atlas building is over 8500 sq feet, this building will not be this big or tall.

Chairman Messina asked Mr. Singh to clarify his statement about there being a market there no matter what. He asked staff to clarify if the existing NC zone allows retail as convenience sales if he does not have gas.

Ms. Patterson replied regarding the NC and that convenience sales fits under the retail.

Mr. Singh stated it will be a bigger market if he cannot do gas pumps. There needs to be extra income flowing in.

Commissioner Luttrupp states when the applicant has great plans and the residents do not understand those plans, this is where the conflict will come in. Maybe the residents do not fully understand what you want to put on your property and maybe you don't understand the concerns of the residents. Maybe you should meet with them and come to more acceptable conclusion. He states maybe this should be tabled tonight.

Mr. Singh stated he is willing to go door to door to invite more people to come to a neighborhood meeting.

Chairman Messina states the commission tonight will either approved or not approve this zone change.

Commissioner Ingalls stated we are making a recommendation to the City Council tonight.

Ms. Patterson stated the Commission tonight will recommend to adopt or not adopt the zone change. The commission may recommend conditions. The commission can table a hearing, but no one can deliberate, and no ex parte communication. The community cannot speak with the Commission, and the Commission cannot talk to the applicant. The Commission would have to have a specific reason why it would be tabled, such as requiring more evidence. This would happen with a motion. The Commission would then schedule to reconvene for the continuation of the hearing.

Commissioner Fleming states that the applicant does show electric car charging, does this fall under a retail facilitation.

Ms. Patterson replied this would follow under essential service.

Mr. Singh stated that if the zone change is approved, before the City Council meeting, he will hold a town hall meeting on design.

Ms. Patterson stated that if the Commission makes a recommendation either way – recommend adoption or rejection – Mr. Singh is offering to meet with the neighbors before the next hearing with City Council for the final determination on the zone change.

Commissioner Luttrupp stated his opinion there would be some advantage to postpone this or hold over and have the applicant meet with the neighbors to see if there would be some mutual agreement to be reached. He would suggest that only if the applicant is interested in doing this.

Mr. Singh states he does not want to postpone this. He feels like he has followed the Comprehensive Plan. He will still meet with the neighbors and listen to their concerns before the City Council meeting.

Mr. Adams stated the re-zone will not occur until the City Council acts.

Mr. Singh stated he just wants the zone to be the same as Nom Nom. If this is approved, he will go the extra mile, he will meet with the community and listen to what they want in the neighborhood.

Commissioner Luttrupp commented that the Commission passes this one way or another, it will go to the City Council. This based on the motion this evening.

Commissioner Fleming stated the commission tonight will be voting on the C-17 zone change.

Chairman Messina stated that per the discussion of the Commission the evening, if they either say yes, or no to the zone change. If you still want to have meetings with the neighbors after tonight's hearing. It would be after the point because it will go to the City Council after our recommendations. If you would like to tell the City Council what the outcome of the meeting was with the neighbors, that is great.

Mr. Singh replied it is not his intention to make the residents upset because he wants to put in a gas station. He wants to hear their concerns.

Commissioner Ward stated this is P&Z commission, they are not hear to negotiate Mr. Singh's site plan. The Commission will make a motion tonight and this will move forward to the City Council.

Mr. Anderson states he understands the passion and frustration of the neighbors, he wants to make sure they understand that Mr. Singh wants to build his business the right way and listen to the residents. As this relates to the Comprehensive Plan this is an element where Mr. Singh made a proactive approach to align his business for a future use. He can have a building right now with the NC zone over 32 feet tall. He can have a business in the bottom and residents on the top of the building, this would all create more parking and traffic. It is limited with height because of the fire code restriction. Mr. Singh wants do a single-story structure.

Commissioner Coppess asked Mr. Anderson if there was any considerations into the broad nature of the C-17 and all of the business that would fall into the zone for a gas station and food, could he have asked for a different use permit.

Mr. Anderson replied yes, he considered another zone but that would have required a Special Use Permit, which would have been two approvals. The goal was to align with the Comprehensive Plan document and fit along the line of what the City's vision for this lot would be.

Public testimony closed.

Commission Comments:

Commissioner Ward stated it is important that the Commission listens to the home owners. The P&Z Commission looks at the zoning. When you look at 15th Street it does not have any commercial zoning other than NC on the east side. There could be some traffic problems on 15th Street and Best Avenue. Traffic is an issue for anything. It's not just the number of cars, it's the traffic movement and the times of day when they are blocking the street or causing delays to people. Gas stations are an all-day type of event and cause traffic confusion to people. If you read the Comprehensive Plan on the property it talks about a Mixed Use, Low Place Type and should be highly walkable. Putting a gas station on this corner, this will deter from a highly walkable situation. Then NC district is a commercial with a Mixed-Use type of district. It not only does not allow gas stations it specifically prohibits them. He does not know why this was done this way at this location but the zone is in place now. He feels the commercial zoning on this side of a C-17 type commercial zoning is inappropriate to cross 15th Street. Every application that has come through in the past 1 ½ year has been a single family Planned Unit Development.

Chairman Messina states he agrees with Commissioner Ward.

Commissioner McCracken states that within the NC zoning there are plenty of business opportunities and appreciates Mr. Singh's passion for trying to fit with the neighborhood. The gas is the tipping point with the overhead lights and the canopy. The NC one story residential scale building just seems like a better fit. The project that was done at Atlas and Seltice is a great fit in that location, but this neighborhood it just does not fit. If Mr. Singh puts in a nice Market, it will be a good business opportunity that would fit better with the neighborhood as a NC zone. She encourages Mr. Singh to meet with the community and get feed back from them.

Commissioner Ingalls stated that it is not realistic for the residents to have the piece of property will be a vacant lot forever. The NC zoning as is right now can bring in a lot of different business. This will develop some day. He agrees with the other Commissioners that the Comp Plan states this zone has a Mixed Use for walking and ground floor business. His other concern on the Findings A-13 states that the remaining properties to the north, east and west are residential in nature. The neighborhood has changed but it is still residential.

Commissioner Luttrupp agrees with Commissioner Ward and that the properties all around this piece of land are residential. He encourages the people when they are walking and they see a posting on a board to look at it and see what it is about. We are here to recognize the neighborhood and district identities.

Commissioner Fleming commented that Mr. Singh does a great job and is trying his hardest to push a fat foot into a small shoe. This is a neighborhood. The NC fits. A fire could happen in the future that is on the hill right behind this property and the residents will need to get out on Best Ave. if tanker trucks are there dropping the fuel. She feels the impact is too high on what is a predominately residential neighborhood.

Motion by Commissioner Ward, seconded by Commissioner Luttrupp, to recommend that City Council reject the C-17 zone change (ZC-1-24). Motion carried.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Ingalls	Voted	Aye
Commissioner Coppess	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion to approve carried by a 7 to 0 vote.

Workshop:

Randy Adams, City Attorney, introduced the purpose of the workshop and explained that staff has prepared a template for the Findings of Fact and Conclusions of Law that are designed to be in compliance with State Law. The Idaho Supreme Court updated the Findings and Conclusions. The Findings that the Boise City Council had in place was not sufficient. There were some disputed facts and they were sued. Mr. Adams indicated the Commission needs to base their findings on facts so it can be backed up by evidence, not by an opinion. The Commission can base the facts on the staff reports that are in the packets. The people coming forward from the public to speak have to have a fact not an opinion. The Commission can also cross reference the Comprehensive Plan worksheet to help find a fact. Mr. Adams states there is always a conclusion of law because these are the statutes or the ordinance to approve or deny. There are five pages of goals and objectives in the Comprehensive Plan. This will be an attachment in the staff report. The Commission will have to go through these items and find which items determine the Commission's decision. The Commission needs to take lots of notes during the hearing, listen to the presentation and the public comments, and have lots of discussion at the end of the public testimony to fill in the blanks on the Findings worksheet.

The commission members had a few questions about how to determine a fact from an opinion. Mr. Adams clarified the difference.

The Planning and Zoning Commission will follow the Comprehensive Plan worksheet to help them add more facts to the Findings worksheet. The Commission would like the Findings worksheet to be put on the screen as a slide so the public can follow along and see what the Commissioners are reading from and why. The Commission understands this is a work in progress and will read the staff report and Comprehensive Plan for the next public hearing and speak on facts and not opinions. The Commission understands why they are deliberating and if there are any additional conditions, they will make the motion and then state the conditions if there are any before roll call. The Commission wants to educate the public and the applicant on how they came to their decision, based on facts not their opinions.

ADJOURNMENT:

Motion by Commissioner Ingalls, seconded by Commissioner Fleming to adjourn. Motion carried.

The meeting was adjourned at 9:15 p.m.

Prepared by Traci Clark, Administrative Assistant

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**COEUR D'ALENE PLANNING AND ZONING COMMISSION
FINDINGS AND ORDER**

ZC-1-24

A. INTRODUCTION

This matter having come before the Planning and Zoning Commission on, January 9, 2024, to consider ZC-1-24, a request for a zone change from NC (Neighborhood Commercial) to C-17 zoning district.

APPLICANT: GS4 Property LLC

LOCATION: A parcel of land in the Northwest Quarter of Section 7, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, as adjusted on Record of Survey, Book 21, page 85, records of Kootenai County, and located on the southeast corner of the intersection of 15th Street and Best Avenue, being Tax # 20177.

A. FINDINGS OF FACT:

The Planning and Zoning Commission finds that the following facts, A1 through A23, have been established on a more probable than not basis, based the record before it, and on the evidence and testimony presented at the public hearing. The Commission also finds that facts A1 through A9 are established through the staff report and presentation, and there is no dispute on these matters.

- A1. The notice of public hearing was published on December 23, 2023, which fulfills the legal requirement for the zoning change request.
- A2. The notice of public hearing was posted on the property on December 28, 2023, which fulfills the proper legal requirement.
- A3. Forty-eight (48) notices of public hearing were mailed to all property owners of record within three hundred feet (300') of the subject property on December 26, 2023, which fulfills the legal requirement.
- A4. Notice of intent to rezone the property was sent to all political subdivisions providing services within the planning jurisdiction, including school districts, at least fifteen (15) days prior to the public hearing scheduled by the Commission.
- A5. Public testimony was received at a public hearing on January 9, 2024.
- A6. The subject property is +/- .93 acre.
- A7. The subject property is within the City Limits and bordered by 15th Street to the west and Best Ave to the north.
- A8. The existing zoning is Neighborhood Commercial.
- A9. The Comprehensive Plan Future Land Use Map designation is the Mixed-Use Low Place Type.
- A10. The Place Types are described as the form of future development envisioned by the residents of Coeur d'Alene in the Comprehensive Plan. These Place Types will, in turn, provide the policy level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail

and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

- A11. This property is in an area designated for Mixed-Use Low places, which are described as highly walkable areas with buildings up to four-stories. Development for this Place Type would be primarily mixed-use buildings, with retail, restaurants on corners or along the entire ground floor frontage, but could also include townhomes and multifamily housing. Floors above are residential, office, or a combination of those uses. Multifamily residential development provides additional housing options adjacent to mixed-use buildings. This Place Type is typically developed along a street grid that has excellent pedestrian and bike facilities, with mid-block crossings, as needed, to provide pedestrian access. Compatible zoning districts in the Mixed-Use Low Place Type includes C-17, C-17L, NC and CC. This proposal by the applicant is inconsistent with the Mixed-Use Law Place Type in that it would not foster a highly walkable neighborhood and in fact would adversely affect walkability due to increased vehicular traffic.
- A12. The following Comprehensive Plan Goals and Objectives are applicable to this matter and do not support a zone change to C-17. The citizens have been informed through legal notice provided by the Planning Department. Coeur d'Alene does strive to be a livable community through the actions of the Mayor, Council, and City Departments, as shown by the history of planning in the community which seeks to protect residential neighborhoods from encroachment by high intensity commercial development. The goal is to develop a mix of land uses throughout the City as shown by the focus in the Comprehensive Plan on different land uses and types. These goals would not be met by changing the zoning of this property to a commercial zone which would be a more intensive use than that permitted by the current zoning.

Community & Identity

Goal CI 1:

Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1:

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

Objective CI 3.1

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Growth & Development

Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Objective GD 1.5

Recognize neighborhood and district identities.

Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and

future growth.

Objective GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

- A13. A gas station mini-mart is located on the northwest corner of the intersection of 15th Street and Best Avenue. However, single family residential dwellings exist on the properties to the east and west. A multi-family apartment complex along with some duplex housing units are located to the south. A senior living residential complex lies to the north. These are shown by the City mapping program and photographs in the record.
- A14. Frontage improvements, including sidewalk and stormwater swales, would be required at the time of construction, pursuant to City Code, if Council grants the zone change.
- A15. The Water Department has determined there is adequate capacity in the public water system to support commercial, residential, irrigation, and fire flow for the proposed zone change. This determination is found in the staff report. The Water Department further verified that there is an existing 12" main on the west side of the property paralleling 15th Street approximately 5' behind the curb and a 12" main in Best Avenue. There are two 2" services currently stubbed in to the property as well as a 6" Fireline stub. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense per City Code. Any additional service will have cap fees due at building permitting if Council grants the zone change.
- A16. The Wastewater Department has verified that the nearest public sanitary sewer is located in 15th Street to the west of subject property. The Subject Property is within the City of Coeur d'Alene and is in accordance with the 2023 Sewer Master Plan. The City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this zone change request as proposed. These facts are set out in the staff report.
- A17. Fire Department access to the site (road widths, surfacing, maximum grade and turning radiuses), and fire protection (size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance. This is common practice, as demonstrated by the comments of the Fire Department set out in the staff report.
- A18. The Police Department does not have concerns with the proposed zone change. This is verified by the staff report, but, by itself, this does not justify a zone change.
- A19. The site is generally flat and has a slight slope to the east. The site is vacant, and is in a natural state with grass and trees located on it. These facts are undisputed and shown in photographs presented at the hearing.
- A20. Based on the testimony and information provided by the City Engineer, the proposed zone change itself *would* likely adversely affect the surrounding area with regard to traffic. The application shows eight fueling positions (four pumps) in the site plan, as well as a market. Using Land Use Code 853 – Convenience Market with Gasoline Pumps from the ITE Trip Generation Manual, it can be estimated that this use will generate 133 a.m. peak hour trips and 153 p.m. peak hour trips, and many of these trips would be pass-by trips rather than diverted trips. This requested zone change and associated gas station would affect the traffic with more cars coming in and out of the business. The types of vehicles (fuel trucks and passenger vehicles), type of trips, and access onto 15th Street and Best Avenue would be affected. This testimony and information was undisputed by any competent evidence.
- A21. It is undisputed that 15th Street is a Major Collector that experiences over 1000 trips per day. The Kootenai Metropolitan Planning Organization's traffic model, which is the standard

used by the City Engineer, predicts a potential maximum capacity of 1200 vehicles per hour, but capacity would largely be controlled by the traffic signal, which can theoretically move over 1700 vehicles/hour. The City Engineer noted that future 15th Street improvements will upgrade the traffic signal to better accommodate traffic and access to 15th Street will be limited to approximately the south ½ of the parcel to ensure approaches are not within the functional area of the Best Avenue intersection. This project would not exceed the maximum trips that 15th Street could accommodate, but it would adversely affect the walkability of the pedestrian community with significantly more vehicle traffic.

- A22. Although both the NC and C-17 zoning districts have design guidelines, performance standards, and parking requirements to minimize impacts to neighboring properties, the impacts of many of the permitted uses in the C-17 zone which are not permitted in the NC zone would be far greater in terms of traffic, noise, and light pollution.
- A23. Per the applicant's narrative and testimony, the owner intends to develop a project with design aspects to be a good neighbor, such as using a low-profile sign, no LED reader boards, limiting the number of fuel stations, and turning off fuel canopy lights after 11:00 p.m. However, the proposed development would still negatively affect the surrounding neighborhood in terms of increased traffic, non-residential noise, and light which would be greater than uses permitted in the NC zone.

Although the applicant's testimony about its intended use and design is accurate, the Planning and Zoning Commission must determine if the zoning is appropriate. In this case, the zoning is incompatible with the surrounding zoning and uses. Other than the commercial use to the northwest, everything to the north, south, east and west is residential.

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the Planning and Zoning Commission makes the following Conclusions of Law.

- B1. This proposal is not in conformance with the Comprehensive Plan Goals, Objectives, and Policies.
- B2. Public facilities and utilities are available and adequate for the proposed use, or any use.
- B3. The physical characteristics of the site do make it potentially suitable for the request. The size is appropriate and can accommodate the use.
- B4. The proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and existing land uses.

C. DECISION


The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested zone change does not comply with the required evaluation criteria and recommends that the City Council deny the application for a zone change to C-17.

Motion by Commissioner Ward, seconded by Commissioner Luttrupp, to recommend that City Council deny the application (ZC-1-24) for a zone change to C-17. Motion carried.

ROLL CALL:

Commissioner Fleming	Voted Aye
Commissioner Ingalls	Voted Aye
Commissioner Luttropp	Voted Aye
Commissioner Coppess	Voted Aye
Commissioner McCracken	Voted Aye
Commissioner Ward	Voted Aye
Chairman Messina	Voted Aye

Motion to approve carried by a 7 to 0 vote.



