

WELCOME
To a Regular Meeting of the
Coeur d'Alene City Council
Held in the Library Community Room

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 G - Public Comments** is identified by the Mayor. The Mayor and Council will not normally allow audience participation at any other time.

6:00 P.M.

October 3, 2017

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Pastor Paul Peabody, Grace Bible Church

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.

E. PRESENTATIONS:

1. Proclamation for Fire Prevention Week- October 8-14, 2017

Presented by: Bobby Gonder, Fire Inspector

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

1. Approval of Council Minutes for the September 13, 2017 and September 19, 2017 Council Meetings.
2. Approval of the Public Works Committee Minutes of September 25, 2017
3. Approval of Bills as submitted and reviewed for accuracy by Finance Department
4. Setting of Public Works and General Services Committee meetings for October 9, 2017 at 12:00 noon and 4:00 p.m. respectively
5. **Resolution No. 17-063**

- a. Approval of S-2-16 – Bellerive 6th Addition - Final Plat, Maintenance Warranty Agreement, Acceptance of Improvements, and approval of Security
- b. Approval of S-7-16 -Riviera Place - Final Plat, Maintenance Warranty Agreement, Acceptance of Improvements, and approval of Security

As recommended by the City Engineer

- c. Approval of S-7-16 -Riviera Place - Agreement to Perform Subdivision work for landscape improvements. and approval of Security

As recommended by the City Planner

- d. Declaration of Surplus Used Equipment and Vehicles from the Streets & Engineering Department
- e. Declaration of Surplus CH & E Six Inch Portable Trash Pump Surplus from the Wastewater Department

As recommended by the Public Works Committee

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

H. ANNOUNCEMENTS

1. City Council
2. Mayor

I. PUBLIC WORKS

1. Approval of the purchase and installation of a bike corral within the right-of-way by Architects West.

Staff Report by: Monte McCully, Trails Coordinator

J. OTHER BUSINESS:

1. Request for the City to be included as a Joint Applicant in the Limited Design PUD application for River's Edge Apartments under MC 17.07.220

Staff Report by: Mike Gridley, City Attorney

2. **Resolution No. 17-064** – Approval of Agreements with the Heirs of Thomas T. and Lola B. Kerl for Waiver of Inheritance and Release of Reversionary Interest as part of the Memorial Park real property exchange with ignite cda.

Staff Report by: Mike Gridley, City Attorney

K. PUBLIC HEARINGS:

1. Legislative) Intent to convey land via a land trade involving ignite cda owned property located on W. Garden Avenue (Tax I.D. 5539), for City owned property located at the corner of W. Garden Avenue and Park Drive (a portion of Lot 72, Sherman Park).

Staff Report by: Bill Greenwood, Parks and Recreation Director

2. (Legislative) Intent to convey land via a land trade involving ignite cda owned property located on Young Avenue, south of City Hall, for City owned property adjacent to Tilford Lane in Riverstone

Staff Report by: Monte McCully, Trails Coordinator

- L. RECESS:** A workshop to be held on October 5, 2017 at Noon in the Library Community Room located at 702 E. Front Avenue, for a review of the BDPA Study.

This meeting is aired live on CDA TV Cable Channel 19 (Charter Cable)



Coeur d'Alene

CITY COUNCIL MEETING

October 3, 2017

MEMBERS OF THE CITY COUNCIL:

Steve Widmyer, Mayor

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

PRESENTATIONS

PROCLAMATION

WHEREAS, U.S. home fires resulted in 2,560 civilian deaths in 2015, representing the majority (78 percent) of all U.S. fire deaths; and

WHEREAS, newer homes are built with lightweight materials that burn faster than older home constructions; and

WHEREAS, many of today's products and furnishings produce toxic gases and smoke when burned, making it impossible to see and breathe within moments; and

WHEREAS, these conditions contribute to a much smaller window of time for people to escape a home fire safely, with people having as little as one to two minutes to escape from the time the smoke alarm sounds; and

WHEREAS, a home fire escape plan provides the skill set and know-how to quickly and safely escape a home fire situation; and

WHEREAS, a home fire escape plan includes two exits from every room in the home; a path to the outside from each exit; smoke alarms in all required locations; and a meeting place outside where everyone in the home will meet upon exiting; and

WHEREAS, home fire escape plans should be developed by all members of the household; and

WHEREAS, practicing a home fire escape plan twice a year ensures that everyone in the household knows what to do in a real fire situation; and

WHEREAS, COEUR D'ALENE FIRE DEPARTMENT is dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the 2017 Fire Prevention Week theme, "Every Second Counts: Plan 2 Ways Out!" effectively serves to educate the public about the vital importance of developing a home fire escape plan with all members of the household and practicing it twice a year;

NOW, THEREFORE, I STEVE WIDMYER, Mayor of the City of Coeur d'Alene, Idaho, do hereby proclaim the week of October 8 to October 14, 2017 as

"FIRE PREVENTION WEEK"

throughout this community. I urge all the people of Coeur d'Alene to find and develop a home fire escape plan with all members of the household and practice it twice a year, and to participate in the many public safety activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of Coeur d'Alene to be affixed this 3rd day of October, 2017.



Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

CONSENT CALENDAR

MINUTES OF A CONTINUED MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD IN THE COMMUNITY ROOM, COEUR D'ALENE PUBLIC LIBRARY
September 13, 2017

The Mayor and Council of the City of Coeur d'Alene met in a continued session of said Council at the Coeur d'Alene City Library Community Room September 13, 2017 at 1:30 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Dan Gookin) Members of Council Present
Kiki Miller)
Dan English)
Woody McEvers)
Loren Ron Edinger)
Amy Evans)

MEMBERS OF EXECUTIVE TEAM PRESENT: Jim Hammond, City Administrator; Troy Tymesen, Finance Director; Mike Gridley City Attorney; Bill Greenwood, Parks & Recreation Director; Hilary Anderson, Community Planning Director; Terry Pickel, Water Superintendent; and Kenny Gabriel, Fire Chief.

GUEST PRESENT: ignite cda Legal Counsel Danielle Quade; ignite cda Executive Director Tony Berns, Welch Comer President Phil Boyd; and DEQ Brownfields Specialist Steve Gill.

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

ATLAS MILL SITE ACQUISITION– City Attorney Mike Gridley noted that Steve Gill, the Brownfields Specialist at the Department of Environmental Quality, was in attendance and would be available to answer questions. Mr. Gridley reviewed the Phase I environmental information performed by Tetra Tech, Inc. The Phase I process includes a historical review of the site and determines if there is potential for any environmental concerns based on prior uses. He presented a map of the property that was included in Phase I. They have narrowed the parameters of any unknowns based on the review and determined there is nothing on site that they are aware of that gives environmental concern. Mr. Gridley noted that there is a large mound of debris that is referred to as “Mount Hink” that has had previous material & density testing, but it did not include an analysis of what the chemical compounds located within the mound. Mr. Gridley noted that the site is very large, and has not been reviewed with a fine-tooth comb. However, once a decision is made regarding the specific uses of the parcel, then it might require additional levels of testing. Mr. Gill noted that Phase I is a discovery document. They have determined that the historical use since the late 1800’s has been lumber processing with a variety of railroads running through the site. He reviewed a site map outlining the main structures within the site over the years, noted large demolitions and removals over the years, and clarified that if there was nothing that is above state regulatory limits, then there is no report required to be submitted to DEQ. The underground storage tanks received a “no further action”

letter upon their removal. Since the proposed development includes residential uses, DEQ would want to review for chemical findings, and hope any findings are below the threshold that would require anything actionable. Mr. Gill expressed a desire to continue the brownfields portion of the project to clear for the City or any future developer.

DISCUSSION: Councilmember English asked if the City were to move forward with the environmental review how long it would take to complete. Mr. Gill felt that it would take approximately 6 months to gather samples and receive lab results for a Phase II review, which would include a risk evaluation. Mayor Widmyer asked if DEQ has completed a Phase II review of other mill sites. Mr. Gill confirmed they had and noted that in Sandpoint they had samples that included metals in the soil, so they had a covenant included with the land that clarified no wells would be allowed, which wasn't an issue for them. Councilmember McEvers asked how much did it cost for the environmental reviews. Mr. Gill noted that the Phase I has cost approximately \$45,000, and the Phase II would cost approximately \$100,000, which falls under their grant so those costs are not passed on to the City. He noted that DEQ also has the ability to bring in clean up funding to governmental entities or quasi-governmental (such as urban renewal districts and school districts), if needed.

Ignite cda Executive Director Tony Berns reviewed the project proposal that included the desire to keep the waterfront property in public hands and no multi-family (i.e. higher density) development within the project site. As they moved forward with financing models, they kept those public desires in mind. He reviewed two property-phasing concepts for the entire 48-acre Bad Axe site and outlined the costs associated with making the areas developable. Ignite cda brought in a private consultant who recommended that it is too risky for the district to pay for the proposed remediation, as well as pay the city back the \$8 Million purchase price. The option that utilized the "Mount Hink" area as parkland, rather than developable lots, was the most economical option, but still risky at a cost of \$16.5 Million. Some of the issues the ignite cda board expressed in their review of the proposals was that it is risky for them to be the primary funder coupled with the constraints of no waterfront development and no higher density development. They reviewed the option of including additional partners in the project including a G.O. Bond, and DEQ clean-up grants. Mr. Berns noted the next available time for a G.O. Bond would be May 2018 and said that if a new district were formed, the base value would be set as of January 1 of the year the district was formed. He noted that the ignite board does not predict any large movement of development within the area, so they did not see a problem with waiting for the new district creation until 2018. He reiterated that the ignite cda board feels they need more time to review and work on financing models for this project. Councilmember English asked if the financing models included the cost of improvements of the greenspace/parkland included within development. Mr. Berns clarified that the urban renewal agency would be leveling the area and make it green, but did not include funding for development. Councilmember McEvers asked if the consultant reviewed the estimated price of the residential lots and the estimated value of the lots once they are developed. Mr. Berns noted that they reviewed both numbers and explained that the district looks toward payback from the sale of the property plus tax increment once it is developed. He clarified that the River District closes in ten years, and they are proposing a 20-year time horizon for the Atlas project. Residential lots are estimated to be sold for \$200,000 per parcel; however, if they were waterfront lots they could be sold for \$600,000, so leaving the waterfront as green space as seen

as an opportunity cost. Mr. Berns clarified that a bond could be structured to cover both development and acquisition costs.

Mr. Tymesen explained that the City's potential funding source for the \$8 Million purchase price would be the wastewater utility and the financial feasibility study does demonstrate that the payback to the city would be twice as long as earlier discussed. This partnership is with ignite cda and with them being uncomfortable with signing a promissory note, it would put the City at substantial risk. Mr. Tymesen noted that the financial feasibility model does not include the pay back for the \$1 Million in the railroad right-of-way acquisition costs. He would recommend additional financial partners in this project. Mayor Widmyer explained that the G.O. bond would take a 2/3 vote of the citizens, and there appears to be local support for the project, and running a G.O. Bond would take the risk away. Mr. Tymesen noted that the bond is a tool and becomes that future equity partner. Councilmember Evans asked if the City went forward with a bond, when the bond language would be due. Ignite cda legal counsel Daniel Quade noted that Idaho code requires the bond language to be in place 60 days in advance of the election, which would be March 16, 2018.

Councilmember Gookin noted that the reason there are areas to be developed in the parcel is to bring in income to ignite cda to pay for infrastructure improvements, so if the city received a G.O. Bond could the developable area be lessened. Mr. Berns noted that the developable areas would provide increases to the tax rolls in the future and could all change depending on bond amount. The Mayor reiterated the concepts presented were developed solely to gather financing numbers, and if the City moves forward with the acquisition, a fully planned process would occur. Councilmember Miller noted that within this model the City could revamp the amount of commercial and residential development lots and could include in costs for the development of parkland within the bond. She asked what the current liability to the City is for purchasing the property. Mr. Tymesen explained that the City has \$100,000 earnest money down for the option to buy the site, with the determination due date of this Friday. Councilmember Edinger asked if this area could be expanded into the River district, which expires in 10 years. Mr. Berns explained that the discussion included the expansion of the River District and creation of an Atlas District.

EXECUTIVE SESSION: Motion by Edinger, seconded by English to enter into Executive Session pursuant to Idaho Code 74-206 (c) to acquire an interest in real property, which is not owned by a public agency.

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

The City Council entered into Executive Session at 2:21 p.m. Those present were the Mayor, City Council, City Administrator, Finance Director, City Attorney, and ignite cda's Legal Counsel and Executive Director. Council returned to regular session at 2:40 p.m.