CHAIRMAN TOM MESSINA

APPLICANT PRESENTATION

15TH AND BEST

DEVELOPMENT

05.09.2024





Coeur d'Alene

REGIONAL CHAMBER

CHANGE HEAVILY RESTRICTING NC ZONING TO C-17 AT THE 15TH AND BEST SIGNALIZED INTERSECTION

- PRESENTATION TO THE PLANNING COMMISSION WAS LIMITED BECAUSE OUR PROPOSED ZONE CHANGE WAS ENDORSED BY THE CITY OF COEUR D'ALENE 2022-2042 COMPREHENSIVE PLAN AS WELL AS ALL OF THE CITY AGENCIES



15TH AND BEST

SIGNALIZED INTERSECTION OF 15TH AND BEST

WHY DOES NC ZONING NOT WORK AT THE SIGNALIZED INTERSECTION OF 15TH AND BEST AVENUE?

- NC HAS ONLY BEEN **ASSIGNED** TO MOSTLY SINGLE FAMILY HOMES THAT HAVE CONVERTED TO OFFICE SPACE
- NO NC LOTS IN CDA ARE ON SIGNALIZED CORNERS / INTERSECTIONS
- ALL OTHER DEVELOPED NC LOTS ARE LESS THAN 1/3 OF AN ACRE
- ALL OTHER NC ZONING IS ABUTTING SINGLE FAMILY RESIDENTIAL, OUR LOT DOES NOT
- NC ZONING REQUIRES PARKING IN REAR - THIS PUTS LIGHTS AND VEHICLE NOISE ADJACENT TO DUPLEXES ABUTTING RESIDENTIAL

EXAMPLES OF NC ZONING





15TH AND BEST

EXAMPLES OF NC ZONING - E WALNUT AVE



CONCLUSION:

15TH AND BEST DOES NOT CONFORM TO ANY EXISTING NC ZONING

WHY IS 15TH AND BEST VACANT TODAY?

- TOO MANY RESTRICTIONS IN NC ZONING
- SIZE OF THE LOT AT 15TH AND BEST IS LARGER THAN ANY OTHER NC ZONED PROPERTY
- LACK OF FEASIBILITY WITHIN NC ZONING AT THIS LOCATION

POTENTIAL NC ZONING LOT DEVELOPMENT

- ▣ SUBDIVIDE PROPERTY INTO TWO LOTS

- ▣ LOT 1: (4) 1,100 SF RETAIL SUITES

- ▣ LOT 2: (2) 4,000 SF MARKET SUITES



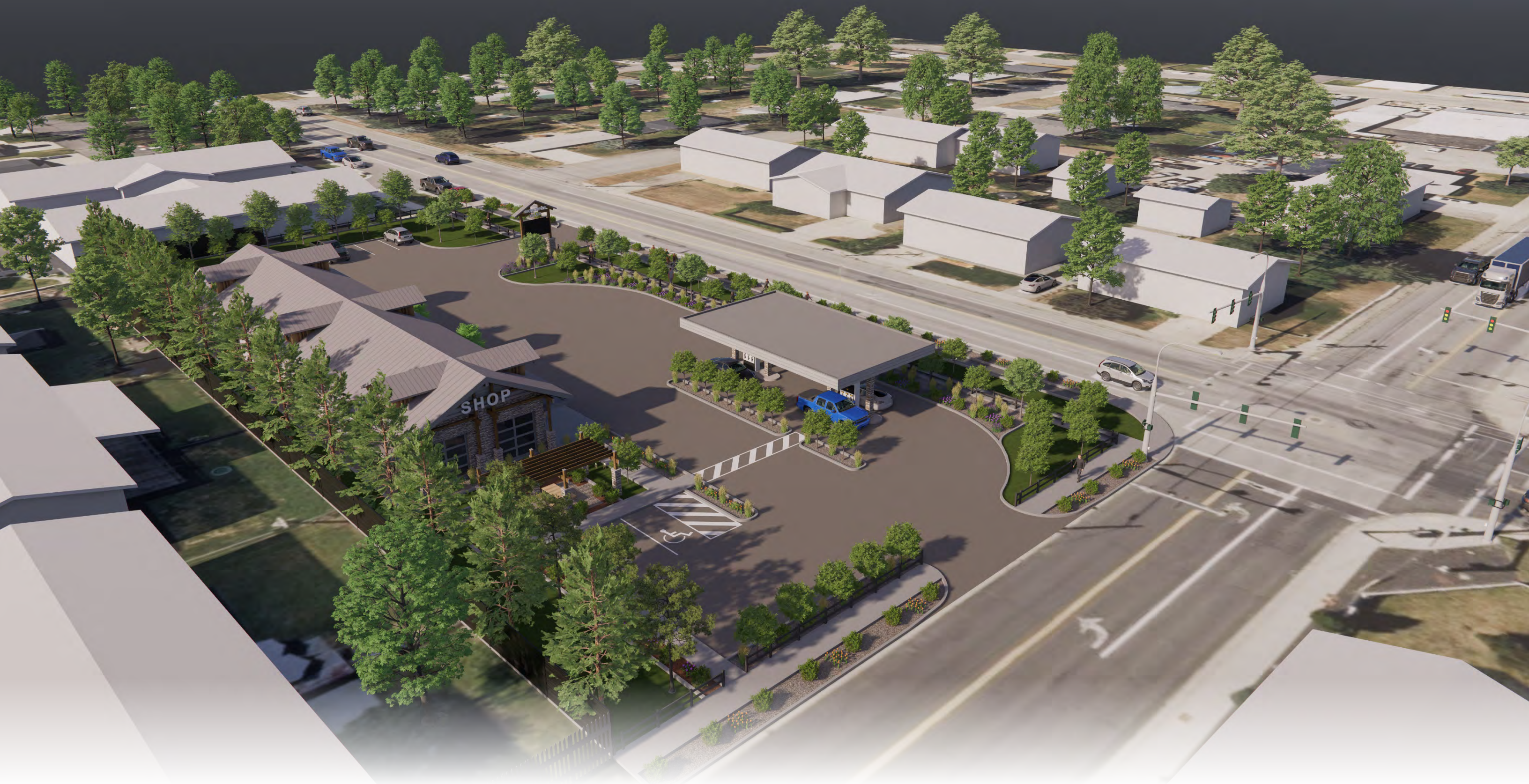
POTENTIAL C-17 ZONING LOT DEVELOPMENT

□ 4,600 SF MARKET AND A SMALL FUEL ISLAND

AMENITIES

- EXPANDED GROCERY AT SUPERMARKET PRICES
- SMOOTHIES AND FRESH SQUEEZED JUICES
- PRODUCE
- SMALL HARDWARE SELECTION
- COFFEE STAND INSIDE - NO DRIVE-THRU
- UPSCALE LANDSCAPING AND BUILDING THAT FITS INTO NEIGHBORHOOD





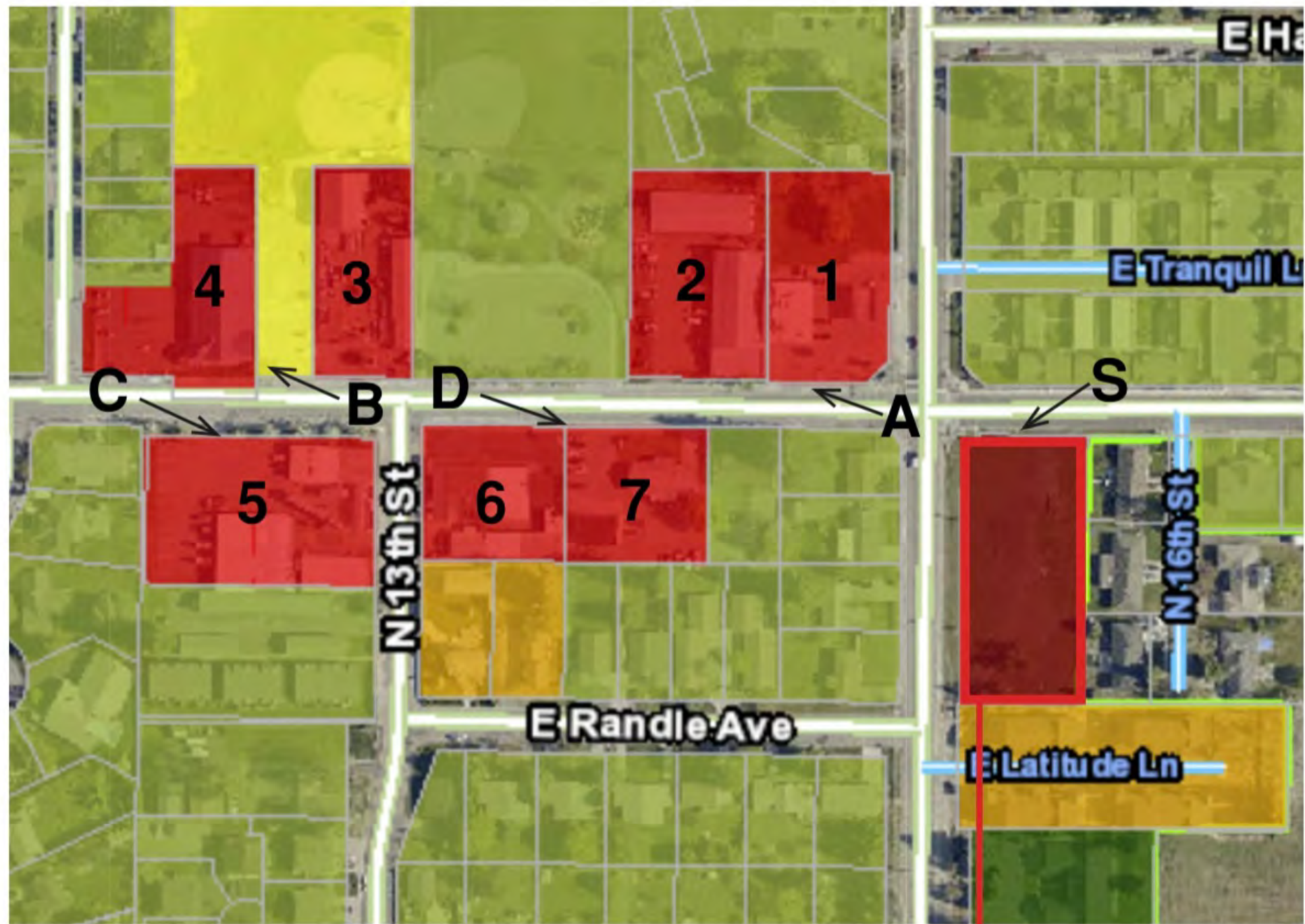
RESOLVING NEIGHBORS COMPLAINTS HEARD AT PLANNING AND ZONING MEETING AND CITY STAFF RECOMMENDATIONS

RESOLUTIONS

- STORE WILL BE BLOCKED BY EXTRA TREES AND LANDSCAPING BUFFERS ON ALL FOUR SIDES
- LOW VISIBILITY FUEL ISLAND, TREES ON **ALL** SIDES
- WE WILL NOT BE OPEN 24 HOURS / 6AM - 10PM
- ALL EXTERIOR LIGHTING WILL BE TURNED OFF AFTER CLOSING
- WE WILL KEEP BUILDING HEIGHT TO A MAXIMUM OF 20 FEET
- ANY FURTHER STIPULATIONS OR CONDITIONS OF A ZONE CHANGE WILL BE AGREED TO
- ROLL THESE MEASURES INTO A DEVELOPMENT AGREEMENT WITH THE CITY

WHY C-17 ZONING?

- EQUALITY - THERE ARE MANY C-17 ZONED LOTS ALREADY IN THE VICINITY
- ENDORSED BY THE COMPREHENSIVE PLAN
- LOCATED AT A HIGH TRAFFIC INTERSECTION (15TH ST AND BEST / APPLEWAY) - LESS THAN 1 MILE FROM I-90 ON A MAJOR ARTERIAL WHICH CLASSIFIES THE LOT AS "MIXED USE MEDIUM"
- THIS 1 ACRE LOT IS COMPATIBLE WITH MIXED USE MEDIUM IN THE COMPREHENSIVE PLAN - MIXED USE MEDIUM DESIGNATION IS ONLY ZONED C-17 OR C-17L



**ZONING LEGEND:
SURROUNDING AREA**

■ C-17	■ R-3
■ NC	■ R-12
■ R-17	■ R-8

**PROJECT
SITE**

ORDINANCE NO. _____
COUNCIL BILL NO. 24-10

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM A NC (NEIGHBORHOOD COMMERCIAL) TO C-17 (COMMERCIAL AT 17 UNITS/ACRE), SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: THE SOUTHEAST CORNER OF THE INTERSECTION OF 15TH STREET AND BEST AVENUE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after public hearing on the hereinafter provided amendments, and after recommendation by the Planning Commission, it is deemed by the Mayor and City Council to be for the best interests of the City of Coeur d'Alene, Idaho, that said amendments be adopted; NOW, THEREFORE,

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

SECTION 1. That the following described property, to wit:

A parcel of land in the Northwest Quarter of Section 7, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, as adjusted on Record of Survey Book 21, page 85, records of Kootenai County and is located on the SE corner of the intersection of 15th Street and Best Avenue.

is hereby changed and rezoned from NC (Neighborhood Commercial) to C-17 (Commercial at 17 units/acre).

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, is hereby amended as set forth in Section 1 hereof.

SECTION 3. That the Planning Director is hereby instructed to make such change and amendment on the official Zoning Map of the City of Coeur d'Alene, and shall make an electronic copy available on the City's website.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on May 21, 2024.

APPROVED this 21st day of May 2024.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Zone Change – ZC-1-24
SE Corner of the intersections of 15th Street and Best Avenue

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM A NC (NEIGHBORHOOD COMMERCIAL) TO C-17 (COMMERCIAL AT 17 UNITS/ACRE), SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: THE SOUTHEAST CORNER OF THE INTERSECTION OF 15TH STREET AND BEST AVENUE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, SE Corner of the intersection of 15th Street and Best Avenue, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 21st day of May, 2024.

Randall R. Adams, City Attorney

OTHER BUSINESS

**CITY COUNCIL
STAFF REPORT**

DATE: May 21, 2024
FROM: Troy Tymesen, City Administrator
SUBJECT: TRI Utility Cost Reductions

DECISION POINT: Should the City Council approve an Agreement with TRI Utility Cost Reductions, Inc., for services related to a utility bill audit?

HISTORY: The City pays for various utilities in the normal course and scope of its business. In addition to the City's own wastewater and water services, the City receives electric, gas, and telecommunications services from third party vendors. TRI Utility Cost Reductions, Inc., ("TRI") has offered to conduct an audit of the City's utility bills with the objective to obtain refunds, credits, and reductions for those bills, if justified.

FINANCIAL ANALYSIS: There is no cost for this service. Instead, TRI will receive a fee equal to fifty percent (50%) of any refunds or credits obtained for the City. If there is a reduction in a utility's billings because of TRI's efforts, TRI will receive a fee of fifty percent (50%) of the savings for the first thirty-six (36) months. This fee will not apply if the City moves or upgrades account services with the utility.

PERFORMANCE ANALYSIS: TRI has over 35 years of Telecom and Utility auditing experience. It boasts an 87% success rate in recovering refunds. TRI's clients include such national corporations as Chanel, Philip Morris, Niagara Mohawk, US Air, and the FDIC. This agreement can be terminated by the City with thirty (30) days' notice. The fee calculated as of the date of termination will continue to be paid.

DECISION POINT/RECOMMENDATION: Council should approve an Agreement with TRI Utility Cost Reductions, Inc., for services related to a utility bill audit.

RESOLUTION NO. 24-042

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AN AGREEMENT WITH TRI UTILITY COST REDUCTIONS, INC., FOR SERVICES RELATED TO A UTILITY BILL AUDIT.

WHEREAS, the City Administrator for the City of Coeur d'Alene has recommended that the City of Coeur d'Alene enter into an agreement with Tri Utility Reductions, Inc., pursuant to terms and conditions set forth in an Agreement, a copy of which is attached hereto as Exhibit "A" and by reference made a part hereof; 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 Agreement.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City enter into an agreement with TRI Utility Reductions, Inc., for services related to a utility bill audit, in substantially the form attached hereto as Exhibit "A" and incorporated herein by reference, with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said Agreement to the extent the substantive provisions of the Agreement remain intact.

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

DATED this 21st day of May, 2024.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER WOOD Voted

_____ was absent. Motion _____.



TRI Utility Cost Reductions, Inc.

Agreement

This Agreement, dated _____, is between TRI Utility Cost Reductions, Inc., located at 2255 Glades Road, Suite 324A, Boca Raton, FL 33431, hereinafter referred to as "TRI", and (your company name) _____ with Tax/EIN number _____ and located at _____ hereinafter referred to as "Client".

1. TRI agrees to conduct a Utility Bill Audit by review and analysis of Client's utility billings. The Client chooses to have TRI conduct a utility billing audit of the following (place an "x" in the appropriate boxes): Telecommunications Electricity and Gas Water and Sewage
2. TRI's objective is to obtain refunds, credits and reductions that relate to the above. All information submitted by TRI on Client's behalf is confidential and cannot be independently used by Client's organization to affect refunds. Any such attempt by Client will be construed as a breach of this Agreement and TRI shall be entitled to its fee, as due per below.
3. For any refunds or credits obtained by TRI based on historical utility billing errors, the fee is 50% of any refunds or credits affected on behalf of the Client. This also applies to future refunds that the Client may receive as a result of TRI's efforts.
4. Where there is a reduction in the Client's monthly charges for services, as a result of TRI's findings, TRI earns a fee equal to 50% of the monthly savings. This is paid to TRI monthly for 36 months starting with the first month that reflects the reduction. This reduction will be documented by TRI. Should Client, subsequent to TRI having implemented or completed orders to reduce Client's billing, move or upgrade account services, so that Client is no longer receiving the benefit of savings resulting from TRI efforts on the account, then TRI will no longer share in these reductions. If Client does not receive any refunds, credits or reductions, there is no fee for TRI's Refund Audit. The terms of this Agreement shall remain confidential.____ (initial)
5. Client may terminate this Agreement by giving TRI 30 days advance written notice. In the event of termination, Client shall continue to pay to TRI its fee due under this Agreement based on any refunds, credits and/or reductions obtained or realized pursuant to the terms of this Agreement as of the date of termination. Additionally, and subsequent to termination, TRI shall be entitled to any fees due under this Agreement for refunds, credits and/or reductions negotiated, but which are pending or being processed by the Utility and which have not been received by Client, and any fees due under the Agreement for refunds, credits and/or reductions received by Client as a direct result of the actions of TRI. TRI shall not commence any new reviews or negotiations, and shall not complete negotiations, after the date of termination.
6. Client agrees to approve (and sign if requested) any papers/docs the carrier or provider may need or require in order to process claims and/or secure funds, credits and reductions due the Client.
7. All payment of fees are due within 20 days of being invoiced. Any payment made after 30 days shall be assessed a late payment charge of 1.5% per month. Should TRI be compelled to institute any court proceedings or to engage counsel for the purpose of collecting a FEE due under this Agreement, then Client shall be responsible to reimburse TRI for the reasonable fees, including attorney's fees, and costs incurred in such processing. This Agreement shall be governed by the law of the State of Florida.____ (initial)

AUTHORIZED CLIENT APPROVAL

Authorized Signature

Printed Name

_____ *Title* _____ *Phone*

Company Name

Email Address

TRI APPROVAL

Signature

Printed Name

Date

**CITY COUNCIL
STAFF REPORT**

DATE: May 21, 2024
FROM: Jeff Walther, Police Captain
SUBJECT: Sole Source Approval for the Purchase of Equipment for 7 Police Vehicles

DECISION POINT: Should Council approve a Sole Source expenditure for the purchase and installation of police specific operational equipment for seven Police Ford Explorers in the amount of \$130,534.77?

HISTORY: The City of Coeur d’Alene Police Department purchased seven new patrol vehicles to replace high mileage, worn patrol vehicles currently in use by the department. These vehicles are included in the FY2023-24 budget. The proposed sole source expenditure is for approximately 50 individual components which would otherwise have to be purchased from various other vendors. The CDA Police proposes purchasing all the needed equipment from one vendor instead of from multiple vendors, which would result in multiple invoices per vehicle. The proposed vendor orders all the specified components from the individual vendors and then installs that equipment into the vehicles we provide them.

Using one vendor (Premier Vehicle Installations-PVI) for Police vehicle emergency equipment purchase and installation provides uniformity in patrol vehicle operation for the officers. All vehicles function identically for increased officer safety. PVI is also an authorized installer for the Sound Off Signal, Blue Print, emergency equipment management system that is currently controlling all the installed equipment in the Police Patrol vehicle fleet. It is also the authorized dealer for other specific equipment brands that make up a Police vehicle package. This “sole source purchase” assists the department during service and warranty issues. PVI has been a major emergency vehicle equipment installer since 2001 and it can complete approximately 4 vehicle builds each week, greatly reducing the delivery time for completed patrol vehicles over smaller competitors.

The Police Department typically uses a vendor called DANA which has a superior product that no other vendor offers. This budget cycle DANA had no vehicles for sale due to supply chain issues and it will not equip vehicles that were not purchased from it. We were able to purchase vehicles from Premier Vehicle Installations-PVI, who are able to provide an equipment installation that meets and exceeds the minimum standards of operation, and which is compatible with the DANA product. The current Police Fleet Manager’s experience with PVI related to warranty coverage and promptness of replacement parts and troubleshooting guidance has been excellent. By centralizing all the Police equipment component purchases through PVI, all service and warranty issues are processed through a single point of contact that provides much more bargaining power than if the City were to purchase individual components from different

vendors. This benefit is essential to keep the police fleet operational, and provide uninterrupted safety and service for the community.

PVI purchases from the components from the various vendors at wholesale so it can offer the same cost for the entire material package as our department receives by purchasing every item individually from each manufacturer.

Idaho Code § 67-2808(2)(a) provides that Council may declare that there is only one (1) vendor for the purchase of personal property where there is only one (1) source reasonably available. The statute further provides that only one (1) source is reasonably available where the compatibility of equipment, components, replacement parts, or service is the paramount consideration, and where competitive solicitation is impractical, disadvantageous, or unreasonable under the circumstances. The City Attorney has reviewed this purchase and is of the opinion that the proposed purchase complies with the statutory sole source expenditure requirements.

FINANCIAL ANALYSIS: The seven replacement vehicles have been authorized in the 2023-2024 budget as has the equipment needed to make them operational and deployable in the field.

PERFORMANCE ANALYSIS: Having one vendor complete the purchase and installation of all necessary police vehicle components not only ensures consistency in our shared patrol vehicle fleet, but it also gets necessary equipment on the road much quicker and much more efficiently than other upfit methods

DECISION POINT/RECOMMENDATION: Council should approve a Sole Source expenditure for the purchase and installation of police specific operational equipment for seven Police Ford Explorers in the amount of \$130,534.77.

RESOLUTION NO. 24-043

A RESOLUTION OF THE CITY OF COEUR D'ALENE, IDAHO, DECLARING THAT THERE IS ONLY ONE (1) VENDOR REASONABLY AVAILABLE FOR THE PURCHASE AND INSTALLATION OF POLICE VEHICLE EMERGENCY EQUIPMENT; AUTHORIZING THE PROCUREMENT AND INSTALLATION OF POLICE VEHICLE EMERGENCY EQUIPMENT FROM PREMIER VEHICLE INSTALLATIONS ("PVI") IN THE AMOUNT OF \$130,534.77; AND DIRECTING THE CITY CLERK TO PUBLISH THE NOTICE OF A SOLE SOURCE EXPENDITURE REQUIRED BY IDAHO CODE § 67-2808(2).

WHEREAS, Idaho Code § 67-2808(2) provides that the City Council of the City of Coeur d'Alene may declare that there is only one (1) vendor or source for an item reasonably available and approve a sole source expenditure from that vendor;

WHEREAS, only one (1) vendor is reasonably available when the compatibility of equipment, components, replacement parts, or service is the paramount consideration, and where competitive solicitation is impractical, disadvantageous, or unreasonable under the circumstances; and

WHEREAS, using a single vendor for Police vehicle emergency equipment purchase and installation provides uniformity in patrol vehicle operation for the officers which increases officer safety; and

WHEREAS, by centralizing all the Police equipment component purchases a single, all service and warranty issues are processed through a single point of contact that provides much more bargaining power than if the City were to purchase individual components from different vendors; and

WHEREAS, the benefit of centralization is essential to keep the police fleet operational, and provide uninterrupted safety and service for the community; and

WHEREAS, another vendor often used by the Police Department did not have vehicles available and will not install equipment on vehicles purchased from third parties; and

WHEREAS, PVI is the only vendor that can provide and install the necessary equipment within a reasonable amount of time for seven (7) Police vehicles recently purchased in order to place those vehicles into service; and

WHEREAS, this purchase meets the requirements for a sole source expenditure as provided by Idaho law.

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Coeur d'Alene, Idaho, that there is the only one (1) vendor reasonably available to purchase and install Police vehicle emergency

equipment, Premier Vehicle Installations.

BE IT FURTHER RESOLVED that the City contract with Premier Vehicle Installations for the purchase and installation of Police vehicle emergency equipment on seven (7) recently purchased Police vehicles in the amount of \$130,534.77; according to the invoices attached hereto as Exhibit “A” and by reference made a part hereof.

BE IT FURTHER RESOLVED that the City Clerk is authorized to publish the notice of a sole source expenditure as required by I.C. § 67-2808(2).

BE IT FURTHER RESOLVED that the Mayor and Clerk be and they are hereby authorized to execute an Agreement with Premier Vehicle Installations fourteen (14) days after publication of the notice and in the absence of any objection to the expenditure.

DATED this 21st day of May, 2024.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER WOOD Voted

_____ was absent. Motion _____.



Coeur d'Alene Police

Protect and Serve

3818 SCHREIBER WAY
COEUR D'ALENE, IDAHO 83815
(208) 666-5734
smoran@cdaid.org

Feb, 23, 2024

Price Reasonableness Form Supplement – Budget approved Police Vehicle equipment purchase FY2023-24

If Competitive Quotes not obtained, provide Price Reasonableness Analysis:

The total \$322,600 cost for this purchase is divided between 7 patrol vehicles. This expense is an accumulation of approximately 50 individual components from various other vendors. Instead of the Cda Police purchasing all the needed equipment one vendor at a time, producing multiple invoices per vehicle, this central vendor orders all the specified components from all the individual vendors and then installs that equipment into the vehicles we provide them.

Using a consistent vendor (Premier Vehicle Installations-PVI) for Police vehicle emergency equipment purchase and installation provides uniformity in patrol vehicle operation for the officers. All vehicles function identically for increased officer safety. This vendor is also an authorized installer for the Sound Off Signal, Blue Print, emergency equipment management system that is currently controlling all the installed equipment in the Police Patrol vehicle fleet. They are also authorized dealers for other specific equipment brands that make up a Police vehicle package. This “sole source purchase” assists the department during service and warranty issues. They are a major emergency vehicle equipment installer since 2001 that can complete approximately 4 vehicle builds each week, greatly lowering the delivery time for completing patrol vehicles over smaller competitors.

The Police Department has been using this vendor since 2012 with little to no complaints related to quality and follow up service for products and installation. The current Police Fleet Manager’s experience with this vendor related to warranty coverage and promptness of replacement parts and troubleshooting guidance has been excellent. By centralizing all the Police equipment component purchases through this single vendor, all service and warranty issues are processed through a single point of contact that possesses much more bargaining power than a single item purchaser such as the City of Coeur d Alene. This benefit is essential in keeping the police fleet operational and providing uninterrupted safety and service for the community.

PVI purchases from their vendors at wholesale so they can offer the same cost for the entire material package as our department receives by purchasing every item individually from each manufacturer.

Thank you,

Steve Moran
Equipment Manager
City of Coeur d Alene Police Department
smoran@cdaid.org
Cell – 208-660-7264
Office – 208-666-5734



Invoice

Date	Invoice #
2/14/2024	43494

Premier Vehicle Installation, Inc
 South Salt Lake, UT 84115

P21411 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21411

Item	Quantity	Description	Rate	Amount
ENNLB1254	1	ENNLB016EX-3T8 - QSF017723 nFORCE® NXT Lightbar w/Opticom Preemption LED Module 54"/137cm 9-32 VOLT NFORCE NXT LED LIGHTBAR W/ 15' LIN DSC TECHNOLOGY /D24/D12/D12/D12/PRE/D12/D12/D12/D24/ /R_W/ R_W R_W R_W/PRE B_W B_W B_W/ \B_W/ D06 --GRT-- GRT --GRT--- --GRT--- O-GRT-- D06 R_W --CLR-- CLR --CLR--- --CLR--- O-CLR-- B_W \D24\ D12 D12 D12 T18 D12 D12 D12\ D24/ \R_W R_A R_A R_A RBA B_A B_A B_A/B_W/ Domes - Polycarb [D]6 12 P] Accessories - PNFLBSPLT1, AUTO-DIM Mount - Standard Fixed Height Mount (PNFLBK08) Hook - PNFLBF32 Preemption - Coeur D Alene Police Dept., Coeur D Alene, Idaho Vehicle - 2023 Ford Police Interceptor Utility w/o Roof Rack	3,350.70	3,350.70
EMPS1STS3J	2	mPOWER 3" 8 LED Dual Color - Stud Mount Red/Blue - Grille	131.40	262.80
EMPS2QMS4J	2	mpower™ 4" Fascia Light w/ Quick Mount, 18" hard wire w/ sync option, SAE Class 1 & CA Title 13, 9-32 Vdc, Black Housing, 12 LED, Dual Color - Red/Blue - Rear Liftgate	147.00	294.00
PMP2WDG15B	2	15° Black Wedge for the 4 Inch Quick Mount Light	7.54	15.08
ELUC3H010D	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher - Dual Color Red/White - Insert for driver side headlight	99.60	99.60

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
2/14/2024	43494

Premier Vehicle Installation, Inc
 South Salt Lake, UT 84115

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21411

Item	Quantity	Description	Rate	Amount
ELUC3H010E	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Blue/White - - Insert for passenger side headlight	99.60	99.60
ELUC3H010B	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Blue - Reverse Light Insert	99.60	199.20
ELUC3H010R	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Red - Brake Light Insert	99.60	199.20
ENGSA5200RSP	1	bluePRINT® 500 Series Remote Control System with Button Control, 10-16v - 200 watt dual-tone	1,137.60	1,137.60
ENGLMK008	1	bluePRINT Link® Micro Module and Vehicle Harness for Ford Transit 2020-2021, Ford Explorer / Police Interceptor Utility (PIU) 2016-2022, Ford F150 2017-2020 only, Ford F250-F550 2017-2021, Ford Escape 2020-2022	374.40	374.40
ENGND04102	1	bluePRINT 2nd Gen Remote Node with Magnetic ID	272.40	272.40
ENGHNK05	1	Remote Node Harness 2nd Gen	51.60	51.60
ENGSYMD01	1	bluePRINT Sync® Module, includes GPS Antenna, ECE R10 Certified	304.20	304.20
ETSS100J	2	100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt	233.40	466.80
P21411 police equipment, installation and transport to CDA				

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
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Invoice

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2/14/2024	43494

Premier Vehicle Installation, Inc
 South Salt Lake, UT 84115

P21411 police equipment,
 installation and transport to CDA

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21411

Item	Quantity	Description	Rate	Amount
TM-5126AP-PIU...	1	On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV).. Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR UTILITY (2020)	567.03999	567.04
AP-5120-UNIV	1	New part # from Westin 500-0008 Adaptor Plate for TM-5120 Series Dashboard Mount with VESA 75, VESA 100 & 2X4 Patterns	47.50	47.50
3/4" NMO Coax	1	new part # from Westin 500-0020 3/4" NMO Coax -- 17'	15.00	15.00
425-6508	1	Ford PI Utility (2020+) Integrated Pentax/Brother Contour Console - IPBCC	564.54	564.54
425-3704	1	Jotto ABS Dual Cup Holder Faceplate Mount (4")	49.13	49.13
425-6295	1	ETL 5000 and APX6500 Remote Head Bracket	0.00	0.00
425-6682	1	SoundOff Signal 500 Series (Remote) - 4" Faceplate	0.00	0.00
425-6050	1	1.5" Blank	0.00	0.00
425-6701	1	USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	89.77	89.77
425-3816	2	Magnetic Mic Clip - Single Pack	39.95	79.90
C-MCB	2	Mic Clip Bracket	13.30	26.60
10-VS-XL-C2	1	PK11851TU20TM "#10XL C2 Horizontal Sliding Window Uncoated Polycarbonate With Slotted Polycarbonate Window Security Screen XL Panel Partition TM (Tall Man)"	823.20	823.20
Window Barrier	1	WK05951TU20 "Window Barrier VS Polycarbonate"	287.20	287.20

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
2/14/2024	43494

Premier Vehicle Installation, Inc
 South Salt Lake, UT 84115

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P21411 police equipment,
 installation and transport to CDA

P.O. No.	Terms	Project
PD24-0024	Net 30	P21411

Item	Quantity	Description	Rate	Amount
Prisoner Transpor...	1	QK0495ITU20 "Full COVER Transport Seat TPO Plastic With Center Pull Seat Belts *INCLUDES REQUIRED: -#12VS Stationary Window Vinyl Coated Expanded Metal Cargo Area Rear Partition *Seat Belt Retractors Pre-Installed to Save 30 Minutes of Install Time"	1,271.20	1,271.20
Misc.	1	Bargman Red Dome Light for the prisoner compartment - connect to switch #3 on steering wheel	10.00	10.00
Shipping/Freight	1	Shipping or Freight Charges for Front and Rear Partition, console, and equipment tray	285.00	285.00
WEI-004	1	Dual Weapons System with Dual Handcuff Locks	558.60	558.60
Misc.	2	U Bolt at bottom of Partition to secure ankle bracelets	2.50	5.00
CP-UV20-CARGO	1	Tilt Up Cargo Mount 2020-23 Ford PI Utility	760.00	760.00
AC-20-UV-TRAY	1	Troy 2020-23 Ford PI Utility electronics tray bolts to CP-UV20-CARGO	255.20	255.20
GP-IN2148	1	GPSD+/C29/C32/C23/CABLES KIT (Antenna for Cradle Point to Dock)	284.25	284.25
PDU-09SS	1	Power Distribution Unit provides single 30A output and up to 30 additional outputs divided into Battery (8), Ignition (5) and Timed (5) in Group 1 and (120 in Group 2. LED fuse indicators on outlets, Digital Display	351.12	351.12
PVIB2	1	Fuse Holder Bracket	12.30	12.30
46096	1	Power Fuse Module	15.00	15.00
MRCB100	1	100 Amp Resettable Relay	26.50	26.50
Misc.	1	Customer Supplied Dock	0.00	0.00
Misc.	1	Customer Supplied Remote Radio	0.00	0.00
Misc.	1	Customer Supplied Brother 800 Series Printer	0.00	0.00
Misc.	1	Customer Supplied Gtac Video System	0.00	0.00

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

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2/14/2024	43494

Premier Vehicle Installation, Inc
 South Salt Lake, UT 84115

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21411

Item	Quantity	Description	Rate	Amount
Misc.	1	Customer Supplied Cradle Point Modem	0.00	0.00
Misc.	1	Customer Supplied Bar Code Reader	0.00	0.00
Misc.	2	Customer Supplied Flashlights	0.00	0.00
Misc.	1	Customer Supplied MPH Radar	0.00	0.00
Transportation	1	Transport vehicle from Salt Lake to Coeur d'Alene	625.00	625.00
Install Kit	1	Installation Materials	228.00	228.00
Install Labor	38	Install Lightbar, Grill LEDs, Use Factory Headlight Flasher, Reverse and Brake Light Inserts, LED's rear Liftgate, Console w/accessories, Side Mount Computer Bracket for customer Supplied Dock for Getac Laptop, Partition Front and rear, Replacement BIO Seat and Center Pull Seat Belts, Dual weapon Mount, Cargo Mount with Electronic Equipment Tray add fan, bluePRINT System w/sync, Siren Speakers CUSTOMER SUPPLIED: Getac Doc, Radio, Brother Printer, Video System, Cradle Point Modem, Bar Code reader mounted on Monitor Bracket, Radar, Stinger Flashlight Charger Mounted on rear of console, MAGLIGHT Charger mounted on passenger side of console (vertical) . 2023 Ford PIU VIN# B58959	100.00	3,800.00

P21411 police equipment,
 installation and transport to CDA

001-009-4211-6502

K417

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total	\$18,164.23
Payments/Credits	\$0.00
Balance Due	\$18,164.23

All invoices more than 30 days past due will be charged a 1.5% interest charge per month from the dated date of invoice.