MOTION: Motion by Miller, seconded by Edinger to agree to purchase the Atlas Mill property, subject to the Seller accepting a May 16, 2018 closing date. **Motion Carried.**

ADJOURN: Motion by McEvers, seconded by Miller that there being no further business, this meeting of the City Council is adjourned. **Motion carried.**
The meeting adjourned at 2:43 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

Draft

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

September 19, 2017

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, September 19, 2017 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Dan Gookin) Members of Council Present
Dan English)
Amy Evans)
Loren Ron Edinger)
Woody McEvers)

Members of the Council Absent: Kiki Miller

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

INVOCATION: Pastor Chris Lauri, Anthem Friends Church, provided the invocation.

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

AMENDMENTS TO AGENDA: Agenda Item (1) under Other Business, "Council consideration for tree removal, through the public nuisance abatement process, of five dead trees within the right-of-way abutting 2772 Seltice Way," was removed from the agenda.

PRESENTATION: TURKEYS AND MORE EVENT

Evelyn Adams, Committee Chair, and Nicole Berns, Food Bank Manager, invited the community to the "Turkeys and More" event being held at the Kroc Center on September 29 at 7:00 p.m. Ms. Adams said that they have been working to raise money to help the Food Bank to help people in our community have a nice Thanksgiving dinner. She noted that over 1,000 people every week go to the Food Bank. The "Turkeys and More" event will be a showcase of talent to raise money for turkeys. Ms. Adams said that 1,600 turkeys will cost about \$25,000 and so far they have raised almost \$23,000. She commented that people in our community have been very generous and this is a "City with a Heart." Tickets can be ordered by calling the Kroc Center or going online to the Kroc Center web site, and clicking on the Calendar.

Councilmember Evans thanked Ms. Adams, Ms. Berns, and the committee members for their work on this project. Ms. Berns said that the Community Action Partnership is really just a vehicle in which to funnel this generous community's gifts to the people who need it. She feels very blessed to be able to do that and commented that this is the most generous community she has had the privilege of living in.

Councilmember English asked if the turkeys were going to be distributed to Coeur d'Alene residents only, or include county residents. Ms. Berns said that they serve people at the Food Bank who are from all over the county. The turkeys will be provided to registered Food Bank clients. She commented that they partner with other food banks to make sure that they help as many people as they possibly can.

Mayor Widmyer thanked the committee members, including Peter Luttrupp.

PRESENTATION: “HERO AWARD” PRESENTATION TO HAILEY BONDS

Bobby Gonder, Fire Inspector, Coeur d'Alene Fire Department, presented a “Hero Award” to Hailey Bonds. On August 22nd, 2017, the Coeur d'Alene Fire Department responded to a Delta structure fire at 3401 N. 4th Street, unit #A. FD Units arrived on scene of an oven fire with flames showing from the oven. The 911 caller, HAILEY BONDS, without regard to her personal safety, entered the apartment unit to aid and assist with any victims. Through her Valiant effort, she located the resident of Unit #A and assisted her to safety, called 911 and ensured no one re-enter the apartment.

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

1. Approval of Council Minutes for the September 5, 2017 Council Meeting.
2. Approval of General Services Committee and Public Works Committee Minutes of September 11, 2017
3. Approval of Bills as submitted and reviewed for accuracy by Finance Department
4. Approval of the Financial Report
5. Setting of Public Works and General Services Committee meetings for September 25, 2017 at 12:00 noon and 4:00 p.m. respectively
6. Setting of a public hearing for October 17, 2017 – O-5-17- modification to the Wireless Communications Ordinance: Municipal Code Sections 17.08.800-17.08.830
7. Approval of Beer/Wine License for Badass Backyard Brewing, LLC, 317 E. Coeur d'Alene Ave., Suite C
8. **Resolution 17-062:** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING: APPROVAL OF FINAL PLAT OF COEUR D'ALENE PLACE 28TH ADDITION (S-3-12) AND AGREEMENT FOR MAINTENANCE/WARRANTY OF SUBDIVISION WORK, ACCEPTANCE OF SECURITY, AND APPROVAL OF AGREEMENT TO PERFORM SUBDIVISION WORK AND BOND; APPROVAL OF BENEFIT PLAN CHANGES AND RENEWALS; APPROVAL OF AGREEMENT WITH THE LAKE CITY EMPLOYEES ASSOCIATION; APPROVAL OF AN EXTENSION TO THE AGREEMENT WITH THE POLICE OFFICERS ASSOCIATION AND APPROVAL OF EXTENSIONS TO THE MEMORANDA OF UNDERSTANDING WITH POLICE CAPTAINS AND DAVID HAGAR; APPROVAL OF AMENDMENTS TO PERSONNEL RULE XXV: APPOINTED OFFICERS AND DEPARTMENT HEADS, TO PROVIDE FOR THE OBSERVATION OF THE DECEMBER 24 HOLIDAY INSTEAD OF THE EMPLOYEE'S BIRTHDAY, AND

PERSONNEL RULE XXVI: FLSA EXEMPT EMPLOYEES, TO CLARIFY POSITIONS COVERED AND HOLIDAYS OBSERVED; APPROVAL OF AGREEMENTS AND GRANT DEED FOR PUBLIC RIGHT-OF-WAY FROM IRONWOOD PROFESSIONAL PLAZA CONDOMINIUM ASSOCIATION, INC., IN CONNECTION WITH THE NEW MEDINA STREET INTERSECTION; APPROVAL OF AGREEMENT FOR PERMANENT TEMPORARY EASEMENTS FOR MULTI-USE PATH AT SELTICE WAY AND NORTHWEST BLVD, AND W. SELTICE WAY APPROACH WITH GLACIER NW BLVD-SELTICE, LLC; AND REJECTION OF BIDS FOR THE BEST HILL BOOSTER STATION.

ROLL CALL: McEvers, Aye; Gookin, Aye; English, Aye; Edinger, Aye; Evans, Aye.
Motion carried

PUBLIC COMMENTS

Catherine McClintick, Regent of the Lt. George Farragut Chapter of the National Society Daughters of the American Revolution (DAR), said that the DAR is a women's service organization supporting veterans through historic education and patriotism. She presented a Pet Emergency Directive, whose purpose is to notify first responders in emergencies. They consulted with the CDA Fire Department in regard to this form, adopted their suggestions, and will be distributing the form throughout the community. She hopes that the City will make the form available on their website, as well as sharing it with other communities.

COUNCIL COMMENTS: There were none.

ACCEPT THE PROPOSAL OF FCS GROUP FOR THE 2018 WATER RATE STUDY AND AUTHORIZE STAFF TO NEGOTIATE A SERVICE CONTRACT.

STAFF REPORT: Terry Pickel, Water Superintendent, requested City Council approval to enter into negotiations with FCS Group for a service contract to perform the 2018 Water Rate Study. He noted that it is a recommended industry practice to conduct water rate analysis on a routine basis, and staff typically plans to have a fairly comprehensive review completed every five years. The last study was completed in 2012 along with a Comprehensive Water Plan Update. The results of the 2012 study recommended user rate increases to adequately fund operations and maintenance along with capitalization fee increases to fund future projects. Those increases were phased in over a 5 year period to lessen the impact on the consumers and developers. The last incremental increase is set for January 1st, 2018. A Request For Proposals (RFP) was published in late July for the 2018 Water Rate Study. Nine firms requested information. Upon the deadline, staff received one submittal from FCS Group out of Redmond, Washington. The fiscal year 2018 budget line item is \$60,000.00. Staff feels very comfortable recommending FCS Group as the selected consultant. FCS Group performed the previous rate study and water comprehensive plan update and did an excellent job.

Mr. Pickel noted that FCS is nationally known and they feel very comfortable moving forward with them. They will look at O&M and capitalization fees for the public water

system. Mr. Pickel commented that on August 3 they pumped 41 mgd (million gallons per day), and 44 mgd is their maximum. They are looking for another test well and are also looking at installing a booster station at the Best Hill tank.

Councilmember Gookin said that he reviewed the last study and came to the conclusion that this is necessary. Mr. Pickel noted that they do not have sufficient CAP fees for some of the projects coming up.

Councilmember English said that it is important that they are raising enough funds, but they have to be equally concerned that they are not overcharging, so it is good to have a professional look at it. Mr. Pickel said that conservation will also be a part of the study as irrigation is their biggest consumption. They are also looking at the Spokane River Forum coming up in November to promote irrigation design standards throughout the region to encourage conservation.

Councilmember McEvers asked if the study projected out to buildout. Mr. Pickel confirmed that it did and that they look at buildout to try to determine estimated growth and water rights. They will use a combination of conservation to “best guess” to get to build out on what they will actually need.

MOTION by Gookin, seconded by McEvers, to (1) Accept the proposal of FCS Group for the 2018 Water Rate Study and (2) authorize staff to negotiate a service contract.

ROLL CALL: McEvers, Aye; Gookin, Aye; English, Aye; Edinger, Aye; Evans, Aye. Motion carried.

COUNCIL BILL NO. 17-1032

AN ORDINANCE AMENDING ORDINANCE 3546, THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 APPROPRIATING THE SUM OF ~~\$95,216,976~~ \$101,041,526, WHICH SUM INCLUDES ADDITIONAL MONIES RECEIVED BY THE CITY OF COEUR D’ALENE IN THE SUM OF \$5,824,550; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE HEREOF.

GENERAL FUND EXPENDITURES:

Mayor and Council	\$242,705	
Administration	379,120	
Finance Department	1,165,287	\$1,175,287
Municipal Services	1,660,299	1,675,424
Human Resources	326,657	
Legal Department	1,207,341	
Planning Department	584,648	
Building Maintenance	521,186	
Police Department	13,060,469	13,511,985
Drug Task Force	30,710	

Byrne Grants		90,443
COPS Grant	190,189	
Fire Department	9,677,937	12,583,532
General Government	94,725	1,694,725
Engineering Services	1,292,561	1,395,407
Streets/Garage	3,024,113	3,139,013
Parks Department	2,003,987	
Recreation Department	713,239	
Building Inspection	907,093	
TOTAL GENERAL FUND EXPENDITURES:	<u>\$37,082,266</u>	<u>\$42,372,691</u>
SPECIAL REVENUE FUND EXPENDITURES:		
Library Fund	\$1,568,148	
Community Development Block Grant	606,873	
Impact Fee Fund	760,039	\$960,639
Parks Capital Improvements	146,500	264,500
Annexation Fees Fund	193,000	
Cemetery Fund	316,735	319,960
Cemetery Perpetual Care Fund	157,500	
Jewett House	25,855	
Reforestation/Street Trees/Community Canopy	103,500	
Public Art Funds	231,300	
TOTAL SPECIAL FUNDS:	<u>\$4,109,450</u>	<u>\$4,431,275</u>
ENTERPRISE FUND EXPENDITURES:		
Street Lighting Fund	\$622,000	
Water Fund	9,553,006	
Wastewater Fund	24,489,066	
Water Cap Fee Fund	1,950,000	
WWTP Cap Fees Fund	2,500,000	
Sanitation Fund	3,359,286	
City Parking Fund	374,546	\$586,846
Drainage Fund	1,147,510	
TOTAL ENTERPRISE EXPENDITURES:	<u>\$43,995,414</u>	<u>\$44,207,714</u>
FIDUCIARY FUNDS:	\$2,888,400	
STREET CAPITAL PROJECTS FUNDS:	6,204,039	
DEBT SERVICE FUNDS:	937,407	
GRAND TOTAL OF ALL EXPENDITURES:	<u>\$95,216,976</u>	<u>\$101,041,526</u>

STAFF REPORT: Troy Tymesen, Finance Director presented a request for council approval of an amendment to the Fiscal Year 2016-17 Appropriation Ordinance. He stated that the City Council annually amends the original appropriations ordinance for unanticipated expenditures. Idaho Code allows the City Council at any time during the current fiscal year to amend the appropriations ordinance to reflect the receipt of revenues and/or the expenditure of funds that were unanticipated when the ordinance was adopted. The budget amendment shows increases in

expenditures due to carryovers of projects, capital purchases from the GO Bond Sale, state and federal grants received and the remodel to City Hall. Additional revenues of \$1,386,667 are projected to be received in the General Fund to cover the increased expenses for the fiscal year. \$52,189,245 is coming from the GO Bond funds, and \$1,714,513 is projected to come from General Fund balance.

Mr. Tymesen said that they do not spend a lot of time on the front-end looking for grant money because they are never sure if they will get it. This year they will have to have an additional audit for the grants because the City has received over \$500,000 in grant monies. He commented that there is no debt, and no surprises. The capital projects for this year have been significant. The Fastlane project is coming forward quickly, which shows what having cash available means to acquire those grants and dovetail with those major projects.