Invoice

Date	Invoice #
4/30/2024	44205

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21409 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21409

Item	Quantity	Description	Rate	Amount
ENNLB1254	1	ENNLB016EX-3T8 - QSF017723 nFORCE® NXT Lightbar w/Opticom Preemption LED Module 54"/137cm 9-32 VOLT NFORCE NXT LED LIGHTBAR W/ 15' LIN DSC TECHNOLOGY /D24/D12 D12 D12 PRE D12 D12 D12\D24\ /R_W/ R_W R_W R_W PRE B_W B_W B_W\ \B_W\ D06 --GRT- GRT --GRT--- --GRT--- O-GRT-- D06 R_W --CLR- CLR --CLR--- --CLR--- O-CLR-- B_W \D24\ D12 D12 D12 T18 D12 D12 D12 /D24/ \R_W\R_A R_A R_A R_A RBA B_A B_A B_A B_W/ Domes - Polycarb [D]6 12 12 P] Accessories - PNFLBSPLT1, AUTO-DIM Mount - Standard Fixed Height Mount (PNFLBK08) Hook - PNFLBF32 Preemption - Coeur D Alene Police Dept., Coeur D Alene, Idaho Vehicle - 2023 Ford Police Interceptor Utility w/o Roof Rack	3,350.70	3,350.70
EMPS1STS3J	2	mPOWER 3" 8 LED Dual Color - Stud Mount Red/Blue - Grille	131.40	262.80
EMPS2QMS4J	2	mpower™ 4" Fascia Light w/ Quick Mount, 18" hard wire w/ sync option, SAE Class 1 & CA Title 13, 9-32 Vdc, Black Housing, 12 LED, Dual Color - Red/Blue - Rear Liftgate	147.00	294.00
PMP2WDG15B	2	15° Black Wedge for the 4 Inch Quick Mount Light	7.54	15.08
ELUC3H010D	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Red/White - Insert for driver side headlight	99.60	99.60

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44205

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21409

Item	Quantity	Description	Rate	Amount
ELUC3H010E	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Blue/White - - Insert for passenger side headlight	99.60	99.60
ELUC3H010B	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Blue - Reverse Light Insert	99.60	199.20
ELUC3H010R	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Red - Brake Light Insert	99.60	199.20
ENGS A5200RSP	1	bluePRINT® 500 Series Remote Control System with Button Control, 10-16v - 200 watt dual-tone	1,137.60	1,137.60
ENGLMK008	1	bluePRINT Link® Micro Module and Vehicle Harness for Ford Transit 2020-2021, Ford Explorer / Police Interceptor Utility (PIU) 2016-2022, Ford F150 2017-2020 only, Ford F250-F550 2017-2021, Ford Escape 2020-2022	374.40	374.40
ENGND04102	1	bluePRINT 2nd Gen Remote Node with Magnetic ID	272.40	272.40
ENGHNK05	1	Remote Node Harness 2nd Gen	51.60	51.60
ENGSYMD01	1	bluePRINT Sync® Module, includes GPS Antenna, ECE R10 Certified	304.20	304.20
ETSS100J	2	100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt	233.40	466.80

P21409 police equipment, installation and transport to CDA

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44205

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21409 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21409

Item	Quantity	Description	Rate	Amount
TM-5126AP-PIU...	1	On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV).. Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR UTILITY (2020)	567.03999	567.04
AP-5120-UNIV	1	Adaptor Plate for TM-5120 Series Dashboard Mount with VESA 75, VESA 100 & 2X4 Patterns	47.50	47.50
3/4" NMO Coax	1	new part # from Westin 500-0020	15.00	15.00
425-6508	1	Ford PI Utility (2020+) Integrated Pentax/Brother Contour Console - IPBCC	564.54	564.54
425-3704	1	Jotto ABS Dual Cup Holder Faceplate Mount (4")	49.13	49.13
425-6295	1	ETL 5000 and APX6500 Remote Head Bracket	0.00	0.00
425-6682	1	SoundOff Signal 500 Series (Remote) - 4" Faceplate	0.00	0.00
425-6050	1	1.5" Blank	0.00	0.00
425-6701	1	USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	89.77	89.77
425-3816	2	Magnetic Mic Clip - Single Pack	39.95	79.90
C-MCB	2	Mic Clip Bracket	13.30	26.60
10-VS-XL-C2	1	PK1185ITU20TM "#10XL C2 Horizontal Sliding Window Uncoated Polycarbonate With Slotted Polycarbonate Window Security Screen XL Panel Partition TM (Tall Man)"	823.20	823.20
Window Barrier	1	WK0595ITU20 "Window Barrier VS Polycarbonate"	287.20	287.20

Phone #	E-mail
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Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44205

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21409 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21409

Item	Quantity	Description	Rate	Amount
Prisoner Transpor...	1	QK0495ITU20 "Full COVER Transport Seat TPO Plastic With Center Pull Seat Belts *INCLUDES REQUIRED: -#12VS Stationary Window Vinyl Coated Expanded Metal Cargo Area Rear Partition *Seat Belt Retractors Pre-Installed to Save 30 Minutes of Install Time"	1,271.20	1,271.20
Misc.	1	Bargman Red Dome Light for the prisoner compartment - connect to switch #3 on steering wheel	10.00	10.00
Shipping/Freight	1	Shipping or Freight Charges for Front and Rear Partition, console, and equipment tray	285.00	285.00
WEI-004	1	Dual Weapons System with Dual Handcuff Locks	558.60	558.60
Misc.	2	U Bolt at bottom of Partition to secure ankle bracelets	2.50	5.00
CP-UV20-CARGO	1	Tilt Up Cargo Mount 2020-23 Ford PI Utility	760.00	760.00
AC-20-UV-TRAY	1	Troy 2020-23 Ford PI Utility electronics tray bolts to CP-UV20-CARGO	255.20	255.20
GP-IN2148	1	GPSD+/C29/C32/C23/CABLES KIT (Antenna for Cradle Point to Dock)	284.25	284.25
PDU-09SS	1	Power Distribution Unit provides single 30A output and up to 30 additional outputs divided into Battery (8), Ignition (5) and Timed (5) in Group 1 and (120 in Group 2. LED fuse indicators on outlets, Digital Display	351.12	351.12
PVIB2	1	Fuse Holder Bracket	12.30	12.30
46096	1	Power Fuse Module	15.00	15.00
MRCB100	1	100 Amp Resettable Relay	26.50	26.50
Misc.	1	Customer Supplied Dock	0.00	0.00
Misc.	1	Customer Supplied Remote Radio	0.00	0.00
Misc.	1	Customer Supplied Brother 800 Series Printer	0.00	0.00
Misc.	1	Customer Supplied Gtac Video System	0.00	0.00

Phone #	E-mail
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Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44205

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21409

Item	Quantity	Description	Rate	Amount
Misc.	1	Customer Supplied Cradle Point Modem	0.00	0.00
Misc.	1	Customer Supplied Bar Code Reader	0.00	0.00
Misc.	2	Customer Supplied Flashlights	0.00	0.00
Misc.	1	Customer Supplied MPH Radar	0.00	0.00
Transportation	1	Transport vehicle from Salt Lake to Coeur d'Alene	625.00	625.00
Install Kit	1	Installation Materials	228.00	228.00
Install Labor	38	Install Lightbar, Grill LEDs, Use Factory Headlight Flasher, Reverse and Brake Light Inserts, LED's rear Liftgate, Console w/accessories, Side Mount Computer Bracket for customer Supplied Dock for Getac Laptop, Partition Front and rear, Replacement BIO Seat and Center Pull Seat Belts, Dual weapon Mount, Cargo Mount with Electronic Equipment Tray add fan, bluePRINT System w/sync, Siren Speakers CUSTOMER SUPPLIED: Getac Doc, Radio, Brother Printer, Video System, Cradle Point Modem, Bar Code reader mounted on Monitor Bracket, Radar, Stinger Flashlight Charger Mounted on rear of console, MAGLIGHT Charger mounted on passenger side of console (vertical) . 2023 Ford PIU VIN# B58943	100.00	3,800.00

P21409 police equipment,
 installation and transport to CDA

001-009-4211-6502

K417

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total	\$18,164.23
Payments/Credits	\$0.00
Balance Due	\$18,164.23

All invoices more than 30 days past due will be charged a 1.5% interest charge per month from the dated date of invoice.



Invoice

Date	Invoice #
4/30/2024	44204

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P21412 police equipment,
 installation and transport to CDA

P.O. No.	Terms	Project
PD24-0024	Net 30	P21412

Item	Quantity	Description	Rate	Amount
ENNLB1254	1	ENNLB016EX-3T8 - QSF017723 nFORCE® NXT Lightbar w/Opticom Preemption LED Module 54"/137cm 9-32 VOLT NFORCE NXT LED LIGHTBAR W/ 15' LIN DSC TECHNOLOGY /D24/D12/D12/D12/PRE/D12/D12/D12/D24\ /R_W/R_W/R_W/R_W/PRE/B_W/B_W/B_W\ \B_W\ D06 --GRT- GRT --GRT--- --GRT--- O-GRT-- D06 R_W --CLR- CLR --CLR--- --CLR--- O-CLR-- B_W \D24\ D12 D12 D12 T18 D12 D12 D12 /D24/ \R_W\R_A R_A R_A RBA B_A B_A B_A B_W/ Domes - Polycarb [D]6[12]12[P] Accessories - PNFLBSPLT1, AUTO-DIM Mount - Standard Fixed Height Mount (PNFLBK08) Hook - PNFLBF32 Preemption - Coeur D Alene Police Dept., Coeur D Alene, Idaho Vehicle - 2023 Ford Police Interceptor Utility w/o Roof Rack	3,350.70	3,350.70
EMPS1STS3J	2	mPOWER 3" 8 LED Dual Color - Stud Mount Red/Blue - Grille	131.40	262.80
EMPS2QMS4J	2	mpower™ 4" Fascia Light w/ Quick Mount, 18" hard wire w/ sync option, SAE Class 1 & CA Title 13, 9-32 Vdc, Black Housing, 12 LED, Dual Color - Red/Blue - Rear Liftgate	147.00	294.00
PMP2WDG15B	2	15° Black Wedge for the 4 Inch Quick Mount Light	7.54	15.08
ELUC3H010D	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Red/White - Insert for driver side headlight	99.60	99.60

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due

Invoice



Date	Invoice #
4/30/2024	44204

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21412 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21412

Item	Quantity	Description	Rate	Amount
ELUC3H010E	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Blue/White - - Insert for passenger side headlight	99.60	99.60
ELUC3H010B	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Blue - Reverse Light Insert	99.60	199.20
ELUC3H010R	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Red - Brake Light Insert	99.60	199.20
ENGSA5200RSP	1	bluePRINT® 500 Series Remote Control System with Button Control, 10-16v - 200 watt dual-tone	1,137.60	1,137.60
ENGLMK008	1	bluePRINT Link® Micro Module and Vehicle Harness for Ford Transit 2020-2021, Ford Explorer / Police Interceptor Utility (PIU) 2016-2022, Ford F150 2017-2020 only, Ford F250-F550 2017-2021, Ford Escape 2020-2022	374.40	374.40
ENGND04102	1	bluePRINT 2nd Gen Remote Node with Magnetic ID	272.40	272.40
ENGHNK05	1	Remote Node Harness 2nd Gen	51.60	51.60
ENGSYMD01	1	bluePRINT Sync® Module, includes GPS Antenna, ECE R10 Certified	304.20	304.20
ETSS100J	2	100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt	233.40	466.80

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44204

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21412 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21412

Item	Quantity	Description	Rate	Amount
TM-5126AP-PIU...	1	On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV).. Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR UTILITY (2020)	567.03999	567.04
AP-5120-UNIV	1	Adaptor Plate for TM-5120 Series Dashboard Mount with VESA 75, VESA 100 & 2X4 Patterns	47.50	47.50
3/4" NMO Coax	1	new part # from Westin 500-0020	15.00	15.00
425-6508	1	Ford PI Utility (2020+) Integrated Pentax/Brother Contour Console - IPBCC	564.54	564.54
425-3704	1	Jotto ABS Dual Cup Holder Faceplate Mount (4")	49.13	49.13
425-6295	1	ETL 5000 and APX6500 Remote Head Bracket	0.00	0.00
425-6682	1	SoundOff Signal 500 Series (Remote) - 4" Faceplate	0.00	0.00
425-6050	1	1.5" Blank	0.00	0.00
425-6701	1	USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	89.77	89.77
425-3816	2	Magnetic Mic Clip - Single Pack	39.95	79.90
C-MCB	2	Mic Clip Bracket	13.30	26.60
10-VS-XL-C2	1	PK1185ITU20TM "#10XL C2 Horizontal Sliding Window Uncoated Polycarbonate With Slotted Polycarbonate Window Security Screen XL Panel Partition TM (Tall Man)"	823.20	823.20
Window Barrier	1	WK0595ITU20 "Window Barrier VS Polycarbonate"	287.20	287.20

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44204

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21412 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21412

Item	Quantity	Description	Rate	Amount
Prisoner Transpor...	1	QK0495ITU20 "Full COVER Transport Seat TPO Plastic With Center Pull Seat Belts *INCLUDES REQUIRED: -#12VS Stationary Window Vinyl Coated Expanded Metal Cargo Area Rear Partition *Seat Belt Retractors Pre-Installed to Save 30 Minutes of Install Time"	1,271.20	1,271.20
Misc.	1	Bargman Red Dome Light for the prisoner compartment - connect to switch #3 on steering wheel	10.00	10.00
Shipping/Freight	1	Shipping or Freight Charges for Front and Rear Partition, console, and equipment tray	285.00	285.00
WEI-004	1	Dual Weapons System with Dual Handcuff Locks	558.60	558.60
Misc.	2	U Bolt at bottom of Partition to secure ankle bracelets	2.50	5.00
CP-UV20-CARGO	1	Tilt Up Cargo Mount 2020-23 Ford PI Utility	760.00	760.00
AC-20-UV-TRAY	1	Troy 2020-23 Ford PI Utility electronics tray bolts to CP-UV20-CARGO	255.20	255.20
GP-IN2148	1	GPSD+/C29/C32/C23/CABLES KIT (Antenna for Cradle Point to Dock)	284.25	284.25
PDU-09SS	1	Power Distribution Unit provides single 30A output and up to 30 additional outputs divided into Battery (8), Ignition (5) and Timed (5) in Group 1 and (120 in Group 2. LED fuse indicators on outlets, Digital Display	351.12	351.12
PVIB2	1	Fuse Holder Bracket	12.30	12.30
46096	1	Power Fuse Module	15.00	15.00
MRCB100	1	100 Amp Resettable Relay	26.50	26.50
Misc.	1	Customer Supplied Dock	0.00	0.00
Misc.	1	Customer Supplied Remote Radio	0.00	0.00
Misc.	1	Customer Supplied Brother 800 Series Printer	0.00	0.00
Misc.	1	Customer Supplied Gtac Video System	0.00	0.00

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

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Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44204

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21412

Item	Quantity	Description	Rate	Amount
Misc.	1	Customer Supplied Cradle Point Modem	0.00	0.00
Misc.	1	Customer Supplied Bar Code Reader	0.00	0.00
Misc.	2	Customer Supplied Flashlights	0.00	0.00
Misc.	1	Customer Supplied MPH Radar	0.00	0.00
Transportation	1	Transport vehicle from Salt Lake to Coeur d'Alene	625.00	625.00
Install Kit	1	Installation Materials	228.00	228.00
Install Labor	38	Install Lightbar, Grill LEDs, Use Factory Headlight Flasher, Reverse and Brake Light Inserts, LED's rear Liftgate, Console w/accessories, Side Mount Computer Bracket for customer Supplied Dock for Getac Laptop, Partition Front and rear, Replacement BIO Seat and Center Pull Seat Belts, Dual weapon Mount, Cargo Mount with Electronic Equipment Tray add fan, bluePRINT System w/sync, Siren Speakers CUSTOMER SUPPLIED: Getac Doc, Radio, Brother Printer, Video System, Cradle Point Modem, Bar Code reader mounted on Monitor Bracket, Radar, Stinger Flashlight Charger Mounted on rear of console, MAGLIGHT Charger mounted on passenger side of console (vertical) . 2023 Ford PIU VIN# B59571	100.00	3,800.00

P21412 police equipment, installation and transport to CDA

001-009-4211-6502

K417

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total	\$18,164.23
Payments/Credits	\$0.00
Balance Due	\$18,164.23

All invoices more than 30 days past due will be charged a 1.5% interest charge per month from the dated date of invoice.