Mr. Tymesen said that based on the City Hall remodel, the fund balance will move down, which was anticipated. It will still be in the healthy range of about 17 to 18% forecasting through the end of this month. The economy is still good and consumer confidence is still up. Mr. Tymesen said that he is very optimistic that council will be pleased with the fund balance, and even with the remodel they will be on solid financial footing going forward.

Councilmember McEvers mentioned a comment that Mr. Tymesen had made regarding the fact that some larger cities can have a smaller percentage of fund balance. Mr. Tymesen explained that larger cities can have a smaller percentage of fund balance, because of their larger budget. He would propose closer to 12 percent as a minimum, and below 12% they would start to feel pinched about the 1st of December while they are waiting for the next property tax check.

Mayor Widmyer opened for public testimony. There was none.

Public testimony was closed.

MOTION: Motion by McEvers, seconded by Evans, to dispense with the rule and read Council Bill No. 17-1032 once by title only.

ROLL CALL: Edinger, Aye; Evans, Aye; McEvers, Aye; Gookin, Aye; English, Aye. Motion carried.

MOTION: Motion by McEvers, seconded by Edinger, to adopt Council Bill 17-1032.

ROLL CALL: Edinger, Aye; Evans, Aye; McEvers, Aye; Gookin, Aye; English, Aye. Motion carried.

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

The meeting adjourned at 6:32 p.m.

ATTEST:

Steve Widmyer, Mayor

Amy C. Ferguson
Deputy City Clerk

**PUBLIC WORKS COMMITTEE
MINUTES
September 25, 2017
4:00 p.m., Library Community Room**

COMMITTEE MEMBERS PRESENT

Councilmember Woody McEvers
Councilmember Dan English
Councilmember Dan Gookin

STAFF PRESENT

Mike Becker, WW Utility Proj. Mgr
Amy Ferguson, Executive Asst.
Monte McCully, Trails Coordinator
Tim Martin, Streets & Eng. Supt.
Randy Adams, Deputy City Attorney
Troy Tymesen, Finance Director
Mike Anderson, WW Superintendent

**Item 1 Bike Corral Architects West
Agenda Item**

Monte McCully, Trails Coordinator, presented a request from the CDA Parks Department for the approval of a permit for Architects West to purchase and install a bike corral.

Mr. McCully stated in his staff report that the CDA Ped/Bike Committee partnered with the Parks Department to start a bike corral pilot project a few years ago that resulted in bike corrals being built and installed at two locations downtown. The purpose of a bike corral is to provide a place, in lieu of a car parking space, for bikes to park when there is not room for a bike rack or the bike rack that is present isn't big enough to meet demand. One of these corrals is located at Calypso's and the other is at Crafted. Both racks are utilized quite a bit at certain times of the day. Architects West is a company downtown on Lakeside Avenue and 2nd Street that sees the need for a similar bike corral for their company and the businesses adjacent to it. The Parking Commission has agreed that a bike corral could be placed in the requested location.

Mr. McCully further stated in his staff report that after the initial pilot project it was decided that if businesses want a bike corral they should purchase, store and maintain the corral with the location approved by the city. Architects West will need to move the bike corral out of the street and store it during the winter so the Street Department can plow. The bike corral will encourage ridership, leading to less cars competing for the limited parking spaces downtown.

Mr. McCully said that in the next few months they will be bringing forward a permitting process for bike corrals. He noted that the Architects West location is in a bulb out which would prevent a car from parking there and improve the view corridor. He reviewed the draft bike corral permit program that they will bring forward at a later time, and noted that the Parking Commission was okay with losing the parking spot in front of Architects West as long as it was near the bulb out, but they want to identify any future areas ahead of time.

Councilmember Gookin asked about the bike corral in front of the Tap House and noted that it is not a city bike corral and wondered who approved it. Mr. McCully said that they didn't go through the Parks Department and he is not sure who they went through. Councilmember Gookin said that he favors going

forward with a bike corral policy because his concern is parking downtown. He also noted that downtown is not biking friendly.

Councilmember English said that he was at the planning commission meeting when this came up and everybody was tuned in to balancing the need for parking. The idea of identifying parking spots that would be better utilized for bike parking is a good idea and he thinks there is quite a bit of thought going into that.

MOTION: Motion by English, to recommend Council authorize a permit for Architects West to purchase and install a bike corral. Motion died for lack of a second.

MOTION: Motion by Gookin to hold off on authorizing a permit for the Architects West bike corral, but move forward with a policy that Architects West could fit into and apply for a permit. Motion died for lack of a second.

DISCUSSION: Councilmember McEvers asked about input from businesses and the neighborhood. Mr. McCully said that the biking season is over that that Architects West might be fine with waiting. He noted that the Downtown Association was okay with certain locations for bike racks as long as they were thought out. The Parking Commission liked the idea of shortening the bike racks and putting them in certain locations. Councilmember English said that he thinks it does make sense to look at an overall policy, but if someone asks before the policy goes into effect and it makes sense, he would be comfortable with approving the request.

NO MOTION. This item will be placed on the council meeting agenda for further discussion.

Item 2 Declare Surplus Used Equipment and Vehicles Consent Calendar

Tim Martin, Streets & Engineering Director, presented a request for council to declare various pieces of used assets and items to be deemed surplus and authorize staff to take them to auction.

Mr. Martin stated in his staff report that the equipment/vehicles have been deemed of little value to departments. There is no cost to the taxpayers. The auction house takes a percentage of the bid auction item and there is very minimal cost to the department to shuttle the items to Post Falls. The items for surplus include:

- 1996 ½ ton 2wd GMC cab and chassis
- 1999 GMC C6500
- 1989 Ford F700
- 2000 Dodge Durango
- 1998 Chevrolet Astro Van
- Used video camera parts from Drainage utility truck
- Various signal light components

Mr. Martin noted that a city in southern Idaho is interested in the video equipment. He also noted that in regard to the usage of the vehicles, it is not only the mileage, but they also sit out at job sites idling and there are a lot of hours on the vehicles.

MOTION: Motion by English, seconded by Gookin to recommend Council approval of Resolution No. 17-063 declaring various pieces of used assets and items to be surplus and authorizing staff to take to auction. Motion carried.

**Item 3 CH & E Six Inch Portable Trash Pump Surplus
Consent Calendar**

Mike Anderson, Wastewater Superintendent, presented a request for council to declare as surplus a CH & E Six Inch Trash Pump. Mr. Anderson stated in his staff report that the Wastewater Utility utilizes trash pumps for emergencies and for transferring liquid from an active tank for tank cleaning. The trash pumps allow for transfer of sewer water from tank to tank and have the capacity to function as a “quick connect pump” to bypass a lift station in case of an emergency. The six inch trash pump was purchased in 2001 and has reached its maximum useful life. As part of the Wastewater Utility’s emergency preparedness, it is important that the equipment be in reliable condition should an emergency arise. During the current fiscal year (2016/2017) replacement of both the four and six inch trash pumps was budgeted. The current value of the 2001 pump is unknown. Websites show similar (four inch) listings in the low \$2,000 range. In comparison to a 4 inch pump, the 6 inch pump is more cumbersome to manipulate in the field due to its larger size and therefore they have received no requests from other departments that it be transferred to them.

Mr. Anderson said that they have budgeted for and received a new trash pump. They have found a home for the four inch trash pump, but couldn’t find a taker for the six inch pump.

MOTION: Motion by Gookin, seconded by English, to recommend Council approval of Resolution No. 17-063 declaring the CH & E six inch trash pump as surplus and authorizing staff to take it to auction. Motion carried.

**Item 4 Agreement for Professional Engineering Services with J-U-B Engineers, Inc.
PULLED FROM AGENDA**

The meeting adjourned at 4:24 p.m.

Respectfully submitted,

Amy C. Ferguson
Public Works Committee Liaison

RESOLUTION NO. 17-063

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING: APPROVAL OF BELLERIVE 6TH ADDITION (S-2-16) FINAL PLAT, AGREEMENT FOR MAINTENANCE/WARRANTY OF SUBDIVISION WORK, AND SECURITY, AND ACCEPTANCE OF IMPROVEMENTS; APPROVAL OF RIVIERA PLACE (S-7-16) FINAL PLAT, AGREEMENT FOR MAINTENANCE/WARRANTY OF SUBDIVISION WORK, AND SECURITY, AND ACCEPTANCE OF IMPROVEMENTS; APPROVAL OF RIVIERA PLACE (S-7-16) AGREEMENT TO PERFORM SUBDIVISION WORK FOR LANDSCAPE IMPROVEMENTS. AND APPROVAL OF SECURITY; DECLARATION AS SURPLUS OF USED EQUIPMENT AND VEHICLES FROM THE STREETS & ENGINEERING DEPARTMENT; AND DECLARATION AS SURPLUS OF CH&E SIX INCH PORTABLE TRASH PUMP SURPLUS FROM THE WASTEWATER DEPARTMENT.

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

- A) Approval of Bellerive 6th Addition (S-2-16) Final Plat, Agreement for Maintenance/Warranty of Subdivision Work, and Security, and Acceptance of Improvements;
- B) Approval of Riviera Place (S-7-16) Final Plat, Agreement for Maintenance/Warranty of Subdivision Work, and Security, and Acceptance of Improvements;
- C) Approval of Riviera Place (S-7-16) Agreement to Perform Subdivision Work for landscape improvements, and Approval of Security;
- D) Declaration as Surplus of Used Equipment and Vehicles from the Streets & Engineering Department;
- E) Declaration as Surplus for CH&E Six Inch Portable Trash Pump Surplus from the Wastewater Department;

AND

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

NOW, THEREFORE,

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

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

DATED this 3rd day of October, 2017.

Steve Widmyer, 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 MCEVERS Voted _____

COUNCIL MEMBER ENGLISH Voted _____

COUNCIL MEMBER GOOKIN Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

CITY COUNCIL STAFF REPORT

DATE: October 3, 2017
FROM: Dennis J. Grant, Engineering Project Manager
SUBJECT: **S-2-17 Bellerive 6th Addition: Final Plat, Acceptance of Improvements, Maintenance/Warranty Agreement and Security Approval**

DECISION POINT

Staff is requesting the following:

1. Approval of the final plat document, a two (2) lot residential development.
2. Acceptance of the installed public infrastructure improvements.
3. Approval of the Maintenance/Warranty Agreement and accompanying Security.

HISTORY

- a. Applicant: John R. Williams
Riverwalk Townhomes, LLC
7358 N. Aaron Street
Coeur d'Alene, ID 83815
- b. Location: +/- .945 Acre parcel located east of the terminus of Bellerive Lane and on the south side of the existing centennial trail.
- c. Previous Action:
 1. Preliminary plat approval, May 2016

FINANCIAL ANALYSIS

The developer is installing the required warranty bond (10%) to cover any maintenance issues that may arise during the one (1) year warranty period that will commence upon this approval, and terminate, on October 3, 2018. The amount of the security provided is \$1,155.00.

PERFORMANCE ANALYSIS

The developer has installed all required public infrastructure. The responsible City departments have approved the installations and found them ready to accept. Acceptance of the installed improvements will allow the issuance of all available building permits for this development, and, Certificate of Occupancy issuance upon completion. The City maintenance would be required to start after the on (1) year warranty period expired on October 3, 2018.

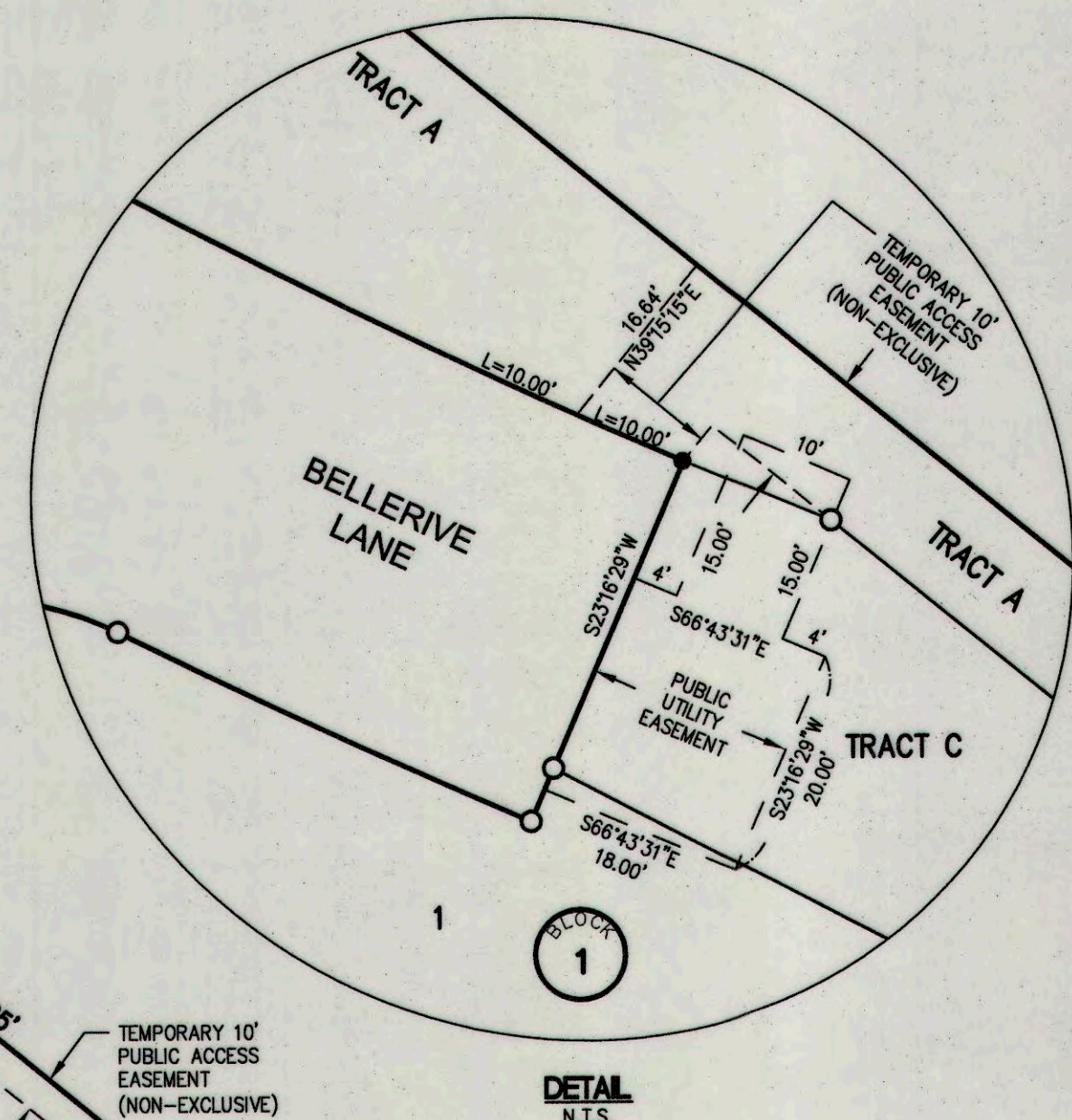
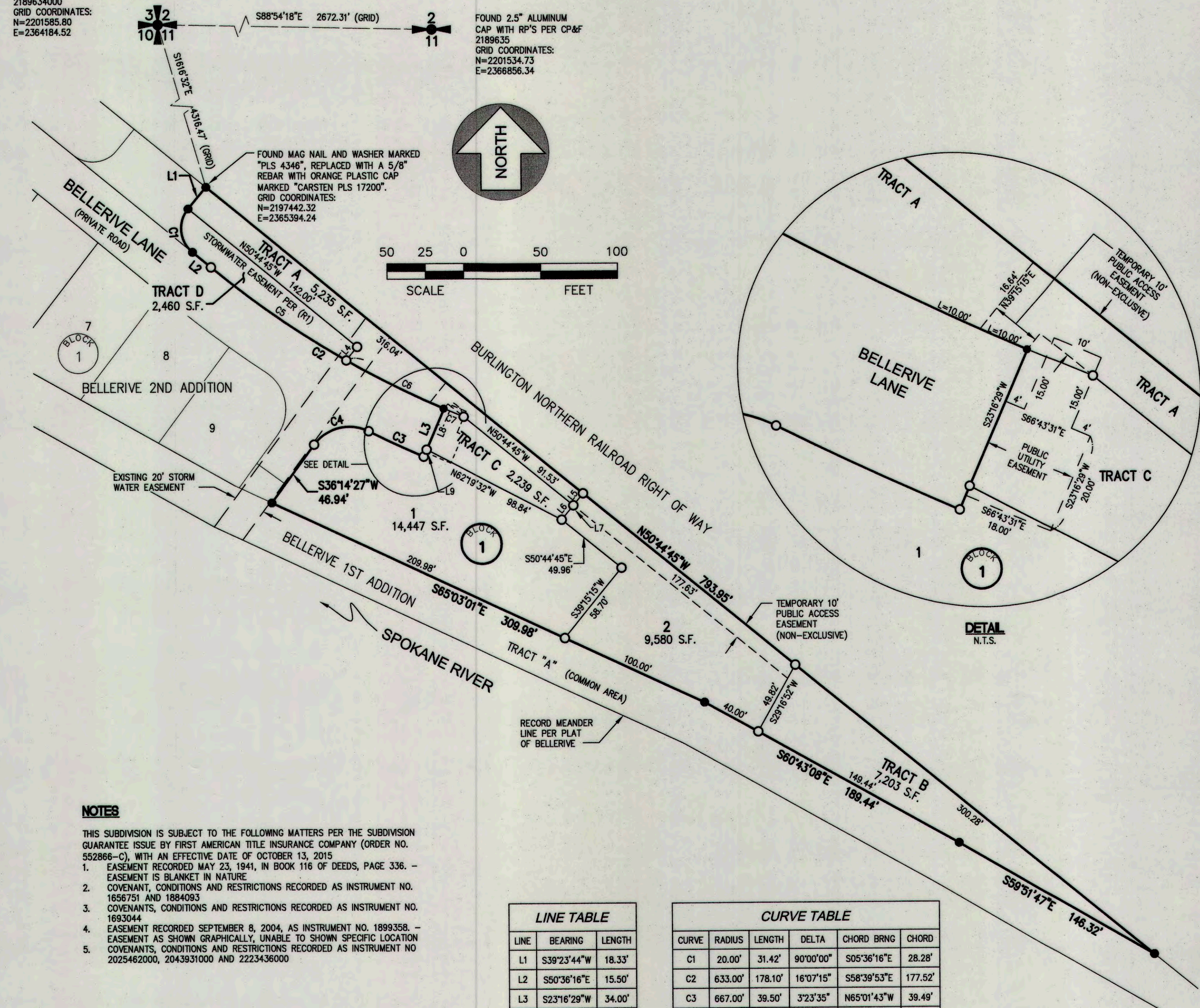
DECISION POINT RECOMMENDATION

1. Approve the final plat document.
2. Accept the installed public infrastructure improvements.
3. Approve the Maintenance/Warranty Agreement and accompanying Security.

BOOK _____ PAGE _____
 INSTRUMENT # _____
 RECORDER _____
 FILED AND RECORDED AT THE REQUEST OF
 RIVERWALK TOWNHOMES LLC.
 DATE: _____
 TIME: _____
 BOOK: _____ PAGE _____
 INSTRUMENT NO: _____
 KOOTENAI COUNTY, STATE OF IDAHO
 RECORDER: _____
 DEPUTY: _____
 FEE: _____

FOUND 3.25" ALUMINUM
 CAP WITH RP'S PER CP&F
 2189634000
 GRID COORDINATES:
 N=2201585.80
 E=2364184.52

FOUND 2.5" ALUMINUM
 CAP WITH RP'S PER CP&F
 2189635
 GRID COORDINATES:
 N=2201534.73
 E=2366856.34



LEGEND

- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "PLS 4346", UNLESS NOTED OTHERWISE.
- SET 5/8" x 24" REBAR WITH ORANGE PLASTIC CAP MARKED "CARSTEN PLS 17200"

REFERENCES

- (R1) BELLERIVE 2ND ADDITION RECORDED IN BOOK "K" OF PLATS, PAGE 158 THROUGH 158D
- (R2) BELLERIVE 1ST ADDITION, RECORDED IN BOOK "K" OF PLATS, PAGES 133 THROUGH 133D.

BASIS OF BEARING

THE BASIS OF BEARINGS IS SOUTH 88°54'18" EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 11 PER IDAHO STATE PLANE COORDINATE SYSTEM, WEST ZONE USING NAD83 (1992 ADJ.) COORDINATES. A COMBINED ADJUSTMENT SCALE FACTOR OF 1.000089946 WAS DERIVED TO ADJUST FROM STATE PLANE GRID VALUES TO MODIFIED GROUND. A CONVERGENCE ANGLE OF -0°46'42" WAS DETERMINED AT THE NORTHWEST CORNER OF THIS SUBDIVISION AT AN ELEVATION OF 2145.77 FEET (NADV88)

SURVEYOR'S NOTES

1. TOTAL SUBDIVISION AREA IS: 0.95 ACRES OR 41,165 S.F.
2. FIELD SURVEY WAS PERFORMED JULY 1, 2015.
3. UNLESS OTHERWISE STATED, ALL COORDINATES, BEARINGS, AND DISTANCES SHOWN ARE GROUND VALUES.

NOTES

THIS SUBDIVISION IS SUBJECT TO THE FOLLOWING MATTERS PER THE SUBDIVISION GUARANTEE ISSUE BY FIRST AMERICAN TITLE INSURANCE COMPANY (ORDER NO. 552866-C), WITH AN EFFECTIVE DATE OF OCTOBER 13, 2015

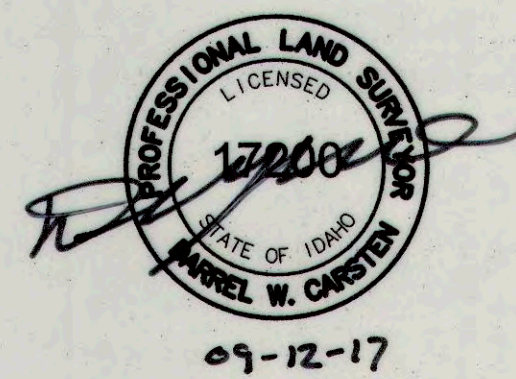
1. EASEMENT RECORDED MAY 23, 1941, IN BOOK 116 OF DEEDS, PAGE 336. - EASEMENT IS BLANKET IN NATURE
2. COVENANT, CONDITIONS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 1656751 AND 1884093
3. COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 1693044
4. EASEMENT RECORDED SEPTEMBER 8, 2004, AS INSTRUMENT NO. 1899358. - EASEMENT AS SHOWN GRAPHICALLY, UNABLE TO SHOW SPECIFIC LOCATION
5. COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AS INSTRUMENT NO 2025462000, 2043931000 AND 2223436000

LINE TABLE

LINE	BEARING	LENGTH
L1	S39°23'44"W	18.33'
L2	S50°36'16"E	15.50'
L3	S23°16'29"W	34.00'
L4	N39°15'15"E	11.32'
L5	S39°15'15"W	10.00'
L6	S39°15'15"W	12.00'
L7	N39°15'15"E	22.00'
L8	S23°16'29"W	29.00'
L9	S23°16'29"W	5.00'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD BRNG	CHORD
C1	20.00'	31.42'	90°00'00"	S05°36'16"E	28.28'
C2	633.00'	178.10'	16°07'15"	S58°39'53"E	177.52'
C3	667.00'	39.50'	3°23'35"	N65°01'43"W	39.49'
C4	28.50'	40.01'	80°25'37"	S76°27'16"W	36.80'
C5	633.00'	107.04'	9°41'18"	S55°26'55"E	106.91'
C6	633.00'	84.92'	7°41'13"	S64°08'11"E	84.86'
C7	633.00'	13.86'	1°15'16"	N67°21'09"W	13.86'



BELLERIVE 6TH ADDITION

A REPLAT OF LOT 1 BLOCK 2 OF BELLERIVE 2ND ADDITION BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 50 NORTH, RANGE 4 WEST, B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO JUNE 2017

Parametrix
 ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

1044 NORTHWEST BOULEVARD, SUITE A | COEUR D'ALENE ID 83814
 P 208.664.9405 WWW.PARAMETRIX.COM

SHEET
 1 OF 2

AGREEMENT FOR MAINTENANCE/WARRANTY OF SUBDIVISION WORK

Bellerive 6th Addition

THIS AGREEMENT made this 3rd day of October, 2017 between Riverwalk Townhomes, LLC, whose address is 7358 N. Aaron Street, Coeur d'Alene, ID, 83815, with John R. Williams, hereinafter referred to as the "Developer," and the city of Coeur d'Alene, a municipal corporation and political subdivision of the state of Idaho, whose address is City Hall, 710 E. Mullan Avenue, Coeur d'Alene, ID 83814, hereinafter referred to as the "City";

WHEREAS, the City has approved the final subdivision plat of Bellerive 6th Addition, a two (2) lot, residential development in Coeur d'Alene, situated in the Southwest ¼ of Section 11, Township 50 North, Range 4 West, B.M., City of Coeur d'Alene, Kootenai County, Idaho; and

WHEREAS, the Developer completed the installation of certain public improvements in the noted subdivision as required by Title 16 of the Coeur d'Alene Municipal Code and is required to warrant and maintain the improvements for one year; NOW, THEREFORE,

IT IS AGREED AS FOLLOWS:

The Developer agrees to maintain and warrant for a period of one year from the approval date of this agreement, the public improvements listed in the attached spreadsheet, attached as Exhibit "A", and, as shown on the construction plans entitled "Bellerive Short Plat Utility Plan", signed and stamped by Mark A. Aronson, PE, # 6524, dated November 30, 2016, incorporated herein by reference, including but not limited to: sanitary sewer system and appurtenances, potable water system and appurtenances, and monumentation as required under Title 16 of the Coeur d'Alene Municipal Code.