Invoice



Date	Invoice #
4/30/2024	44203

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21413 police equipment,
 installation and transport to CDA

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21413

Item	Quantity	Description	Rate	Amount
ENNLB1254	1	ENNLB016EX-3T8 - QSF017723 nFORCE® NXT Lightbar w/Opticom Preemption LED Module 54"/137cm 9-32 VOLT NFORCE NXT LED LIGHTBAR W/ 15' LIN DSC TECHNOLOGY /D24/D12 D12 D12 PRE D12 D12 D12\D24\ /R_W/ R_W R_W R_W PRE B_W B_W B_W\ \B_W\ D06 --GRT- GRT --GRT--- --GRT--- O-GRT-- D06 R_W --CLR- CLR --CLR--- --CLR--- O-CLR-- B_W \D24\ D12 D12 D12 T18 D12 D12 D12 /D24/ \R_W\R_A R_A R_A R_A RBA B_A B_A B_A B_W/ Domes - Polycarb [D]6 12 12 P Accessories - PNFLBSPLT1, AUTO-DIM Mount - Standard Fixed Height Mount (PNFLBK08) Hook - PNFLBF32 Preemption - Coeur D Alene Police Dept., Coeur D Alene, Idaho Vehicle - 2023 Ford Police Interceptor Utility w/o Roof Rack	3,350.70	3,350.70
EMPS1STS3J	2	mPOWER 3" 8 LED Dual Color - Stud Mount Red/Blue - Grille	131.40	262.80
EMPS2QMS4J	2	mpower™ 4" Fascia Light w/ Quick Mount, 18" hard wire w/ sync option, SAE Class 1 & CA Title 13, 9-32 Vdc, Black Housing, 12 LED, Dual Color - Red/Blue - Rear Liftgate	147.00	294.00
PMP2WDG15B	2	15° Black Wedge for the 4 Inch Quick Mount Light	7.54	15.08
ELUC3H010D	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Red/White - Insert for driver side headlight	99.60	99.60

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due

Invoice



Date	Invoice #
4/30/2024	44203

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21413 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21413

Item	Quantity	Description	Rate	Amount
ELUC3H010E	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Blue/White - - Insert for passenger side headlight	99.60	99.60
ELUC3H010B	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Blue - Reverse Light Insert	99.60	199.20
ELUC3H010R	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Red - Brake Light Insert	99.60	199.20
ENGSA5200RSP	1	bluePRINT® 500 Series Remote Control System with Button Control, 10-16v - 200 watt dual-tone	1,137.60	1,137.60
ENGLMK008	1	bluePRINT Link® Micro Module and Vehicle Harness for Ford Transit 2020-2021, Ford Explorer / Police Interceptor Utility (PIU) 2016-2022, Ford F150 2017-2020 only, Ford F250-F550 2017-2021, Ford Escape 2020-2022	374.40	374.40
ENGND04102	1	bluePRINT 2nd Gen Remote Node with Magnetic ID	272.40	272.40
ENGHNK05	1	Remote Node Harness 2nd Gen	51.60	51.60
ENGSYMD01	1	bluePRINT Sync® Module, includes GPS Antenna, ECE R10 Certified	304.20	304.20
ETSS100J	2	100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt	233.40	466.80

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due

Invoice



Date	Invoice #
4/30/2024	44203

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21413 police equipment,
 installation and transport to CDA

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21413

Item	Quantity	Description	Rate	Amount
TM-5126AP-PIU...	1	On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV).. Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR UTILITY (2020)	567.03999	567.04
AP-5120-UNIV	1	Adaptor Plate for TM-5120 Series Dashboard Mount with VESA 75, VESA 100 & 2X4 Patterns	47.50	47.50
3/4" NMO Coax	1	new part # from Westin 500-0020	15.00	15.00
425-6508	1	Ford PI Utility (2020+) Integrated Pentax/Brother Contour Console - IPBCC	564.54	564.54
425-3704	1	Jotto ABS Dual Cup Holder Faceplate Mount (4")	49.13	49.13
425-6295	1	ETL 5000 and APX6500 Remote Head Bracket	0.00	0.00
425-6682	1	SoundOff Signal 500 Series (Remote) - 4" Faceplate	0.00	0.00
425-6050	1	1.5" Blank	0.00	0.00
425-6701	1	USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	89.77	89.77
425-3816	2	Magnetic Mic Clip - Single Pack	39.95	79.90
C-MCB	2	Mic Clip Bracket	13.30	26.60
10-VS-XL-C2	1	PK1185ITU20TM "#10XL C2 Horizontal Sliding Window Uncoated Polycarbonate With Slotted Polycarbonate Window Security Screen XL Panel Partition TM (Tall Man)"	823.20	823.20
Window Barrier	1	WK0595ITU20 "Window Barrier VS Polycarbonate"	287.20	287.20

Phone #	E-mail
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Total
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Balance Due



Invoice

Date	Invoice #
4/30/2024	44203

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21413 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21413

Item	Quantity	Description	Rate	Amount
Prisoner Transpor...	1	QK0495ITU20 "Full COVER Transport Seat TPO Plastic With Center Pull Seat Belts *INCLUDES REQUIRED: -#12VS Stationary Window Vinyl Coated Expanded Metal Cargo Area Rear Partition *Seat Belt Retractors Pre-Installed to Save 30 Minutes of Install Time"	1,271.20	1,271.20
Misc.	1	Bargman Red Dome Light for the prisoner compartment - connect to switch #3 on steering wheel	10.00	10.00
Shipping/Freight	1	Shipping or Freight Charges for Front and Rear Partition, console, and equipment tray	285.00	285.00
WEI-004	1	Dual Weapons System with Dual Handcuff Locks	558.60	558.60
Misc.	2	U Bolt at bottom of Partition to secure ankle bracelets	2.50	5.00
CP-UV20-CARGO	1	Tilt Up Cargo Mount 2020-23 Ford PI Utility	760.00	760.00
AC-20-UV-TRAY	1	Troy 2020-23 Ford PI Utility electronics tray bolts to CP-UV20-CARGO	255.20	255.20
GP-IN2148	1	GPSD+/C29/C32/C23/CABLES KIT (Antenna for Cradle Point to Dock)	284.25	284.25
PDU-09SS	1	Power Distribution Unit provides single 30A output and up to 30 additional outputs divided into Battery (8), Ignition (5) and Timed (5) in Group 1 and (120 in Group 2. LED fuse indicators on outlets, Digital Display	351.12	351.12
PVIB2	1	Fuse Holder Bracket	12.30	12.30
46096	1	Power Fuse Module	15.00	15.00
MRCB100	1	100 Amp Resettable Relay	26.50	26.50
Misc.	1	Customer Supplied Dock	0.00	0.00
Misc.	1	Customer Supplied Remote Radio	0.00	0.00
Misc.	1	Customer Supplied Brother 800 Series Printer	0.00	0.00
Misc.	1	Customer Supplied Gtac Video System	0.00	0.00

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Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44203

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21413

Item	Quantity	Description	Rate	Amount
Misc.	1	Customer Supplied Cradle Point Modem	0.00	0.00
Misc.	1	Customer Supplied Bar Code Reader	0.00	0.00
Misc.	2	Customer Supplied Flashlights	0.00	0.00
Misc.	1	Customer Supplied MPH Radar	0.00	0.00
Transportation	1	Transport vehicle from Salt Lake to Coeur d'Alene	625.00	625.00
Install Kit	1	Installation Materials	228.00	228.00
Install Labor	38	Install Lightbar, Grill LEDs, Use Factory Headlight Flasher, Reverse and Brake Light Inserts, LED's rear Liftgate, Console w/accessories, Side Mount Computer Bracket for customer Supplied Dock for Getac Laptop, Partition Front and rear, Replacement BIO Seat and Center Pull Seat Belts, Dual weapon Mount, Cargo Mount with Electronic Equipment Tray add fan, bluePRINT System w/sync, Siren Speakers CUSTOMER SUPPLIED: Getac Doc, Radio, Brother Printer, Video System, Cradle Point Modem, Bar Code reader mounted on Monitor Bracket, Radar, Stinger Flashlight Charger Mounted on rear of console, MAGLIGHT Charger mounted on passenger side of console (vertical) . 2023 Ford PIU VIN# A80323	100.00	3,800.00

P21413 police equipment, installation and transport to CDA

001-009-4211-6502

K417

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total	\$18,164.23
Payments/Credits	\$0.00
Balance Due	\$18,164.23

All invoices more than 30 days past due will be charged a 1.5% interest charge per month from the dated date of invoice.



Invoice

Date	Invoice #
4/30/2024	44208

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P21414 police equipment,
 installation and transport to CDA

P.O. No.	Terms	Project
PD24-0024	Net 30	P21414

Item	Quantity	Description	Rate	Amount
ENNLB1254	1	ENNLB016EX-3T8 - QSF017723 nFORCE® NXT Lightbar w/Opticom Preemption LED Module 54"/137cm 9-32 VOLT NFORCE NXT LED LIGHTBAR W/ 15' LIN DSC TECHNOLOGY /D24/D12/D12/D12/PRE/D12/D12/D12/D24\ /R_W/R_W/R_W/R_W/PRE/B_W/B_W/B_W\ \B_W\ D06 --GRT- GRT --GRT--- --GRT--- O-GRT-- D06 R_W --CLR- CLR --CLR--- --CLR--- O-CLR-- B_W \D24\ D12 D12 D12 T18 D12 D12 D12\ /D24/ \R_W\R_A R_A R_A RBA B_A B_A B_A B_W/ Domes - Polycarb [D]6[12 12 P] Accessories - PNFLBSPLT1, AUTO-DIM Mount - Standard Fixed Height Mount (PNFLBK08) Hook - PNFLBF32 Preemption - Coeur D Alene Police Dept., Coeur D Alene, Idaho Vehicle - 2023 Ford Police Interceptor Utility w/o Roof Rack	3,350.70	3,350.70
EMPS1STS3J	2	mPOWER 3" 8 LED Dual Color - Stud Mount Red/Blue - Grille	131.40	262.80
EMPS2QMS4J	2	mpower™ 4" Fascia Light w/ Quick Mount, 18" hard wire w/ sync option, SAE Class 1 & CA Title 13, 9-32 Vdc, Black Housing, 12 LED, Dual Color - Red/Blue - Rear Liftgate	147.00	294.00
PMP2WDG15B	2	15° Black Wedge for the 4 Inch Quick Mount Light	7.54	15.08
ELUC3H010D	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Red/White - Insert for driver side headlight	99.60	99.60

Phone #	E-mail
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Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44208

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21414

Item	Quantity	Description	Rate	Amount
ELUC3H010E	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Blue/White - - Insert for passenger side headlight	99.60	99.60
ELUC3H010B	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Blue - Reverse Light Insert	99.60	199.20
ELUC3H010R	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Red - Brake Light Insert	99.60	199.20
ENGSA5200RSP	1	bluePRINT® 500 Series Remote Control System with Button Control, 10-16v - 200 watt dual-tone	1,137.60	1,137.60
ENGLMK008	1	bluePRINT Link® Micro Module and Vehicle Harness for Ford Transit 2020-2021, Ford Explorer / Police Interceptor Utility (PIU) 2016-2022, Ford F150 2017-2020 only, Ford F250-F550 2017-2021, Ford Escape 2020-2022	374.40	374.40
ENGND04102	1	bluePRINT 2nd Gen Remote Node with Magnetic ID	272.40	272.40
ENGHNK05	1	Remote Node Harness 2nd Gen	51.60	51.60
ENGSYMD01	1	bluePRINT Sync® Module, includes GPS Antenna, ECE R10 Certified	304.20	304.20
ETSS100J	2	100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt	233.40	466.80
<div style="border: 1px solid red; padding: 5px; display: inline-block; color: red;"> P21414 police equipment, installation and transport to CDA </div>				

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44208

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21414 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21414

Item	Quantity	Description	Rate	Amount
TM-5126AP-PIU...	1	On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV).. Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR UTILITY (2020)	567.03999	567.04
AP-5120-UNIV	1	Adaptor Plate for TM-5120 Series Dashboard Mount with VESA 75, VESA 100 & 2X4 Patterns	47.50	47.50
3/4" NMO Coax	1	new part # from Westin 500-0020	15.00	15.00
425-6508	1	Ford PI Utility (2020+) Integrated Pentax/Brother Contour Console - IPBCC	564.54	564.54
425-3704	1	Jotto ABS Dual Cup Holder Faceplate Mount (4")	49.13	49.13
425-6295	1	ETL 5000 and APX6500 Remote Head Bracket	0.00	0.00
425-6682	1	SoundOff Signal 500 Series (Remote) - 4" Faceplate	0.00	0.00
425-6050	1	1.5" Blank	0.00	0.00
425-6701	1	USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	89.77	89.77
425-3816	2	Magnetic Mic Clip - Single Pack	39.95	79.90
C-MCB	2	Mic Clip Bracket	13.30	26.60
10-VS-XL-C2	1	PK1185ITU20TM "#10XL C2 Horizontal Sliding Window Uncoated Polycarbonate With Slotted Polycarbonate Window Security Screen XL Panel Partition TM (Tall Man)"	823.20	823.20
Window Barrier	1	WK0595ITU20 "Window Barrier VS Polycarbonate"	287.20	287.20

Phone #	E-mail
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Total
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Balance Due

Invoice



Date	Invoice #
4/30/2024	44208

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21414 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21414

Item	Quantity	Description	Rate	Amount
Prisoner Transpor...	1	QK0495ITU20 "Full COVER Transport Seat TPO Plastic With Center Pull Seat Belts *INCLUDES REQUIRED: -#12VS Stationary Window Vinyl Coated Expanded Metal Cargo Area Rear Partition *Seat Belt Retractors Pre-Installed to Save 30 Minutes of Install Time"	1,271.20	1,271.20
Misc.	1	Bargman Red Dome Light for the prisoner compartment - connect to switch #3 on steering wheel	10.00	10.00
Shipping/Freight	1	Shipping or Freight Charges for Front and Rear Partition, console, and equipment tray	285.00	285.00
WEI-004	1	Dual Weapons System with Dual Handcuff Locks	558.60	558.60
Misc.	2	U Bolt at bottom of Partition to secure ankle bracelets	2.50	5.00
CP-UV20-CARGO	1	Tilt Up Cargo Mount 2020-23 Ford PI Utility	760.00	760.00
AC-20-UV-TRAY	1	Troy 2020-23 Ford PI Utility electronics tray bolts to CP-UV20-CARGO	255.20	255.20
GP-IN2148	1	GPSD+/C29/C32/C23/CABLES KIT (Antenna for Cradle Point to Dock)	284.25	284.25
PDU-09SS	1	Power Distribution Unit provides single 30A output and up to 30 additional outputs divided into Battery (8), Ignition (5) and Timed (5) in Group 1 and (120 in Group 2. LED fuse indicators on outlets, Digital Display	351.12	351.12
PVIB2	1	Fuse Holder Bracket	12.30	12.30
46096	1	Power Fuse Module	15.00	15.00
MRCB100	1	100 Amp Resettable Relay	26.50	26.50
Misc.	1	Customer Supplied Dock	0.00	0.00
Misc.	1	Customer Supplied Remote Radio	0.00	0.00
Misc.	1	Customer Supplied Brother 800 Series Printer	0.00	0.00
Misc.	1	Customer Supplied Gtac Video System	0.00	0.00

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801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44208

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21414

Item	Quantity	Description	Rate	Amount
Misc.	1	Customer Supplied Cradle Point Modem	0.00	0.00
Misc.	1	Customer Supplied Bar Code Reader	0.00	0.00
Misc.	2	Customer Supplied Flashlights	0.00	0.00
Misc.	1	Customer Supplied MPH Radar	0.00	0.00
Transportation	1	Transport vehicle from Salt Lake to Coeur d'Alene	625.00	625.00
Install Kit	1	Installation Materials	228.00	228.00
Install Labor	38	Install Lightbar, Grill LEDs, Use Factory Headlight Flasher, Reverse and Brake Light Inserts, LED's rear Liftgate, Console w/accessories, Side Mount Computer Bracket for customer Supplied Dock for Getac Laptop, Partition Front and rear, Replacement BIO Seat and Center Pull Seat Belts, Dual weapon Mount, Cargo Mount with Electronic Equipment Tray add fan, bluePRINT System w/sync, Siren Speakers CUSTOMER SUPPLIED: Getac Doc, Radio, Brother Printer, Video System, Cradle Point Modem, Bar Code reader mounted on Monitor Bracket, Radar, Stinger Flashlight Charger Mounted on rear of console, MAGLIGHT Charger mounted on passenger side of console (vertical) . 2023 Ford PIU VIN# B59546	100.00	3,800.00

P21414 police equipment, installation and transport to CDA

001-009-4211-6502

K417

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total	\$18,164.23
Payments/Credits	\$0.00
Balance Due	\$18,164.23

All invoices more than 30 days past due will be charged a 1.5% interest charge per month from the dated date of invoice.