The Developer herewith delivers to the City, security in a form acceptable to the City, for the amount of One Thousand One hundred fifty five and 00/100 Dollars (\$1,155.00) securing the obligation of the Developer to maintain and warrant the public subdivision improvements referred to herein. The security shall not be released until the 3rd day of October, 2018. The City Inspector will conduct a final inspection prior to the release of the security to verify that all installed improvements are undamaged and free from defect. In the event that the improvements made by the Developer were not maintained or became defective during the period set forth above, the City may demand the funds represented by the security and use the proceeds to complete maintenance or repair of the improvements thereof. The Developer further agrees to be responsible for all costs of warranting and maintaining said improvements above the amount of the security given.

Owner's Reimbursement to the City: The Parties further agree that the City has utilized substantial staff time to prepare this agreement, which will benefit the Owner. The Parties further agree the City should be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee should be in the amount of Twenty Five and No/100 Dollars (\$25.00).

IN WITNESS WHEREOF, the parties have set their hands and seal the day and year first above written.

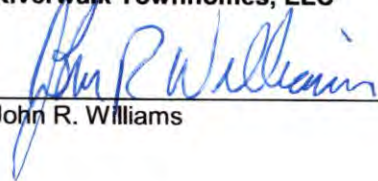
City of Coeur d'Alene

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

Riverwalk Townhomes, LLC



John R. Williams

Maintenance-Warranty Bond
for
BELLERIVE 6TH ADDITION
9/22/2017

Water Improvements

Fire Hydrant	\$3,500.00
3/4" Water Service	\$1,250.00
1" Water Service	\$1,400.00
2" Water Service	<u>\$3,200.00</u>
Water Subtotal	\$9,350.00

Sewer Improvements

4" Service from man-hole to Lot 2	\$1,000.00
6" Service from man-hole to Lot 1	<u>\$1,200.00</u>
Sewer Subtotal	\$2,200.00

TOTAL CONSTRUCTION COST \$11,550.00

Warranty Bond Amount (10%) \$1,155.00

CITY COUNCIL STAFF REPORT

DATE: October 3, 2017
FROM: Dennis J. Grant, Engineering Project Manager
SUBJECT: **Riviera Place: Final Plat Approval, Acceptance of Improvements, Maintenance/Warranty Agreement and Security Approval**

DECISION POINT

Staff is requesting the following:

1. Approval of the final plat document, a fifteen (15) lot residential development.
2. Acceptance of the installed public infrastructure improvements for Riviera Place.
3. Approval of the Maintenance/Warranty Agreement and security.

HISTORY

- a. Applicant: Dennis E. Cunningham II
Active West, LLC
311 E. Coeur d'Alene Avenue, Suite C
Coeur d'Alene, ID 83814
- b. Location: +/- 1.7118 Acre Vacant Parcel in Riverstone West 3rd Addition at the Northwest corner of the intersection of John Loop (West) and Suzanne Road (South).
- c. Previous Action:
 1. Preliminary plat approval, November 2016

FINANCIAL ANALYSIS

The developer is installing the required warranty bond (10%) to cover any maintenance issues that may arise during the one (1) year warranty period that will commence upon this approval, and terminate, on October 3, 2018. The amount of the security provided is \$16,400.00.

PERFORMANCE ANALYSIS

The developer has installed all of the required public infrastructure, and, the responsible City departments have approved the installations and found them ready to accept. Acceptance of the installed improvements will allow the issuance of all available building permits for this phase of the development, and, Certificate of Occupancy issuance upon completion. The City maintenance would be required to start after the one (1) year warranty period expires on October 3, 2018.

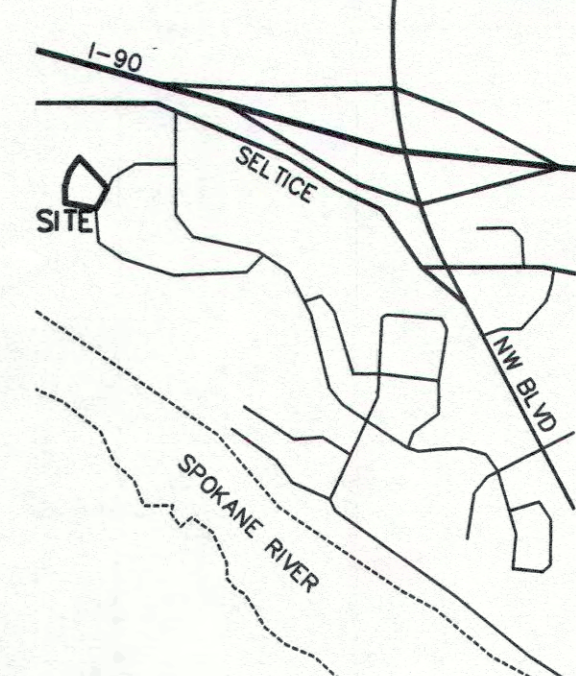
DECISION POINT RECOMMENDATION

1. Approve the final plat document.
2. Accept the installed public infrastructure improvements.
3. Approve the Maintenance/Warranty agreement and accompanying security.

RIVIERA PLACE

A REPLAT OF LOT 3, BLOCK 1, RIVERSTONE WEST 3RD ADDITION
 NE 1/4 SEC 10, T 50N, R 4W, BM
 CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

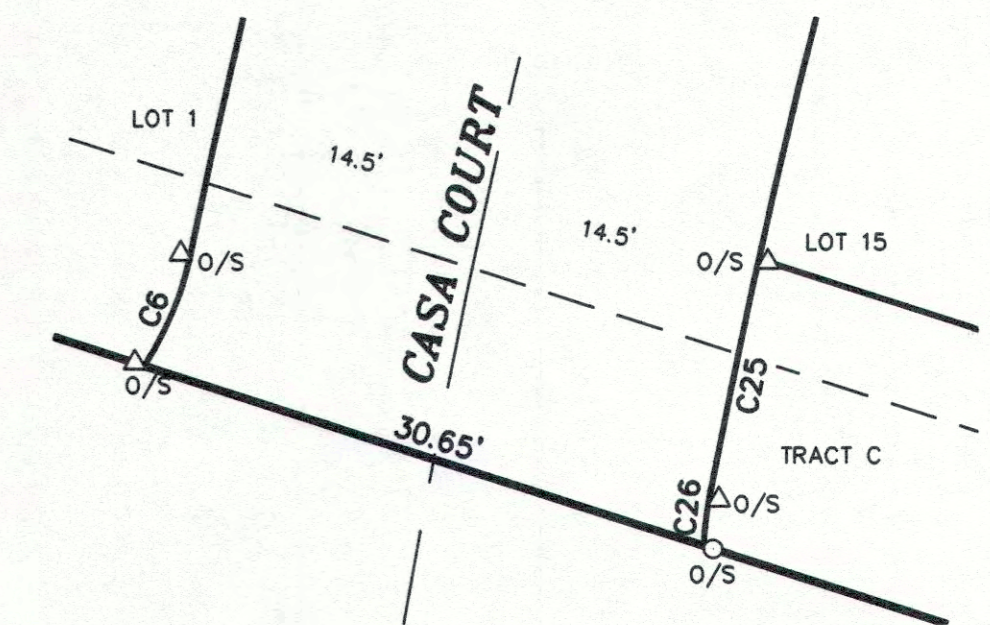
BOOK _____ PAGE _____
 INST # _____



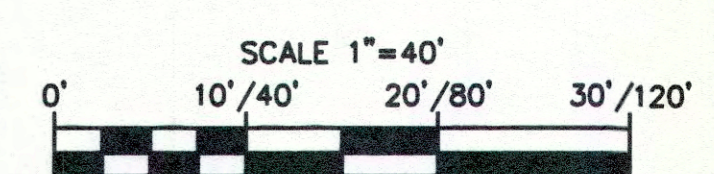
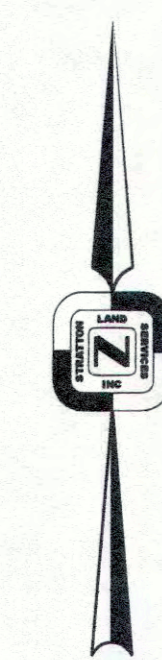
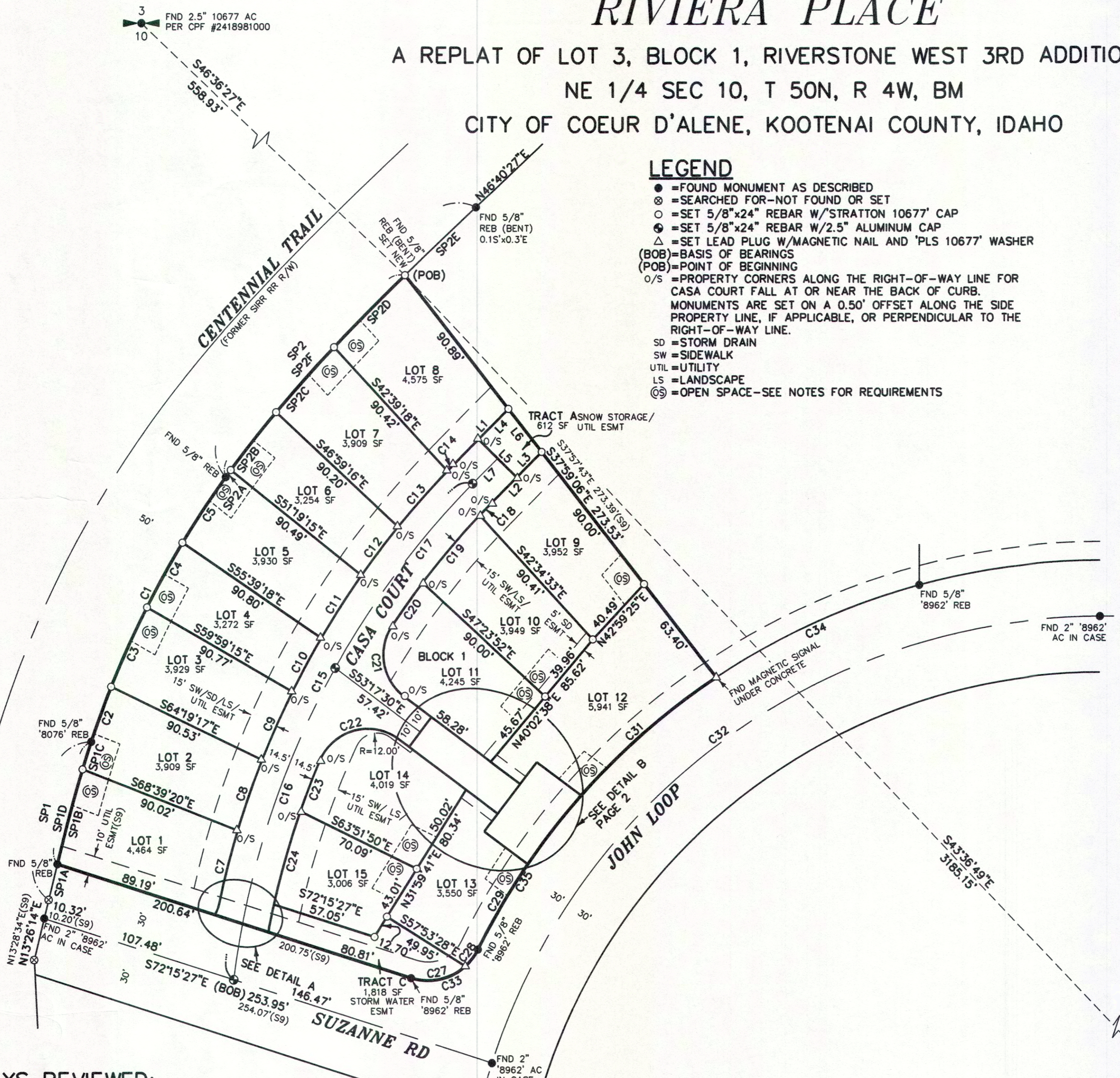
VICINITY SKETCH
 NOT TO SCALE

LEGEND

- = FOUND MONUMENT AS DESCRIBED
- ⊗ = SEARCHED FOR-NOT FOUND OR SET
- = SET 5/8"x24" REBAR W/STRATTON 10677' CAP
- ⊙ = SET 5/8"x24" REBAR W/2.5" ALUMINUM CAP
- △ = SET LEAD PLUG W/MAGNETIC NAIL AND 'PLS 10677' WASHER
- (BOB) = BASIS OF BEARINGS
- (POB) = POINT OF BEGINNING
- O/S = PROPERTY CORNERS ALONG THE RIGHT-OF-WAY LINE FOR CASA COURT FALL AT OR NEAR THE BACK OF CURB. MONUMENTS ARE SET ON A 0.50' OFFSET ALONG THE SIDE PROPERTY LINE, IF APPLICABLE, OR PERPENDICULAR TO THE RIGHT-OF-WAY LINE.
- SD = STORM DRAIN
- SW = SIDEWALK
- UTIL = UTILITY
- LS = LANDSCAPE
- Ⓢ = OPEN SPACE-SEE NOTES FOR REQUIREMENTS



DETAIL A
 SCALE 1"=10'



SCALE 1"=40'
 BASIS OF BEARINGS:
 NAD 83, IDAHO WEST ZONE PER (S9)
 AS SHOWN HEREON
 EQUIPMENT USED:
 RTK GPS
 5" TOTAL STATION

SURVEYS REVIEWED:

- (S1) PLAT OF RIVERSIDE PARK ADD BY CUMMINGS IN 1907 BK B PG 138
- (S2) CDA TO PEND O'REILLE RAILROAD MAP PG 3 OF 3 DATED 1911
- (S3) RECORD OF SURVEY BY LEPARD IN 1983 BK 3 PG 323
- (S4) RECORD OF SURVEY BY LEPARD IN 1985 BK 4 PG 212
- (S5) RECORD OF SURVEY BY HODGE IN 2004 BK 23 PG 12
- (S6) RECORD OF SURVEY BY WARNER IN 2007 BK 24 PG 464
- (S7) PLAT OF RIVERSTONE WEST 2ND ADD BY MARTINEZ IN 2008 BK K PG 183
- (S8) RECORD OF SURVEY BY JOHNSON IN 2010 BK 26 PG 410
- (S9) PLAT OF RIVERSTONE WEST 3RD ADD BY MAYBERRY IN 2011 BK K PG 326



SURVEY FOR:
ACTIVE WEST

INDEX			
1/4, 1/4	SEC	T.	R.
■	10	50N	4W

STRATTON LAND SERVICES, INC.
 8088 W. MAIN ST. UNIT 1
 RATHDRUM, ID 83858
 (208) 687-2854
 FAX: (208) 687-3542
 WWW.STRATTONLS.COM

16053-7.DWG
 DATE: 9/22/17
 DRAWN BY: RLS

SHT. 1 OF 3
 PROJ # 16053

RIVIERA PLACE

A REPLAT OF LOT 3, BLOCK 1, RIVERSTONE WEST 3RD ADDITION
NE 1/4 SEC 10, T 50N, R 4W, BM
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK _____ PAGE _____
INST # _____

LINE TABLE

LINE	BEARING	LENGTH
L1	S44°37'04"W	42.11'
L2	S44°37'04"W	38.34'
L3	S44°37'04"W	19.22'
L4	S44°37'04"W	22.99'
L5	S45°22'56"E	29.00'
L6	S37°59'06"E	29.24'
L7	N44°37'04"E	19.12'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	
C1	522.86'	159.87'	17°31'08"	S27°00'38"W	159.25'
	522.86'	159.87'	17°31'08"	S27°02'57"W	159.25' (S9)
C2	522.86'	31.37'	3°26'16"	S19°58'12"W	31.37'
C3	522.86'	46.86'	5°08'06"	S24°15'22"W	46.84'
C4	522.86'	39.54'	4°19'57"	S28°59'24"W	39.53'
C5	522.86'	42.10'	4°36'50"	S33°27'47"W	42.09'
C6	16.00'	6.21'	22°15'05"	N22°52'21"E	6.17'
C7	472.33'	40.83'	4°57'11"	S14°13'24"W	40.82'
C8	472.33'	40.00'	4°51'08"	S19°07'33"W	39.99'
C9	472.33'	40.00'	4°51'08"	S23°58'41"W	39.99'
C10	472.33'	32.68'	3°57'51"	S28°23'11"W	32.67'
C11	472.33'	40.00'	4°51'08"	S32°47'41"W	39.99'
C12	472.33'	32.68'	3°57'49"	S37°12'09"W	32.67'
C13	472.33'	40.00'	4°51'08"	S41°36'38"W	39.99'
C14	472.33'	4.79'	0°34'52"	S44°19'38"W	4.79'
C15	457.83'	300.74'	37°38'13"	S25°47'57"W	295.36'
C16	457.83'	176.86'	22°07'59"	S18°02'50"W	175.76'
C17	457.83'	123.88'	15°30'14"	S36°51'57"W	123.51'
C18	443.33'	9.30'	1°12'06"	S44°01'01"W	9.30'
C19	443.33'	47.58'	6°08'56"	S40°20'30"W	47.56'
C20	443.33'	28.36'	3°39'55"	S35°26'05"W	28.35'
C21	28.00'	42.46'	86°53'37"	S09°50'41"E	38.51'
C22	28.00'	50.69'	103°43'13"	S74°50'54"W	44.04'
C23	443.33'	29.15'	3°46'05"	S21°06'15"W	29.15'
C24	443.33'	51.98'	6°43'04"	S15°51'41"W	51.95'
C25	443.33'	12.60'	1°37'43"	S11°41'18"W	12.60'
C26	16.00'	2.52'	9°01'36"	S06°21'38"W	2.52'
C27	30.00'	31.31'	59°48'09"	N77°50'28"E	29.91'
C28	30.00'	11.35'	21°40'14"	N37°06'17"E	11.28'
C29	373.85'	53.16'	8°08'48"	S30°20'34"W	53.11'
C30	373.85'	46.84'	7°10'45"	S38°00'21"W	46.81'
C31	373.85'	96.67'	14°48'57"	S49°00'12"W	96.40'
C32	343.85'	434.23'	72°21'20"	S53°54'02"W	405.94'
	343.85'	434.19'	72°20'58"	S53°55'04"W	405.92' (S9)
C33	30.00'	42.66'	81°28'23"	N67°00'21"E	39.15'
	30.00'	42.65'	81°27'20"	S67°00'53"W	39.15' (S9)
C34	373.85'	120.79'	18°30'37"	S65°39'59"W	120.25'
	373.85'	120.78'	18°30'40"	S65°40'49"W	120.26' (S9)
C35	373.85'	196.66'	30°08'30"	S41°20'25"W	194.41'
	373.85'	196.65'	30°08'16"	S41°21'21"W	194.39' (S9)

SPIRAL TABLE

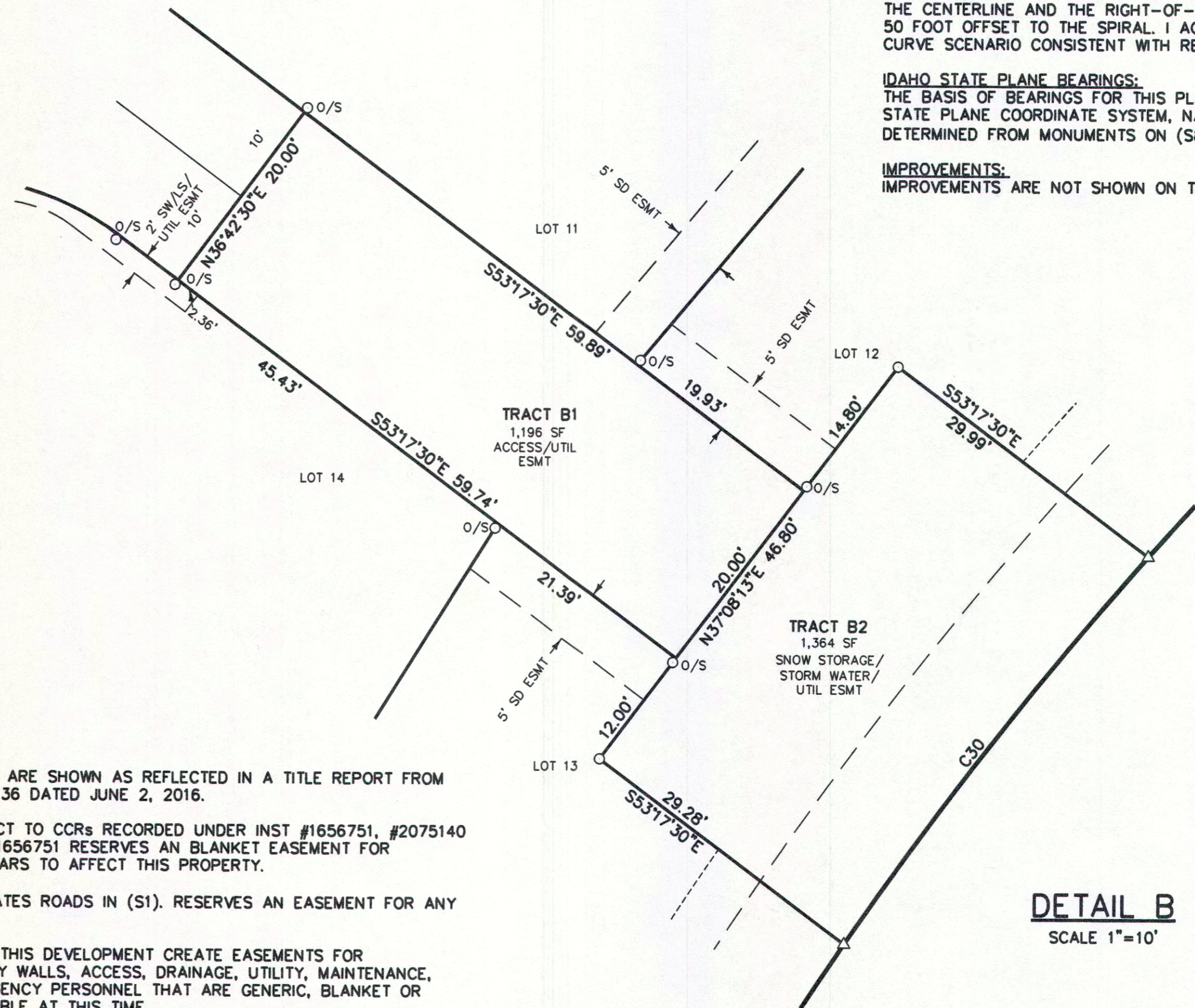
SPIRAL	RADIUS	LENGTH	CHORD	
SP1	522.86'	87.86'	N15°02'30"E	87.83'
		87.86'	N15°04'50"E	87.83' (S9)
SP1A			N13°31'05"E	19.76'
SP1B			N14°54'17"E	52.61'
SP1C			N17°27'12"E	15.48'
SP1D			N15°29'02"E	68.08'
			N15°31'33"E	67.96' (S9)
SP2	522.86'	198.09'	N43°00'24"E	197.77'
		198.31'	N43°03'13"E	197.99' (S9)
SP2A			N36°01'13"E	4.73'
SP2B			N38°15'04"E	39.47'
SP2C			N41°51'48"E	46.82'
SP2D			N44°47'24"E	54.30'
SP2E			N46°21'59"E	52.76'
SP2F			N41°47'10"E	145.14'
			N41°49'52"E	145.29' (S9)

SURVEYOR'S NARRATIVE:

RAILROAD RIGHT-OF-WAY:
(S2) INDICATES THAT THE ORIGINAL RAILROAD R/W WAS A SIMPLE CURVE. (S5), (S6), (S7), (S8) AND (S9) HAVE TREATED THIS AS A SPIRAL CURVE. IT APPEARS THAT THIS COULD HAVE BEEN ESTABLISHED BY AN AS BUILT OF THE CENTERLINE ON (S5). IN ADDITION, THESE SURVEYS PLACED THE SPIRAL ON THE RIGHT-OF-WAY LINE AS OPPOSED TO THE CENTERLINE AND THE RIGHT-OF-WAY LINE BEING ON A 50 FOOT OFFSET TO THE SPIRAL. I ACCEPTED THE SPIRAL CURVE SCENARIO CONSISTENT WITH RECENT SURVEYS.