Invoice

Date	Invoice #
4/30/2024	44206

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P21415 police equipment,
 installation and transport to CDA

P.O. No.	Terms	Project
PD24-0024	Net 30	P21415

Item	Quantity	Description	Rate	Amount
ENNLB1254	1	ENNLB016EX-3T8 - QSF017723 nFORCE® NXT Lightbar w/Opticom Preemption LED Module 54"/137cm 9-32 VOLT NFORCE NXT LED LIGHTBAR W/ 15' LIN DSC TECHNOLOGY /D24/D12/D12/D12/PRE/D12/D12/D12/D24\ /R_W/R_W/R_W/R_W/PRE/B_W/B_W/B_W\ \B_W\ D06 --GRT- GRT --GRT--- --GRT--- O-GRT-- D06 R_W --CLR- CLR --CLR--- --CLR--- O-CLR-- B_W \D24\ D12 D12 D12 T18 D12 D12 D12\ /D24/ \R_W\R_A R_A R_A RBA B_A B_A B_A B_W/ Domes - Polycarb [D]6[12 12 P] Accessories - PNFLBSPLT1, AUTO-DIM Mount - Standard Fixed Height Mount (PNFLBK08) Hook - PNFLBF32 Preemption - Coeur D Alene Police Dept., Coeur D Alene, Idaho Vehicle - 2023 Ford Police Interceptor Utility w/o Roof Rack	3,350.70	3,350.70
EMPS1STS3J	2	mPOWER 3" 8 LED Dual Color - Stud Mount Red/Blue - Grille	131.40	262.80
EMPS2QMS4J	2	mpower™ 4" Fascia Light w/ Quick Mount, 18" hard wire w/ sync option, SAE Class 1 & CA Title 13, 9-32 Vdc, Black Housing, 12 LED, Dual Color - Red/Blue - Rear Liftgate	147.00	294.00
PMP2WDG15B	2	15° Black Wedge for the 4 Inch Quick Mount Light	7.54	15.08
ELUC3H010D	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Red/White - Insert for driver side headlight	99.60	99.60

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44206

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21415

Item	Quantity	Description	Rate	Amount
ELUC3H010E	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Blue/White - - Insert for passenger side headlight	99.60	99.60
ELUC3H010B	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Blue - Reverse Light Insert	99.60	199.20
ELUC3H010R	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Red - Brake Light Insert	99.60	199.20
ENGSA5200RSP	1	bluePRINT® 500 Series Remote Control System with Button Control, 10-16v - 200 watt dual-tone	1,137.60	1,137.60
ENGLMK008	1	bluePRINT Link® Micro Module and Vehicle Harness for Ford Transit 2020-2021, Ford Explorer / Police Interceptor Utility (PIU) 2016-2022, Ford F150 2017-2020 only, Ford F250-F550 2017-2021, Ford Escape 2020-2022	374.40	374.40
ENGND04102	1	bluePRINT 2nd Gen Remote Node with Magnetic ID	272.40	272.40
ENGHNK05	1	Remote Node Harness 2nd Gen	51.60	51.60
ENGSYMD01	1	bluePRINT Sync® Module, includes GPS Antenna, ECE R10 Certified	304.20	304.20
ETSS100J	2	100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt	233.40	466.80

P21415 police equipment,
 installation and transport to CDA

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
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Invoice



Date	Invoice #
4/30/2024	44206

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21415 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21415

Item	Quantity	Description	Rate	Amount
TM-5126AP-PIU...	1	On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV).. Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR UTILITY (2020)	567.03999	567.04
AP-5120-UNIV	1	Adaptor Plate for TM-5120 Series Dashboard Mount with VESA 75, VESA 100 & 2X4 Patterns	47.50	47.50
3/4" NMO Coax	1	new part # from Westin 500-0020	15.00	15.00
425-6508	1	Ford PI Utility (2020+) Integrated Pentax/Brother Contour Console - IPBCC	564.54	564.54
425-3704	1	Jotto ABS Dual Cup Holder Faceplate Mount (4")	49.13	49.13
425-6295	1	ETL 5000 and APX6500 Remote Head Bracket	0.00	0.00
425-6682	1	SoundOff Signal 500 Series (Remote) - 4" Faceplate	0.00	0.00
425-6050	1	1.5" Blank	0.00	0.00
425-6701	1	USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	89.77	89.77
425-3816	2	Magnetic Mic Clip - Single Pack	39.95	79.90
C-MCB	2	Mic Clip Bracket	13.30	26.60
10-VS-XL-C2	1	PK1185ITU20TM "#10XL C2 Horizontal Sliding Window Uncoated Polycarbonate With Slotted Polycarbonate Window Security Screen XL Panel Partition TM (Tall Man)"	823.20	823.20
Window Barrier	1	WK0595ITU20 "Window Barrier VS Polycarbonate"	287.20	287.20

Phone #	E-mail
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Date	Invoice #
4/30/2024	44206

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21415 police equipment,
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Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21415

Item	Quantity	Description	Rate	Amount
Prisoner Transpor...	1	QK0495ITU20 "Full COVER Transport Seat TPO Plastic With Center Pull Seat Belts *INCLUDES REQUIRED: -#12VS Stationary Window Vinyl Coated Expanded Metal Cargo Area Rear Partition *Seat Belt Retractors Pre-Installed to Save 30 Minutes of Install Time"	1,271.20	1,271.20
Misc.	1	Bargman Red Dome Light for the prisoner compartment - connect to switch #3 on steering wheel	10.00	10.00
Shipping/Freight	1	Shipping or Freight Charges for Front and Rear Partition, console, and equipment tray	285.00	285.00
WEI-004	1	Dual Weapons System with Dual Handcuff Locks	558.60	558.60
Misc.	2	U Bolt at bottom of Partition to secure ankle bracelets	2.50	5.00
CP-UV20-CARGO	1	Tilt Up Cargo Mount 2020-23 Ford PI Utility	760.00	760.00
AC-20-UV-TRAY	1	Troy 2020-23 Ford PI Utility electronics tray bolts to CP-UV20-CARGO	255.20	255.20
GP-IN2148	1	GPSD+/C29/C32/C23/CABLES KIT (Antenna for Cradle Point to Dock)	284.25	284.25
PDU-09SS	1	Power Distribution Unit provides single 30A output and up to 30 additional outputs divided into Battery (8), Ignition (5) and Timed (5) in Group 1 and (120 in Group 2. LED fuse indicators on outlets, Digital Display	351.12	351.12
PVIB2	1	Fuse Holder Bracket	12.30	12.30
46096	1	Power Fuse Module	15.00	15.00
MRCB100	1	100 Amp Resettable Relay	26.50	26.50
Misc.	1	Customer Supplied Dock	0.00	0.00
Misc.	1	Customer Supplied Remote Radio	0.00	0.00
Misc.	1	Customer Supplied Brother 800 Series Printer	0.00	0.00
Misc.	1	Customer Supplied Gtac Video System	0.00	0.00

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
4/30/2024	44206

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21415

Item	Quantity	Description	Rate	Amount
Misc.	1	Customer Supplied Cradle Point Modem	0.00	0.00
Misc.	1	Customer Supplied Bar Code Reader	0.00	0.00
Misc.	2	Customer Supplied Flashlights	0.00	0.00
Misc.	1	Customer Supplied MPH Radar	0.00	0.00
Transportation	1	Transport vehicle from Salt Lake to Coeur d'Alene	625.00	625.00
Install Kit	1	Installation Materials	228.00	228.00
Install Labor	38	Install Lightbar, Grill LEDs, Use Factory Headlight Flasher, Reverse and Brake Light Inserts, LED's rear Liftgate, Console w/accessories, Side Mount Computer Bracket for customer Supplied Dock for Getac Laptop, Partition Front and rear, Replacement BIO Seat and Center Pull Seat Belts, Dual weapon Mount, Cargo Mount with Electronic Equipment Tray add fan, bluePRINT System w/sync, Siren Speakers CUSTOMER SUPPLIED: Getac Doc, Radio, Brother Printer, Video System, Cradle Point Modem, Bar Code reader mounted on Monitor Bracket, Radar, Stinger Flashlight Charger Mounted on rear of console, MAGLIGHT Charger mounted on passenger side of console (vertical) . 2023 Ford PIU VIN# A80099	100.00	3,800.00

P21415 police equipment, installation and transport to CDA

001-009-4211-6502

K417

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total	\$18,164.23
Payments/Credits	\$0.00
Balance Due	\$18,164.23

All invoices more than 30 days past due will be charged a 1.5% interest charge per month from the dated date of invoice.



Invoice

Date	Invoice #
5/9/2024	44302

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21410 police equipment,
 installation and transport to CDA

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21410

Item	Quantity	Description	Rate	Amount
ENNLB1254	1	ENNLB016EX-3T8 - QSF017723 nFORCE® NXT Lightbar w/Opticom Preemption LED Module 54"/137cm 9-32 VOLT NFORCE NXT LED LIGHTBAR W/ 15' LIN DSC TECHNOLOGY /D24/D12/D12/D12/PRE/D12/D12/D12/D24\ /R_W/R_W/R_W/R_W/PRE/B_W/B_W/B_W\ \B_W\ D06 --GRT-- GRT --GRT--- --GRT--- O-GRT-- D06 R_W --CLR-- CLR --CLR--- --CLR--- O-CLR-- B_W \D24\ D12 D12 D12 T18 D12 D12 D12 /D24/ \R_W\R_A\R_A R_A RBA B_A B_A B_A/B_W/ Domes - Polycarb [D]6 12 12 P] Accessories - PNFLBSPLT1, AUTO-DIM Mount - Standard Fixed Height Mount (PNFLBK08) Hook - PNFLBF32 Preemption - Coeur D Alene Police Dept., Coeur D Alene, Idaho Vehicle - 2023 Ford Police Interceptor Utility w/o Roof Rack	3,350.70	3,350.70
EMPS1STS3J	2	mPOWER 3" 8 LED Dual Color - Stud Mount Red/Blue - Grille	131.40	262.80
EMPS2QMS4J	2	mpower™ 4" Fascia Light w/ Quick Mount, 18" hard wire w/ sync option, SAE Class 1 & CA Title 13, 9-32 Vdc, Black Housing, 12 LED, Dual Color - Red/Blue - Rear Liftgate	147.00	294.00
PMP2WDG15B	2	15° Black Wedge for the 4 Inch Quick Mount Light	7.54	15.08

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
5/9/2024	44302

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21410 police equipment,
 installation and transport to CDA

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21410

Item	Quantity	Description	Rate	Amount
ELUC3H010D	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Red/White - Insert for driver side headlight	99.60	99.60
ELUC3H010E	1	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Dual Color Blue/White - - Insert for passenger side headlight	99.60	99.60
ELUC3H010B	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Blue - Reverse Light Insert	99.60	199.20
ELUC3H010R	2	Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flasher – Single Color Red - Brake Light Insert	99.60	199.20
ENGSA5200RSP	1	bluePRINT® 500 Series Remote Control System with Button Control, 10-16v - 200 watt dual-tone	1,137.60	1,137.60
ENGLMK008	1	bluePRINT Link® Micro Module and Vehicle Harness for Ford Transit 2020-2021, Ford Explorer / Police Interceptor Utility (PIU) 2016-2022, Ford F150 2017-2020 only, Ford F250-F550 2017-2021, Ford Escape 2020-2022	374.40	374.40
ENGND04102	1	bluePRINT 2nd Gen Remote Node with Magnetic ID	272.40	272.40
ENGHNK05	1	Remote Node Harness 2nd Gen	51.60	51.60
ENGSYMD01	1	bluePRINT Sync® Module, includes GPS Antenna, ECE R10 Certified	304.20	304.20
ETSS100J	2	100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt	233.40	466.80

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due

Invoice



Date	Invoice #
5/9/2024	44302

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21410 police equipment,
 installation and transport to CDA

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21410

Item	Quantity	Description	Rate	Amount
TM-5126AP-PIU...	1	On-Dash Tablet and Keyboard Mount. Tablet Mount with Single Arm, Double Pivot, and G.R.I.P. Tilt/Swivel with Adaptor Plate with VESA 75, VESA 100 & 2X4 Patterns (AP-5120-UNIV).. Keyboard Mount with 10" Telescopic Post and Double Arm with Triple Pivot, G.R.I.P. Tilt/Swivel with Adjustable Tray for 12" Keyboard for Ford POLICE INTERCEPTOR UTILITY (2020)	567.03999	567.04
AP-5120-UNIV	1	Adaptor Plate for TM-5120 Series Dashboard Mount with VESA 75, VESA 100 & 2X4 Patterns	47.50	47.50
3/4" NMO Coax	1	3/4" NMO Coax -- 17'	15.00	15.00
425-6508	1	Ford PI Utility (2020+) Integrated Pentax/Brother Contour Console - IPBCC	564.54	564.54
425-3704	1	Jotto ABS Dual Cup Holder Faceplate Mount (4")	49.13	49.13
425-6295	1	ETL 5000 and APX6500 Remote Head Bracket	0.00	0.00
425-6682	1	SoundOff Signal 500 Series (Remote) - 4" Faceplate	0.00	0.00
425-6050	1	1.5" Blank	0.00	0.00
425-6701	1	USB-A/USB-C and 12V Power Outlets x2 in 2" Faceplate	89.77	89.77
425-3816	2	Magnetic Mic Clip - Single Pack	39.95	79.90
C-MCB	2	Mic Clip Bracket	13.30	26.60
CK2393ITU20	1	Setina "K9 Full Containment Insert Occupies Full Back Seat *INCLUDED: -Front Sliding Door Partition -Rear Partition -Door Panels -Window Barriers"	2,582.18	2,582.18
Shipping/Freight	1	Shipping or Freight Charges for K-9	385.00	385.00
F3	1	Tactical K9 Deployment & Heat Alert System w/Pager	1,275.70	1,275.70

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due

Invoice



Date	Invoice #
5/9/2024	44302

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

P21410 police equipment,
 installation and transport to CDA

Bill To
Coeur d'Alene Police Department 3818 Schreiber Way Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21410

Item	Quantity	Description	Rate	Amount
MD10	1	High-Power Heavy-Duty Fan That Will Mount to Any Kennel or Crate Kennel Fan will help keep your K9 cool when transporting or temporarily leaving in vehicle unattended. Can be used in combination with the Ray Allen F-Series Heat Alert Systems	71.71	71.71
TK0241ITU20	1	Setina "CARGO BOX DSC- Drawer, Sliding With Combination Lock BSN- Base Sliding With No Lock"	1,439.20	1,439.20
TPA9289	1	Setina Cargo Radio Tray with no lock TRN (Equipment Tray)	311.99	311.99
EML6E20RB	2	ML6 LED Flush Mount Light, SAE J595 Class 2 & ECE 410.05 Certified, 10-30 volts, 10" cable - Steady Burn Red - One on each side of Kennel program to come on when doors are open and off when closed	51.04	102.08
Shipping/Freight	1	Shipping or Freight Charges for Front and Rear Partition, console, and equipment tray	285.00	285.00
WEI-003	1	Single Weapon System with Single Handcuff Lock	389.20	389.20
GP-IN2148	1	GPSD+/C29/C32/C23/CABLES KIT (Antenna for Cradle Point to Dock)	284.25	284.25
PDU-09SS	1	Power Distribution Unit provides single 30A output and up to 30 additional outputs divided into Battery (8), Ignition (5) and Timed (5) in Group 1 and (120 in Group 2. LED fuse indicators on outlets, Digital Display	351.12	351.12
PVIB2	1	Fuse Holder Bracket	12.30	12.30
46096	1	Power Fuse Module	15.00	15.00
Misc.	1	Electronics Fan for Equipment Tray	25.00	25.00
Misc.	1	Customer Supplied Dock	0.00	0.00
Misc.	1	Customer Supplied Remote Radio	0.00	0.00
Misc.	1	Customer Supplied Brother 800 Series Printer	0.00	0.00
Misc.	1	Customer Supplied Gtac Video System	0.00	0.00
Misc.	1	Customer Supplied Cradle Point Modem	0.00	0.00

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total
Payments/Credits
Balance Due



Invoice

Date	Invoice #
5/9/2024	44302

Premier Vehicle Installation, Inc
 3037 S 300 W
 South Salt Lake, UT 84115

Bill To

Coeur d'Alene Police Department
 3818 Schreiber Way
 Coeur d'Alene, ID 83815-8362

P.O. No.	Terms	Project
PD24-0024	Net 30	P21410

Item	Quantity	Description	Rate	Amount
Misc.	1	Customer Supplied Bar Code Reader	0.00	0.00
Misc.	2	Customer Supplied Flashlights	0.00	0.00
Shipping/Freight	1	Transport vehicle from Salt Lake to Coeur d'Alene - Estimated (transport charges change daily)	625.00	625.00
Install Kit	1	Installation Materials	228.00	228.00
Install Labor	46	Install Lightbar, Grill LEDs, Use Factory Headlight Flasher, Reverse and Brake Light Inserts, LED's rear Liftgate, Console w/accessories, Side Mount Computer Bracket for customer Supplied Dock for Getac Laptop, K-9 Compartment, K-9 Electronics, K-9 Fan, Weapon Mount, Cargo Box w/Electronic Equipment Tray add fan, bluePRINT System w/sync, Siren Speakers, R/H Spotlight	100.00	4,600.00
		CUSTOMER SUPPLIED: Getac Doc, Radio, Brother Printer, Video System, Cradle Point Modem, Bar Code reader mounted on Monitor Bracket, Stinger Flashlight Charger Mounted on rear of console, MAGLIGHT Charger mounted on passenger side of console (vertical) .		
		2023 Ford PIU K-9 VIN# B59499		

P21410 police equipment, installation and transport to CDA

001-009-4211-6502

K417

Phone #	E-mail
801 - 478-3062	clint@premiervehicle.com

Total	\$21,549.39
Payments/Credits	\$0.00
Balance Due	\$21,549.39

All invoices more than 30 days past due will be charged a 1.5% interest charge per month from the dated date of invoice.