IDAHO STATE PLANE BEARINGS:
THE BASIS OF BEARINGS FOR THIS PLAT IS THE IDAHO STATE PLANE COORDINATE SYSTEM, NAD 83 WEST ZONE, AS DETERMINED FROM MONUMENTS ON (S8).

IMPROVEMENTS:
IMPROVEMENTS ARE NOT SHOWN ON THIS SURVEY.

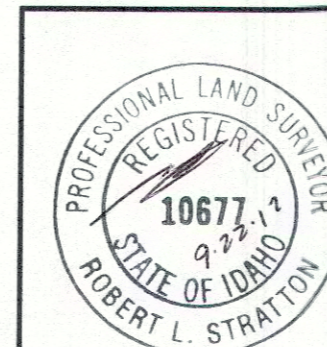


NOTES:

- EXISTING EASEMENTS ARE SHOWN AS REFLECTED IN A TITLE REPORT FROM TITLE ONE FILE #16271136 DATED JUNE 2, 2016.
- THIS PLAT IS SUBJECT TO CCRs RECORDED UNDER INST #1656751, #2075140 AND #2228738. INST #1656751 RESERVES AN BLANKET EASEMENT FOR ENCROACHMENTS. APPEARS TO AFFECT THIS PROPERTY.
- INST #1896277 VACATES ROADS IN (S1). RESERVES AN EASEMENT FOR ANY EXISTING UTILITIES.
- THE NEW CCRs FOR THIS DEVELOPMENT CREATE EASEMENTS FOR ENCROACHMENTS, PARTY WALLS, ACCESS, DRAINAGE, UTILITY, MAINTENANCE, LANDSCAPE AND EMERGENCY PERSONNEL THAT ARE GENERIC, BLANKET OR OTHERWISE NOT PLOTTABLE AT THIS TIME.
- VEHICULAR ACCESS TO JOHN LOOP IS PROHIBITED.
- THE MINIMUM REQUIRED AMOUNT OF OPEN SPACE IS 300 SF PER DWELLING UNIT. SUCH SPACE SHALL BE AT LEAST 15 FEET AT THE NARROWEST DIMENSION AND SHALL BE PLANTED WITH GRASS AND ONE TREE WITH A MINIMUM OF 2" CALIPER FOR EACH 300 SF. HARD SURFACED PATIOS OR DECKS MAY OCCUPY UP TO 1/2 OF THE REQUIRED AREA. THE LOCATION OF THIS SPACE CAN BE SHIFTED WITHIN THE PARCEL.

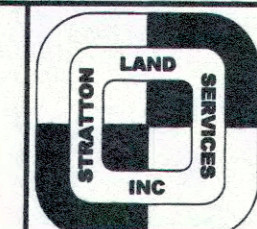
HOA/CCRs:

HOMEOWNERS ASSOCIATION / COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED UNDER INST # _____



SURVEY FOR:

ACTIVE WEST



STRATTON LAND SERVICES, INC.
8068 W. MAIN ST. UNIT 1
RATHDRUM, ID 83858
(208) 687-2854
FAX: (208) 687-3542
WWW.STRATTONLS.COM

16053-7.DWG	
DATE: 9/22/17	SHT. 2 OF 3
DRAWN BY: RLS	PROJ # 16053

RIVIERA PLACE

A REPLAT OF LOT 3, BLOCK 1, RIVERSTONE WEST 3RD ADDITION
NE 1/4 SEC 10, T 50N, R 4W, BM
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

BOOK _____ PAGE _____
INST # _____

OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT ACTIVE WEST, LLC, AN IDAHO LIMITED LIABILITY COMPANY, HEREBY CERTIFIES THAT IT IS THE OWNER OF THE LAND DESCRIBED AS:

A PARCEL OF LAND BEING LOT 3, BLOCK ONE OF THE PLAT OF RIVERSTONE WEST 3RD ADDITION AS ON RECORD WITH KOOTENAI COUNTY IN BOOK 'K' OF PLATS AT PAGE 326, LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 50 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO. SAID PARCEL ALSO BEING GENERALLY DESCRIBED AS:

BEGINNING AT THE NORTH CORNER OF SAID LOT 3;
THENCE SOUTH 37° 59' 06" EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT 3 FOR 273.38 FEET TO THE EAST CORNER OF SAID LOT 3 AND A POINT ON A NON-TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 48° 39' 35" EAST 373.85 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE AND THE EASTERLY LINE OF SAID LOT 3 FOR 196.66 FEET (CHORD BEARS SOUTH 41° 20' 25" WEST 194.41 FEET) TO THE BEGINNING OF A 30.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT;
THENCE SOUTHWESTERLY ALONG SAID CURVE 42.66 FEET (CHORD BEARS SOUTH 67° 00' 21" WEST 39.15 FEET);
THENCE NORTH 72° 15' 27" WEST 200.64 FEET TO THE WEST CORNER OF SAID LOT 3 AND A POINT ON A SPIRAL CURVE AS SHOWN ON SAID PLAT OF RIVERSTONE WEST 3RD ADDITION;
THENCE NORTHEASTERLY ALONG SAID SPIRAL TO A POINT, THE CHORD OF WHICH BEARS NORTH 15° 29' 02" EAST 68.08 FEET, SAID POINT BEING THE BEGINNING OF A 522.86 FOOT RADIUS TANGENT CURVE TO THE RIGHT;
THENCE NORTHEASTERLY ALONG SAID CURVE 159.87 FEET (CHORD BEARS NORTH 27° 00' 38" EAST 159.25 FEET) TO THE BEGINNING OF A SPIRAL CURVE AS SHOWN ON SAID PLAT;
THENCE NORTHEASTERLY ALONG SAID SPIRAL TO A POINT, THE CHORD OF WHICH BEARS NORTH 41° 47' 10" EAST 145.14 FEET, SAID POINT BEING THE SAID POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD OR IN VIEW.

DOMESTIC WATER WILL BE PROVIDED BY THE CITY OF COEUR D'ALENE.
SEWAGE DISPOSAL WILL BE PROVIDED BY THE CITY OF COEUR D'ALENE.

THE OWNERS HEREBY DEDICATE TO THE CITY OF COEUR D'ALENE THE NEW RIGHT-OF-WAY SHOWN HEREON.

THE OWNERS HEREBY GRANT TO THE FRANCHISE UTILITIES, THE NEW HOMEOWNERS ASSOCIATION AND THE CITY OF COEUR D'ALENE THE NEW SIDEWALK, LANDSCAPE AND UTILITY EASEMENTS AS SHOWN HEREON FOR THE INSTALLATION, IMPROVEMENT, OPERATION AND MAINTENANCE OF PUBLIC AND FRANCHISED UTILITIES, SIDEWALKS AND LANDSCAPING.

THE OWNERS HEREBY GRANT TO THE CITY OF COEUR D'ALENE THE SNOW STORAGE EASEMENTS SHOWN FOR TRACTS A AND B2.

THE OWNERS HEREBY GRANT TO THE CITY OF COEUR D'ALENE A NEW PUBLIC UTILITY EASEMENT OVER TRACT A, B1 AND B2 AS SHOWN HEREON.

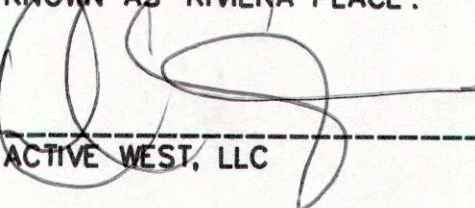
THE OWNERS HEREBY GRANT TO THE CITY OF COEUR D'ALENE A STORMWATER EASEMENT OVER TRACTS B2 AND C, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE INSTALLATION, IMPROVEMENT, OPERATION AND MAINTENANCE OF THE STORMWATER FACILITIES. NO OTHER EASEMENTS SHALL BE GRANTED ON, UNDER, OR OVER THIS EASEMENT WITHOUT OBTAINING PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

TRACTS A, B1, B2 AND C WILL BE OWNED AND MAINTAINED BY THE NEW HOMEOWNERS ASSOCIATION.

THE PRIVATE ACCESS AND UTILITY EASEMENT AS SHOWN ON TRACT B1 HEREON IS HEREBY RESERVED FOR THE BENEFIT OF LOTS 12, 13 AND TRACT B2.

THE STORM DRAIN EASEMENTS AS SHOWN HEREON ARE HEREBY RESERVED FOR THE BENEFIT OF THE OWNERS WITHIN THIS PLAT.

WE HAVE CAUSED SAID LAND TO BE LAID OUT AND EMBRACED WITHIN THE PLAT TO BE KNOWN AS 'RIVIERA PLACE'.


ACTIVE WEST, LLC

Managing Member
TITLE

CITY COUNCIL APPROVAL:

THIS PLAT IS HEREBY ACCEPTED AND APPROVED FOR RECORDING ON THE _____ DAY OF _____, 2017.

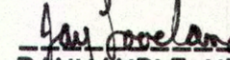
ATTEST: CITY CLERK

ENGINEER, CITY OF COEUR D'ALENE

HEALTH DISTRICT APPROVAL:

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON A REVIEW BY A QUALIFIED LICENSED PROFESSIONAL ENGINEER (QIPE) REPRESENTING THE CITY OF COEUR D'ALENE AND THE QIPE APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. WATER AND SEWER LINES HAVE BEEN COMPLETED AND SERVICES CERTIFIED AS AVAILABLE. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

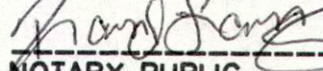
25th DAY OF September, 2017.


PANHANDLE HEALTH DISTRICT 1

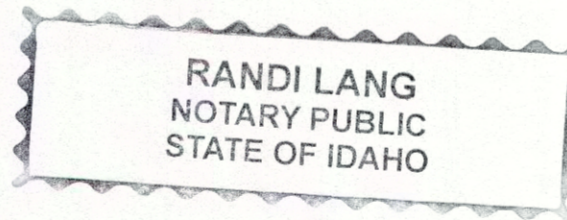
ACKNOWLEDGMENT:

STATE OF Idaho
COUNTY OF Kootenai

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON THIS 26 DAY OF Sept, 2017, BY Randi Lang, AS Dennis Cunningham OF ACTIVE WEST, LLC, AN IDAHO LIMITED LIABILITY COMPANY.

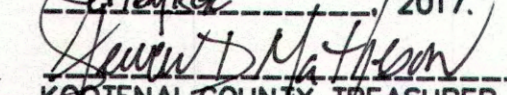

NOTARY PUBLIC

Aug 11, 2020
COMMISSION EXPIRES



COUNTY TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED WITHIN THE OWNER'S CERTIFICATE AND DEDICATION HAVE BEEN PAID THROUGH ~~December 31~~ 2016 AS OF THIS 26 DAY OF ~~September~~ 2017.


KOOTENAI COUNTY TREASURER

COUNTY RECORDER'S CERTIFICATE:

STATE OF IDAHO;
COUNTY OF KOOTENAI;

THIS MAP WAS RECORDED IN THE OFFICE OF THE KOOTENAI COUNTY RECORDER AT THE REQUEST OF ACTIVE WEST, LLC ON THIS _____ DAY OF _____, 2017 AT _____ O'CLOCK ____M AS INSTRUMENT NUMBER _____ AND DULY RECORDED IN BOOK _____, PAGE(S) _____ OF PLATS.

KOOTENAI COUNTY RECORDER FEE _____

BY _____

COUNTY SURVEYOR'S CERTIFICATE:


I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN PLAT AND CHECKED THE PLAT COMPUTATIONS THEREON AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE STATE CODE PERTAINING TO PLATS AND SURVEYS HAVE BEEN MET. SIGNED THIS _____ DAY OF _____, 2017.