**CITY COUNCIL
STAFF REPORT**

DATE: MAY 21, 2024
FROM: RANDY ADAMS, CITY ATTORNEY, AND HILARY PATTERSON,
COMMUNITY PLANNING DIRECTOR
SUBJECT: O-1-24 APPEAL HEARING PROCEDURES AMENDMENT

=====

DECISION POINT: Should Council approve amendments to Municipal Code § 17.09.340 to allow public testimony at an appeal hearing regarding a decision of the Design Review Commission?

HISTORY: At its April 16, 2024, meeting, Council requested an amendment to M.C. § 17.09.340 to allow testimony from the public in an appeal hearing of a Design Review Commission decision. Currently, the Code limits participation in the appeal hearing to the appellant and applicant, and their representatives, and City Staff. Because M.C. § 17.09.340 falls within the Zoning Ordinance, the Planning and Zoning Commission (the “Commission”) is required to consider an amendment and make a recommendation to Council. *See* Idaho Code § 67-6511(2)(b).

Following the Council meeting, the City Attorney drafted a Code amendment for consideration. The Commission held a public hearing on the requested Code amendment on May 14, 2024. Some Commissioners had concerns that changing the procedures would make the process less consistent with other appeal hearings and procedures outlined in the Municipal Code. Some Commissioners were also concerned that the change in the appeal procedure was unfair and should not apply to pending appeals, including the Woodard appeal. The City Attorney informed the Commission that the law permitted procedural changes in a pending appeal, citing *State v. Lovelace*, 140 Idaho 53 (2003) (citing the U.S. Supreme Court which has held that a statutory change that was “clearly procedural” does not affect substantive rights and can be applied to pending matters). The Commissioners discussed some of the concerns they and Council hear frequently about development impacts and questioned whether the issue was more about the development standards and what is allowed by right, and not about who could testify in an appeal hearing. Members of the public who testified said they supported having public input, but also questioned whether the issue was with the uses allowed by right and if the Code was overdue for an amendment. One citizen also said he felt that decisions should be made at the lowest level of government. After hearing testimony and closing the public hearing, the Commission voted on three motions, rejecting each, before finally achieving a majority vote to make a recommendation. Commissioner Ingalls was absent.

The first failed motion was to recommend approval of the amendments, but to substitute language from M.C. §17.09.715(b) for administrative appeals so the process would mirror an appeal of a Commission decision and allow the Council to determine who could testify in an appeal hearing on a case-by-case basis, and also to recommend that the amendments to the appeal hearing procedures not apply to any pending appeals. The second failed motion was to approve of the amendments as presented by the City Attorney. The third failed motion was to recommend no changes to the Code. The fourth motion, which passed, was to recommend approval of the amendments as presented, but to not have them apply to any pending appeals.

PERFORMANCE ANALYSIS: M.C. §17.09.340 currently limits participation in an appeal of a design review decision to the appellant and applicant, and their representatives, and City Staff. The public is not currently allowed to testify in the appeal hearing. Of course, the public is allowed to testify at the Design Review Commission hearing and did so in this case. Municipal Code § 13.40.100, Rathdrum Prairie Aquifer, allows for public testimony as part of an appeal hearing, and M.C. § 1.11.010 at least implies that the public is allowed to testify at any public hearing.

Council should act upon the recommendation. Council may adopt the recommendation, may decide to leave the Code as is, or may modify the amendments as it deems appropriate. Once the amended ordinance goes into effect, public testimony will be allowed in all appeal hearings on Design Review Commission decisions. Council should determine whether the amendments will apply to pending appeals or only future appeals.

FINANCIAL ANALYSIS: There is no financial impact associated with this request.

DECISION POINT/RECOMMENDATION: The City Council should approve amendments to the Zoning Ordinance regarding public testimony at an appeal hearing from a decision of the Design Review Commission.

PUBLIC HEARING: *ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

3. Applicant: City of Coeur d'Alene
Request: Amendments to the Coeur d'Alene Municipal Code § 17.09.340 allowing for members of the public to testify during an appeal hearing of a decision of the Design Review Commission (ITEM 0-1-24).

Presented by: Hilary Patterson, Community Planning Director

Ms. Patterson, Community Planning Director, provided the following statements:

The Planning and Zoning Commission is being asked to make a recommendation on an amendment to the Zoning Ordinance, specifically Municipal Code § 17.09.340, regarding the Appeal of a Decision of the Design Review Commission, to allow public testimony at the appeal hearing.

At the April 16, 2024, meeting, the City Council requested an amendment to the City's Municipal Code (M.C.) § 17.09.340 to allow members of the public to also have the right to testify in an appeal hearing of a design review commission decision. The current code limits participation in the appeal hearing to the appellant and applicant, and their representatives, and City Staff. Both City Code and the State Statutes task the Planning and Zoning Commission with making recommendations to the City Council on zoning code amendments and holding a public hearing.

Ms. Patterson stated that Commissioner Ward had requested information about the current appeal hearing for an appeal of a Design Review Commission decision. She explained that she sent out documents to the full commission from the 2008 ordinance that showed the original intent was to limit the testimony to the appellant, the applicant and staff and hold it as a hearing based on the evidence from the original hearing and not as a "de novo" hearing where new information could be received. The City hired a consultant to assist with developing the procedures that were adopted in 2008.

The amendment allows for members of the public to testify at an appeal hearing on a Design Review Commission decision. It also clarifies other items related to time limits for speakers, that no testimony shall be taken on matters which cannot be modified by the Commission including, but not limited to, Zoning Code requirements, FAR, building height, density, use, parking or traffic impacts, and the timeframe for Council Action.

This item will be going to City Council next Tuesday for action. The Joan Woodard appeal of the Marriott hotel's design has been scheduled for June 4, 2024.

The Planning and Zoning Commission is being asked to make a recommendation to the City Council on the proposed amendment to the Zoning Ordinance to allow public testimony during an appeal hearing of a Decision of the Design Review Commission.

Ms. Patterson, concluded her presentation.

Commission Discussion:

Commissioner Fleming asked on the initial DRC presentation how long does the appellant get to speak.

Ms. Patterson stated the code did not specify. She indicated that staff provides guidance for the appeal hearing and how long the appellant and applicant will have. Typically, the City attorney introduces the item, followed by the appellant, then the applicant presents, and the appellant has a rebuttal before the hearing is closed.

Chairman Messina asked if this will not change what the public can say or not say as far as what is relevant to the Design Review Commissioner criteria that they should only address. He said the commission can't stop them from talking about anything else. He noted for the appeal hearing, the city council can only take in what is relevant to the design review Criteria, even if the public testifies.

Ms. Patterson replied that is correct. There is no new evidence to be presented in the appeal hearing under the current code or under the proposed amendment. The code states testimony it not supposed to be on anything that is not specific to design review commission.

Chairman Messina stated it is hard to limit anyone's comments whether its relevant or not relevant.

Commissioner McCracken asked what if someone appeals one of Planning and Zoning Commission's decisions. Is the appeal process the same or different?

Ms. Patterson stated that the appeal hearings for commission and staff decisions currently do not allow the public to speak, or at least the code doesn't specify the public testimony. The only two appeal hearings in the code that allow public testimony are the Rathdrum Prairie Aquifer section of the code that is relating to someone how is operating a facility over the aquifer and if an administrative decision that it is not appropriate. They can appeal that decision and an appeal that it would go to a hearing officer with public testimony. There is a section of the city code administrative section Rule of Procedures, (M.C. § 1.11.10) seems to imply that the public can testify, but she does not know if that was specific to public hearings or appeal hearings.

Commissioner McCracken asked if this would be the only appeal hearing that would have a different appeal procedure that specifies public testimony,

Mr. Adams stated this is the only one where it specifically says who can testify or speak at an appeal. In a public hearing, Council has generally allowed the public to speak.

Commissioner McCracken asked, wouldn't it be better to match it to the others, where they are silent on who can testify.

Mr. Adams replied maybe, but we drafted this amendment on the direction of City Council and the Mayor.

Commissioner McCracken asked for clarification on the other appeal hearings that don't state the public may testify. Would it be assumed that the public can't testify in those hearings because they are not stated in the ordinance.

Mr. Adams stated it is the opposite. It would be assumed that any public hearing the public could speak unless it specifically states otherwise.

Commissioner Fleming commented that during the DRC, the public does make comments. We give the DRC the responsibility to address the public concern and we should close it. To then have a second chance for the public to testify in an appeal hearing puts shade on the DRC. You have given them the right and the responsibility to see and promote the vision to the city and they should take it on board like this commission does. We don't always win and you should not get a second chance at it. It on the record. You have made response. The DRC has made the decision to close the issue and move on. This is just drawing the process out and it is costing the applicant money now. This denotes the DRC and shades them. It's made to look like we don't respect the DRC to do this all over again with other people that don't do this all the time. The DRC is built with people that do this all the time. They are experienced and knowledgeable. They are there to serve that purpose. Now you're handing it on to people who don't do it all the time.

Chairman Messina asked is this only for the Design Review appeal process. He assumes that the City Council had access to the DRC meeting minutes and they could read all the public comments that were

made at that time. He is all for public comments. He has to agree with Commissioner Fleming on this matter. The council had the opportunity to read all the public comments and some of the comments were not relevant at all regarding the design and they will hear those things again. He feels the DRC did their job and listened to all the public testimony at that time and made the correct decision.

Commissioner Ward stated he understands that the City Council will let anyone speak at any public forum generally. But an appeal hearing from the DRC is different and it is not just that someone says it, what they are reviewing is different. The current code states that the City Council reviews the DRC decision and shall be based on the record developed before the Commission with no new evidence being submitted. The public wants to add input if they don't like it. He feels the change is not effective. He said he really does not care if the Council wants to make the change. An appeal on a DRC decision needs to be focused on specific design criteria and if something was done incorrectly. Some appeals to the City Council are different. That is what the Commission is talking about. He said that most zoning hearings that he has been involved in, they get to have a brand new hearing when they get to an appeal to the county commission or city council. This is not the case with the DRC. This is based on the record and the record can be read. The only change that he had read in the ordinance is being proposed is now we include the words and members of the public may participate in the appeal. The reason for the appeal is the same. Does it make the City Council review any better? No. They are still supposed to be ruling based upon the record of the DRC. Just like Chairman Messina stated, a lot of the public will speak and it will be irrelevant to the decision. He has been involved in planning for over 50 years now. He thinks about all the lawyers and the delay just for the Marriott. This might have the developer pay a high interest rate and a lot more money and not be able to stay on schedule so the revenue they may have gained will be a loss. We are now changing the criteria and this is a problem, because this appeal is in the process and a liability for the City. This is a very bad precedent to set.

Commissioner McCracken stated that the appeal hearing item is tabled. She does not like changing the rules while the item is tabled. When they appealed, the rule was clear. The timing is funny on this one.

Mr. Adams stated this is a legal question that has been addressed. There is Idaho Supreme Court precedent that says you can change procedural matters that do not affect the substantive rights of a party and they would apply. To allow other people to testify does not affect the substantive right of the party. There is just more people talking. If we were to change the standard of the appeal where now you can bring new evidence, etc. That would be changing the substantive right on the appeal. We are just changing who can talk and that is a procedural matter. He does not see that a problem with the amendment.

Commissioner McCracken stated during the meeting they made a motion to allow public comment and were not allowed to do so. The intent was the same.

Commissioner Fleming stated there is a lag time and now the appellant can build their forces to show up in the audience and rig it. She disagrees with the timing of this change. The appellant has an independent thought and they present it to the DRC at that meeting. It should not occur. She feels the appellant may have a problem, but know the DRC role is being torn apart, and sending it out to a dog fight. She feels there should not be a change and it should remain as is.

Commissioner Luttrupp stated the DRC is appointed by the Council and the Council is elected. There is a difference. He agreed that the DRC are very knowledgeable; he would put the City's DRC against anyone in the country. They are great. The local government is great and the public commentary is a great tool to have. He supports the change because Council is recommending it.

Chairman Messina states the public testimony was part of the DRC record and the City Council can read it and to open up to the appeal hearing to have additional public comment, he agrees with Commissioner Fleming, is like changing the rules mid-stream. This is directly related to the DRC and no other appeal process.

Commissioner McCracken stated she doesn't mind public comment if City Council wants to hear it, but she does not like changing the rule for an open hearing while it's tabled. It's not the right process. If it is read striking the sentence "although the hearing is open to the member of the public no general comment will be

taken”, if that sentence is just stricken from the record, then it’s the same as the other appeal procedures. This would allow the Council to listen to the public.

Commissioner Fleming stated that is like you are reopening the DRC and you are negating the DRC’s role. It is fair game. They had their chance in front of the DRC, and the public does not need to go in front of the council.

Commissioner Ward stated if the council wants this, it’s not his job to say you should not do this. But he thinks it should be limited to only apply to future hearing and nothing that is pending. The code change itself the council has asked for it, he would send it forward, with the caveat that he has mentioned.

Public testimony open.

Suzanne Knutson, introduced herself she was at the City Council meeting when the request was made and there were people at the meeting that would have liked to speak. She does not know a lot of the DRC. She believes the appeal process is due process. She does not know if it is a public hearing, she knows they are held at noon in the middle of the day, where a lot of people cannot attend because a lot of people work. She does not think people within 300 feet are notified of that Design Review. She could be wrong, she doesn’t know.

Chairman Messina stated he is a member of the DRC and has been for a number of years. The DRC is limited in its scope. The discussions are based on the limited guidelines. The Marriott hearing with the DRC was a 3 hour meeting and there was a lot of public comment. Many of the comments that we heard had no relevance on what the DRC look at on design review. They had made that announcement to focus comments on the design review criteria. The DRC does not stop anyone from speaking but many of the comments had no relevance to the guidelines or design of the building.

Ms. Patterson stated the DRC is a public hearing. It was noticed in the press; mailings were sent out within 300 feet and the property was also posted. The appeal hearings are not required to be noticed, but we have been doing that to make sure everyone in the public has been notified as well.

Ms. Knudson continued and stated that things that things that are important to the public were traffic and parking because they are not part of the design review.

Chairman Messina stated that is correct. Those two items have nothing to do with the design review and that is not going to change in the appeal.

Ms. Knudson replied she was wondering if the design review process might actually need to change and not the appeal process.

Chairman Messian replied that can certainly be addressed as a question later on.

Ms. Knudson’s question is in 2018 she sat her with 125 other citizens who were not in favor of River’s Edge going in off of Seltice and the Planning Commission did not vote on that. It was sent it to City Council. The public did not have an opportunity to appeal anything when that happen. We hear all the time that zoning and codes need to change, etc. Maybe people that are upset about the Marriott didn’t live here during the time when the zoning change happened years ago. Now the parking and things have grown rapidly here since that happened. The appeal process is good along with public comment.

Al Mezbah stated that letting the citizens speak and may be disruptive., You are the local government. The decisions should be made at the lowest level of government. The process needs to change. We are here because we love Coeur d’Alene. Make is easier for all the citizens. You are serving the people.

Fred McLaren lives in Parkside. When he looks out of his condo, he will see the roof top of the Mariott. He will lose at least ½ million dollars on his condo. Nothing was addressed regarding the alley, traffic, garbage, cars exiting onto 7th and 6th. He feels that the DRC just does whatever they want. The role

should be broader, think about the neighborhood not just one area.

Public testimony closed.

Commission Discussion:

Commissioner Coppers commented about the role of staff and when they comment on a project such as water, safety, traffic, qualified engineers is whether it meets them or not. The DRC has the ability to look at a project and say here is what we are focused on but outside of the scope of those things, he wonders how does the public gets to the point where they are able to interface with the policy makers and express their interests in a manner that informs the public servants in that purview.

Ms. Patterson stated there may be some confusion from the public about their opportunities to participate in the process. We have the public hearings. There is the DRC hearing, Planning and Zoning hearing and City Council hearings. However, the public has concerns might be the code itself and they would be better served to get involved with code changes and updates to the comprehensive plan. This is where we want the community involved to help provide input for how should the community grow, where should development happen, etc. The comprehensive plan includes the goals and the objectives so it helps guide future codes amendments. For things like the Downtown, a lot of the concerns like the Marriott, is not the design review process itself. They may not like that you can go 200 feet tall, you can have the intensity of the development in certain areas. They are concerned with traffic and the traffic is not something to do with the design review commission. Staff had a requirement for the Marriott project to do a traffic study. The traffic study showed that the traffic from that project would be less then what was even modeled by Kootenai Metropolitan Planning Organization. This information can't be shared during the hearing per se because this is not part of the purview of the DRC. Staff has been tasked by council to work on reevaluating the downtown development standard and design review guidelines. This commission will be asked to participate along with the DRC and Historic Preservation Commission to provide input and help evaluate if we should look at height, tower spacing, setbacks, materials, etc. There is probably a disconnect where the public does not feel they are getting their voices heard. The Downtown development standards exist and the guidelines exist so the developers have the right to build.

Chairman Messina stated this was done many years ago. The Maybe they need to be reevaluated.

Mr. Adams stated the Design Review Commission is not required by state law. It was created by City Council. The design criteria and standards were adopted by City Council. It was all a creature of council's imagination. They can change it if they like it.

Chairman Messina stated the City Council can also dissolve it as well.

Commissioner Luttrupp stated that the Design Review Commissioner is very unique and was generated by public input. It should be recognized that it is a great operation, it might have some faults, but there is nothing like it.

Commissioner McCracken would like to make a motion to modify the ordinance to use the language from the administrative appeal process instead and that the change to the process not apply to the tabled appeal hearing. The hearing should be completed using the process that is in place right now.

Mr. Adams commented that this would be a recommendation. But the City Council may not go along with this recommendation.

Commissioner Luttrupp asked if this is just the approval of what is before us, with the addition of something else.

Commissioner McCracken stated her motion would be to recommend approval of what is before us with

the hearing verbiage being consistent to what a Planning Commission appeal would be, as far as allowing the Council to take public comment if they wish. This would make the appeal hearings procedures equally consistent in their verbiage so the hearings are consistently written.

Commissioner Luttrupp replied he does not understand fully the addition, so he will not be supportive of the motion.

Commissioner McCracken asked Mr. Adams to pull the existing code for appeals of the Planning and Zoning Commission's decisions up on the screen.

Staff pulled up the appealing hearing code 17.09.715 B, which reads *City Council Action: The city council shall hold a public hearing. In its review of an administrative appeal, the council shall consider the purpose the intent, as well as the language, of the pertinent provisions, and shall affirm with conditions, modify or reverse the determination or interpretation within forty (40) days of the hearing (Ord. 1691 §1(part). 1982)*

Ms. Patterson noted it does not mention who, if anyone, can testify at the public hearing.

Commissioner Fleming stated the code is too broad. It does not talk about an appellant.

Commissioner McCracken stated the Council has the ability to determine who can testify in an appeal hearing, at their discretion. She thinks the codes should be consistent, rather than creating more inconsistency.

Ms. Patterson clarified the section on the screen is this the language that applies for any decision by the Planning Commission or staff that gets appealed.

Commissioner McCracken replied that is correct. Keeping with appeal decisions regardless of type, needs to be consistent. The hearing is tabled with a date of June 4.

Ms. Patterson stated the Commission's recommendation will go before City Council May 21. If the recommendation says you are supportive of this with this change but you recommend it would apply hearings after this one and allow this one to take place with the current code provisions, you need to make that clear in your motion.

Commissioner Fleming stated this feels like we are tailoring the code to shut out the Marriott, and this is bothering her. She feels it is very targeted.

Chairman Messina understands changing this code but, again this is mid-stream and he cannot support this motion. He will vote against this.

Commissioner Luttrupp stated he is not in favor of striking this proposed language. The council, in their wisdom, wants to do this. It's in the code that their recommendation has to be considered by us. He would like to follow the Council's wishes and desires; they are the ones that pay the price for poor and good decisions. He trusts them.

Commissioner Coppess stated he is challenged with understanding the purpose behind this specific effort and validity of what Council does with it. This is just a recommendation. They can take it or not take it. His concern is this is a broader issue in terms of how the public interfaces with the commissioners and the Mayor and Council, and how they are able to use the public's ideas to better represent and govern. In this case it might be the Marriott. In another case, it might be Kaufman's Estates. Whatever those things are, he doesn't know that whatever they vote tonight will have any effect on that purpose. He is going to say nay, just because he doesn't have anything with any valid purpose or utility that is going to go forward.

Chairman Messina stated that changing the code for public input is a great thing, but at this moment in time, he agrees with Commissioner Coppess. Since this was brought up at City Council because of an item of

appeal and there was no public input under the guidelines. City Council had a discussion and they decided to change in the process midstream on this particular appeal. He thinks public input is great, but it should not apply to this particular appeal. It is fine and dandy if they want to change code, but not at this point in time.

Motion by Commissioner McCracken to approve ordinance bill #19-1005 with replacing section C with the following statement “City Council Action, the city council shall hold a public hearing. In its review of an administrative appeal, the council shall consider the purpose the intent, as well as the language, of the pertinent provisions, and shall affirm with conditions, modify or reverse the determination or interpretation within forty (40) days of the hearing” seconded by Commissioner Luttrupp for discussion purposes, to recommend to approve 0-1-24 with amendments. Motion failed.

ROLL CALL:

Commissioner Fleming	Voted	No
Commissioner Coppess	Voted	No
Commissioner McCracken	Voted	No
Commissioner Luttrupp	Voted	No
Commissioner Ward	Voted	No
Chairman Messina	Voted	No

Motion failed by a 6 to 0 vote.

Mr. Adams stated the Commission will need to make another motion since this motion failed. There needs to be a motion to approve as it is written, approve with another change. State law reads you have to make a recommendation.

Ms. Patterson stated you can also recommend no change to the ordinance; you just need to make a recommendation.

Mr. Adams stated you can also have with substitute motions or continuing motions until you get one that passes

Motion by Commissioner Luttrupp to adopt of the ordinance as originally written, seconded by Commissioner Ward, 0-1-24 amendments. Motion failed.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Coppess	Voted	No
Commissioner McCracken	Voted	No
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	No

Motion tied by a 3 to 3 vote.

Motion by Chairman Messina, to not recommend this change to Municipal Code § 17.09.340, seconded by Commissioner Flemming, to 0-1-24 amendments. Motion failed.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Coppess	Voted	No
Commissioner McCracken	Voted	No
Commissioner Luttrupp	Voted	No
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion tied by a 3 to 3 vote.

Motion by Commissioner Ward, to approve the ordinance as written, but that the changes would not apply to any current pending appeal, seconded by Chairman Messina, approve 0-1-24. Motion carried.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Coppess	Voted	No
Commissioner McCracken	Voted	No
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye
Chairman Messina	Voted	Aye

Motion to approve carried by a 4 to 2 vote.

Commissioner Luttrupp commented that Chairman did a very good job with tonight's meeting.

Charman Messina thanked Commissioner Luttrupp and all of the Commission for their great input and he relies on it very heavily.

ORDINANCE NO. _____
COUNCIL BILL NO. 24-1004

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF COEUR D'ALENE MUNICIPAL CODE § 17.09.340 RELATING TO APPEALS OF A DECISION OF THE DESIGN REVIEW COMMISSION; 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.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendment be adopted;

NOW, THEREFORE,

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

SECTION 1. *That section 17.09.340 of the Coeur d'Alene Municipal Code be amended as follows:*

A. Perfecting Appeal: A final decision of the Commission may be appealed to the Council. The appeal shall be perfected as provided by subsection 17.09.125(B) of ~~this chapter~~ the Code.

B. Appeal on The Record: The Council's review of the decision of the Commission shall be based on the record developed before the Commission. No new evidence or materials shall be allowed by any party in the appeals proceedings.

C. Hearing: ~~Only~~ the applicant, City staff, the appellant, and their representatives, and members of the public may participate in the appeals hearing. ~~Although the hearing is open to the public, no general public testimony will be taken.~~ Any participant in the appeal may only provide comments-testimony and argument, based on the established record, concerning the decision of the Commission. The Mayor may establish time limits for each speaker and shall enforce the rules of procedure set out in Municipal Code § 1.11.010.

D. Burden Of Proof: The appellant must establish by a preponderance of evidence that an error was made in the decision or that design standards or guidelines were ignored or incorrectly applied, and further that the appellant was prejudiced thereby. No testimony shall be taken on matters which cannot be modified by the Commission, including, but not limited to, Zoning Code requirements, FAR, building height, density, use, Objections to the development, its height, intensity, parking, or traffic impacts ~~are not grounds for redress on appeal~~ because they are not design review criteria. Basic zoning standards and allowances embodied within the eCode shall be presumed to be correct and are not subject to the appeal. Factual findings by the Commission will be accepted by the Council if they are supported by substantial evidence.

E. Council Action: The Council may affirm or reverse the Commission decision, or refer the project back to the Commission for further action or clarification. The Council shall issue its

decision within fifteen (15) days ~~of~~ after the ~~appeal hearing~~ Council takes the matter under advisement. If the project is referred back to the Commission, the Commission shall hold a public meeting to consider the referral and shall render a report to the Council within forty (40) days of such referral. The City Council shall then reconvene the appeal hearing to consider the report and render a final decision as prescribed in this section.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 4. After its passage and adoption, a summary of this Ordinance, pursuant to the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication this Ordinance shall be in full force and effect; PROVIDED, the amendments to § 17.09.340 shall not apply to any appeals pending as of the date of passage and adoption of this Ordinance.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on May 21, 2024.

APPROVED, ADOPTED and SIGNED this 21st day of May, 2024.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amending Coeur d'Alene Municipal Code § 17.09.340

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF COEUR D'ALENE MUNICIPAL CODE § 17.09.340 RELATING TO APPEALS OF A DECISION OF THE DESIGN REVIEW COMMISSION; 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. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Amending Coeur d'Alene Municipal Code § 17.09.340; and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 21st day of May, 2024.

Randall R. Adams, City Attorney

**CITY COUNCIL
STAFF REPORT**

DATE: May 21, 2024
FROM: Randy Adams, City Attorney
SUBJECT: Commercial launch violation penalty

DECISION POINT: Should Council approve an amendment to Municipal Code § 4.15.130, establishing a civil penalty in the amount of One Thousand and no/100 Dollars (\$1,000.00) for commercial launching from the 3rd Street Public Docks without a payment of the launch fee?

HISTORY: The City has established a Watercraft Launching Fee for the 3rd Street Public Docks. The fee is very moderate---\$5.00 for Idaho residents per launch or \$45.00 per season, and \$10.00 for Out-of-State Residents per launch or \$85.00 per season. The Docks are intended for the private launching of watercraft, but commercial vendors have used the Docks to launch watercraft for their customers. Often, the commercial vendors do not pay the fee. At the May 7, 2024, Council Meeting, Council voted to impose a One Thousand and no/100 Dollars (\$1,000.00) civil penalty on commercial vendors who launch watercraft without paying the fee. It is the intent to discourage illegal launching at the 3rd Street Public Docks.

FINANCIAL ANALYSIS: There will be additional revenue to the City in the form of launch fees or civil penalties.

PERFORMANCE ANALYSIS: All those who want to launch watercraft from the 3rd Street Public Docks are required to pay a modest fee. Some commercial vendors, however, launch watercraft without paying the fee. By imposing a civil penalty, the City hopes to encourage the payment of the fee.

DECISION POINT/RECOMMENDATION: Council should approve the amendment to Municipal Code § 4.15.130, establishing a civil penalty in the amount of One Thousand and no/100 Dollars (\$1,000.00) for commercial launching from the 3rd Street Public Docks without a payment of the launch fee.

ORDINANCE NO. _____
COUNCIL BILL NO. 24-1005

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF COEUR D'ALENE MUNICIPAL CODE SECTION 4.15.130 REGARDING ENFORCEMENT AND PENALTIES FOR COMMERCIAL LAUNCH OF WATERCRAFT; 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.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendment be adopted;

NOW, THEREFORE,

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

SECTION 1. *That section 4.15.130 of the Coeur d'Alene Municipal Code be amended as follows:*

A. Any violation of this chapter related to vehicle parking is subject to the enforcement processes and penalties contained in title 10, chapter 10.27 of this Code.

B. Any person who engages in the commercial launch of a watercraft without paying the launch fee established by resolution of Council is subject to a civil penalty in the amount of One Thousand and no/100 Dollars (\$1,000.00) for each offense.

C. All other violations of this chapter are an infraction punishable as provided in section 1.28.010 of this Code.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 4. After its passage and adoption, a summary of this Ordinance, pursuant to the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication this Ordinance shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on May 21, 2024.

APPROVED, ADOPTED and SIGNED this 21st day of May, 2024.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amending Section 4.15.130 the Coeur d'Alene Municipal Code

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTION 4.15.130 OF THE COEUR D'ALENE MUNICIPAL CODE REGARDING ENFORCEMENT AND PENALTIES FOR COMMERCIAL LAUNCH OF WATERCRAFT; 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. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Amending section 4.15.130 of the Coeur d'Alene Municipal Code, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 21st day of May, 2024.

Randall R. Adams, City Attorney

**CITY COUNCIL
STAFF REPORT**

DATE: MAY 21, 2024
FROM: CHRIS BOSLEY – CITY ENGINEER
SUBJECT: AMENDMENTS TO MUNICIPAL CODE §§ 12.28.180(G) AND 12.28.210(C)
REGARDING WHEN CURBS AND SIDEWALKS MUST BE INSTALLED

=====

DECISION POINT: Should Council approve amendments to Municipal Code §§ 12.28.180 (G) and 12.28.210 (C) to increase the building permit threshold for requiring curb and sidewalk installation from \$30,000 to \$45,000?

HISTORY: The Municipal Code requires that, when construction requiring a building permit has a valuation of \$30,000, the property owner must install curbs and sidewalks, with a few exceptions. The \$30,000 threshold was codified in 2009 and, since then, the cost of construction has risen substantially, making the cost of the requirement disproportionate to the valuation of the building permit. Adjusting for inflation, an equivalent threshold value in 2024 would be slightly less than \$45,000.

FINANCIAL ANALYSIS: There would be no financial burden to the City with this code amendment, but would decrease the financial burden on property owners.

PERFORMANCE ANALYSIS: This code amendment would likely make more small property improvements feasible without the requirement to install curbs and sidewalks.

DECISION POINT/RECOMMENDATION: Council should approve amendments to Municipal Code §§ 12.28.180 (G) and 12.28.210 (C) to increase the building permit threshold for requiring curb and sidewalk installation from \$30,000 to \$45,000.

ORDINANCE NO. _____
COUNCIL BILL NO. 24-1006

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTIONS 12.28.180(G) AND 12.28.210(C) OF THE COEUR D'ALENE MUNICIPAL CODE REGARDING CURB AND SIDEWALK CONSTRUCTION AND IMPROVEMENTS; 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.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted;

NOW, THEREFORE,

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

SECTION 1. *That section 12.28.180(G) of the Coeur d'Alene Municipal Code be amended as follows:*

G. No curbing is required when:

1. The building permit is for an amount less than ~~thirty~~forty-five thousand dollars (\$~~3045~~,000.00), or the value of a structure moved onto the lot together with the amount for which the building permit is issued is less than ~~thirty~~forty-five thousand dollars (\$~~3045~~,000.00); however, if a footing and foundation only building permit is issued, and a subsequent building permit is issued for the structure that is to be placed on top of that same foundation, and the combined valuation of both permits exceeds ~~thirty~~forty-five thousand dollars (\$~~3045~~,000.00), then for the purposes of this section both permits shall be considered as one permit and curbs and asphalt paving shall be required, subject to any exceptions further defined herein.
2. In a previously developed residential neighborhood on residential streets when:
 - a. All of the lots on one side of the street have been previously built upon in accordance with ~~eCity eCodes~~ without curbs; and
 - b. Said lot frontages without curbs extend a maximum of four hundred fifty feet (450') in either direction or to the nearest intersection whichever is less.

A neighborhood for purposes of all parts of this section shall be defined within the limits delineated in subsections ~~G(2)(a)~~ and ~~G(2)(b)~~ of this section.

In the event a local improvement district is created in the neighborhood, this section shall no longer apply.

SECTION 2. *That a new section, 12.28.210(C), be added to the Coeur d'Alene Municipal Code as follows:*

C. Exceptions To Sidewalk Requirements: No sidewalk is required when:

1. The building permit is for an amount less than ~~thirty-fourty-five~~ thousand dollars (\$~~3045~~,000.00), or the value of a structure moved onto the lot together with the amount for which the building permit is issued is less than ~~thirty-fourty-five~~ thousand dollars (\$~~3045~~,000.00); however, if a footing and foundation only building permit is issued, and a subsequent building permit is issued for the structure that is to be placed on top of that same foundation, and the combined valuation of both permits exceeds ~~thirty-fourty-five~~ thousand dollars (\$~~3045~~,000.00), then for the purposes of this section both permits shall be considered as one permit and sidewalks shall be required subject to any exceptions further defined herein.
2. There is a natural change of elevation in the ten foot (10') strip adjoining the curb of greater than four feet (4') and a safe alternative pedestrian pathway is available.
3. In a previously developed residential neighborhood:
 - a. All of the lots on one side of the street have been previously built upon in accordance with ~~eCity eCodes~~ without sidewalks; and
 - b. Said lot frontages without sidewalks extend a maximum of four hundred fifty (450) front feet in either direction or to the nearest intersection, whichever is less; and
 - c. A neighborhood for purposes of all parts of this section shall be defined within the limits delineated in subsections ~~C(3)(a)~~ and ~~C(3)(b)~~ of this section;
 - d. In the event a local improvement district is created in the neighborhood, this section shall no longer apply.
4. The building permit is for a portable classroom which meets the parking requirements of subsections ~~17.44.050(D)(4)~~ and ~~(D)(5)~~ of this ~~eCode~~ and other requirements of section 17.44.050 of this ~~eCode~~.
5. There is a hillside subdivision. A "hillside subdivision" is defined as a subdivision where the highest and lowest points are at least one thousand feet (1,000') distant horizontally and the difference in elevation is at least thirty percent (30%) of the horizontal separation.
6. Sidewalks may not be required for immediate installation if the requirements of subsection ~~12.28.180(C)~~, ~~(D)~~, or ~~(F)~~ of this ~~eChapter~~ are met. However, such

sidewalks will be installed at such time that curbs would be pursuant to subsections 12.28.180(C), (D), and (F) of this eChapter.

SECTION 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 5. After its passage and adoption, a summary of this Ordinance, pursuant to the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication this Ordinance shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on May 21, 2024.

APPROVED, ADOPTED and SIGNED this 21st day of May, 2024.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amending Sections 12.28.180(G) and 12.28.210(C) of the Coeur d'Alene Municipal Code.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTIONS 12.28.180(G) AND 12.28.210(C) OF THE COEUR D'ALENE MUNICIPAL CODE REGARDING CURB AND SIDEWALK CONSTRUCTION AND IMPROVEMENTS; 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. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Amending sections 12.28.180(G) and 12.28.210(C) of the Coeur d'Alene Municipal Code, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 21st day of May, 2024.

Randall R. Adams, City Attorney