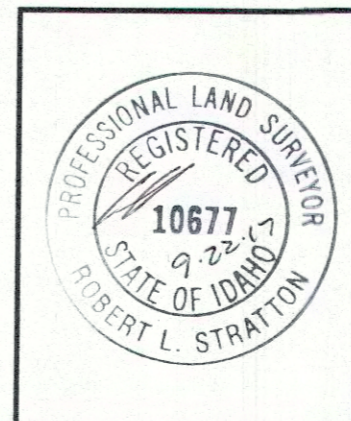
KOOTENAI COUNTY SURVEYOR



SURVEYOR'S CERTIFICATE:

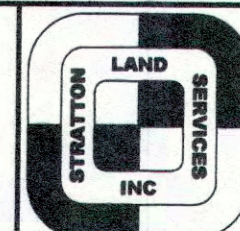
I, ROBERT L. STRATTON, PROFESSIONAL LAND SURVEYOR #10677 OF THE STATE OF IDAHO, HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT SURVEY OF THE PLAT OF 'RIVIERA PLACE' MADE UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO, SIGNED THIS 22ND DAY OF SEPTEMBER, 2017.


ROBERT L. STRATTON, PLS # 10677



SURVEY FOR:

ACTIVE WEST



STRATTON LAND SERVICES, INC.
8068 W. MAIN ST. UNIT 1
RATHDRUM, ID 83858
(208) 687-2854
FAX: (208) 687-3542
WWW.STRATTONLS.COM

16053-7.DWG	
DATE: 9/22/17	SHT. 3 OF 3
DRAWN BY: RLS	PROJ # 16053

AGREEMENT FOR MAINTENANCE/WARRANTY OF SUBDIVISION WORK

Riviera Place

THIS AGREEMENT made this 3rd day of October, 2017 between Active West, LLC, whose address is 311 E. Coeur d'Alene Avenue, Suite C, Coeur d'Alene, ID 83814, with Dennis E. Cunningham II, Managing Member, hereinafter referred to as the "**Developer**," and the city of Coeur d'Alene, a municipal corporation and political subdivision of the state of Idaho, whose address is City Hall, 710 E. Mullan Avenue, Coeur d'Alene, ID 83814, hereinafter referred to as the "**City**";

WHEREAS, the City has approved the final subdivision plat of Riviera Place, a fifteen (15) lot, residential development in Coeur d'Alene, situated in the Northeast ¼ of Section 10, Township 50 North, Range 4 West, B.M., Kootenai County, Idaho; and

WHEREAS, the Developer completed the installation of certain public improvements in the noted subdivision as required by Title 16 of the Coeur d'Alene Municipal Code and is required to warrant and maintain the improvements for one year; NOW, THEREFORE,

IT IS AGREED AS FOLLOWS:

The Developer agrees to maintain and warrant for a period of one year from the approval date of this agreement, the public improvements listed in the attached spreadsheet, attached as Exhibit "A", and, as shown on the construction plans entitled "Riviera Place", signed and stamped by Eric K. Olson, PE, # 12250, dated January 11, 2017, incorporated herein by reference, including but not limited to: sanitary sewer system and appurtenances, potable water system and appurtenances, catch basins, stormwater drainage swales, drywells and appurtenances, concrete curb and sidewalk including ramps, asphalt paving, street luminaires, signing and monumentation as required under Title 16 of the Coeur d'Alene Municipal Code.

The Developer herewith delivers to the City, security in a form acceptable to the City, for the amount of Sixteen Thousand Four Hundred and 00/100 Dollars (\$16,400.00) securing the obligation of the Developer to maintain and warrant the public subdivision improvements referred to herein. The security shall not be released until the 3rd day of October, 2018. The City Inspector will conduct a final inspection prior to the release of the security to verify that all installed improvements are undamaged and free from defect. In the event that the improvements made by the Developer were not maintained or became defective during the period set forth above, the City may demand the funds represented by the security and use the proceeds to complete maintenance or repair of the improvements thereof. The Developer further agrees to be responsible for all costs of warranting and maintaining said improvements above the amount of the security given.

Owner's Reimbursement to the City: The Parties further agree that the City has utilized substantial staff time to prepare this agreement, which will benefit the Owner. The Parties further agree the City should be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee should be in the amount of Twenty Five and No/100 Dollars (\$25.00).

IN WITNESS WHEREOF, the parties have set their hands and seal the day and year first above written.

City of Coeur d'Alene

Active West, LLC

Steve Widmyer, Mayor

Dennis E. Cunningham II
Managing Member

ATTEST:

Renata McLeod, City Clerk

VALUATION OF CITY SUBDIVISION INFRASTRUCTURE

Riviera Place



Date: 9/21/2017

By: JCH

Item	Description	Quantity	Unit	Unit Price	Total Price
1	Sewer System	1	LS	\$ 34,000	\$ 34,000
2	Water System	1	LS	\$ 40,000	\$ 40,000
3	Fire Hydrant	1	LS	\$ 5,000	\$ 5,000
4	Curb, Gutter and Sidewalk	1	LS	\$ 32,000	\$ 32,000
5	Asphalt Pavement	1	LS	\$ 26,000	\$ 26,000
6	Site Grading	1	LS	\$ 20,000	\$ 20,000
7	Stormwater System	1	LS	\$ 7,000	\$ 7,000
TOTAL					\$ 164,000
MAINTENANCE/WARRANTY BOND (10%)					\$ 16,400



CITY COUNCIL STAFF REPORT

DATE: October 3, 2017
FROM: Sean E. Holm, Senior Planner
SUBJECT: Riviera Place: Landscape Improvement Bond

DECISION POINT

Staff is requesting the following:

1. Approval of the Landscape Agreement and security.

HISTORY

- a. Applicant: Dennis E. Cunningham II
Active West, LLC
311 E. Coeur d'Alene Avenue, Suite C
Coeur d'Alene, ID 83814
- b. Location: +/- 1.7118 Acre Vacant Parcel in Riverstone West 3rd Addition at the Northwest corner of the intersection of John Loop (West) and Suzanne Road (South).
- c. Previous Action:
 1. Preliminary plat approval, November 2016

FINANCIAL ANALYSIS

The developer is required to improve the non-buildable tracts (A-C) or post bond (150%). Exhibit "A" provides an estimate of \$3700 to complete the work. The developer has chosen to bond for the improvements for a total of \$5550. The check has been delivered to the city and is currently in Finance for processing.

PERFORMANCE ANALYSIS

The developer has agreed to finish the landscaping of tracts A-C as reflected in the plat no later than November 30, 2017. Upon completion and inspection the security will be released.

DECISION POINT RECOMMENDATION

1. Acceptance of the Landscape Agreement and security.

AGREEMENT TO PERFORM SUBDIVISION WORK

Riviera Place

THIS AGREEMENT made this 3rd day of October, 2017 between Active West, LLC, whose address is 311 E. Coeur d'Alene Ave., Coeur d'Alene, ID, 83814, with Dennis Cunningham, Managing Member, hereinafter referred to as the "**Developer**," and the city of Coeur d'Alene, a municipal corporation and political subdivision of the state of Idaho, whose address is City Hall, 710 E. Mullan Avenue, Coeur d'Alene, ID 83814, hereinafter referred to as the "**City**";

WHEREAS, the City has approved, subject to completion of the required improvements, the subdivision plat of Riviera Place, a fifteen (15) lot and associated non-buildable tracts, residential development in Coeur d'Alene, situated in the Northeast ¼ of Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; NOW, THEREFORE,

IT IS AGREED AS FOLLOWS:

The Developer agrees to complete the following subdivision improvements: Landscape improvements associated with non-buildable lots (Tracts A-C) as required under Title 17 of the Coeur d'Alene Municipal Code, on or before the 30th day of November, 2017. Said improvements are more particularly described on the submitted estimate electronically dated September 26, 2017 attached as Exhibit "A", and, shown on the Subdivision Improvement Plans as Tracts "A" through "C" titled "Riviera Place" signed and stamped by Eric K. Olson, PE, # 12250, dated September 5th, 2017, incorporated herein by reference.

The Developer, prior to recording the plat, shall deliver to the City, security in the amount of Five-Thousand Five-Hundred Fifty Dollars (\$5,550) securing the obligation of the Developer to complete the landscape improvements referred to herein. Should the Developer noted herein fail to complete the improvements within the time herein provided, the City may utilize the funds to complete or have the improvements completed. In the event the City completes the improvements as a result of the Developer's default, the Developer shall be responsible for any costs that exceed the installed security for the public improvements noted herein.

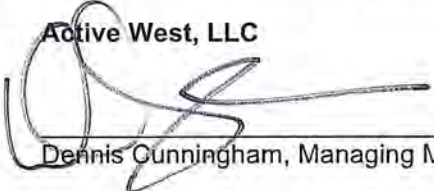
The Parties further agree that the City has utilized substantial staff time to prepare this agreement, which will benefit the Developer. The Parties further agree the City should be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee should be in the amount of Twenty Five and No/100 Dollars (\$25.00).

IN WITNESS WHEREOF, the parties have set their hands and seal the day and year first above written.

City of Coeur d'Alene

Steve Widmyer, Mayor

Active West, LLC



Dennis Cunningham, Managing Member

ATTEST:

Renata McLeod, City Clerk

VALUATION OF INFRASTRUCTURE TO COMPLETE THE SWALES

Riviera Place

Date: 9/26/2017

By: JCH



Description	Quantity	Unit	Unit Price	Total Price
Sod, Fertilizer and Soil Amendments for Swale Tracks A, B and C	1,450	SF	\$ 2	\$ 2,900
Complete the irrigation	1	LS	\$ 800	\$ 800
TOTAL				\$ 3,700
150% OF TOTAL				\$ 5,550



PUBLIC WORKS STAFF REPORT

DATE: September, 25, 2017
FROM: Tim Martin, Street & Engineering Director
SUBJECT: **DECLARE SURPLUS USED EQUIPMENT AND VEHICLES**

DECISION POINT:

The purpose of this report is for consent to declare various pieces of used assets and items to be deemed surplus and authorization to auction.

HISTORY:

The description of the auction items has historically gone through the Public Works committee prior to Council for consent.

PERFORMANCE ANALYSIS

This equipment/ vehicles have been deemed of little value to departments. We looked to provide or offer in-house before we sent items to surplus.

FINANCIAL ANALYSIS

There is no cost to the taxpayers. The Auction house takes a percentage of the bid auction item. Very minimal cost to the department for us to shuttle items to Post Falls.

DECISION POINT:

The purpose of this report is to ask for Council Consent to declare this equipment surplus.

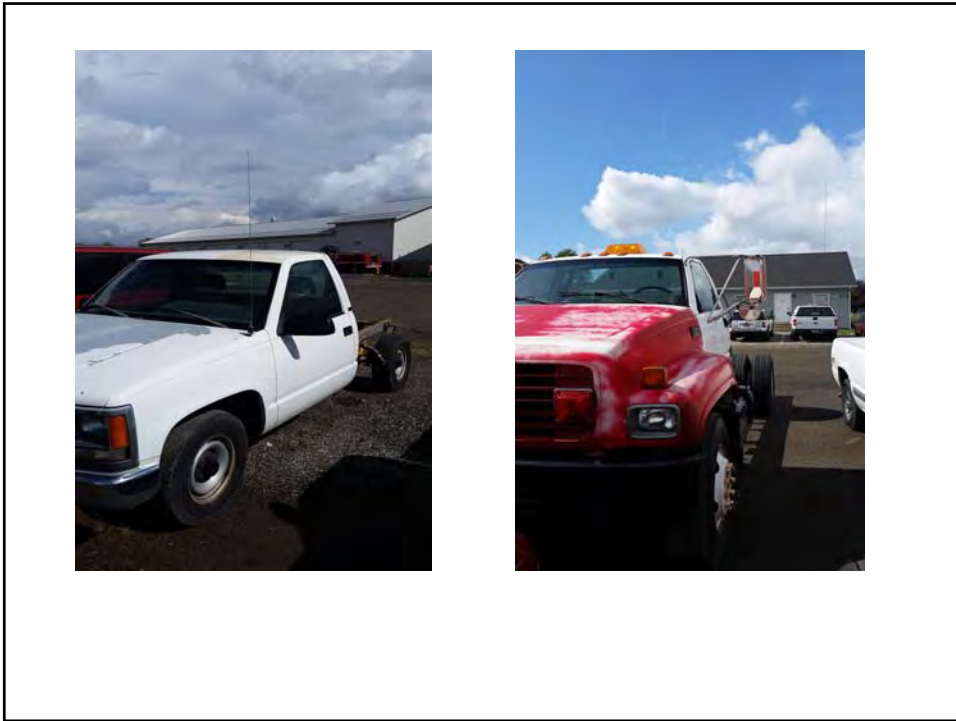
List of items

Here is a brief description of each item,

- It is a 1996 ½ ton 2wd GMC with 138,000 miles, burns oil it is missing the bed now so only a cab & chassis with a VIN# 1GTFC24H9SZ548476.
- 1999 GMC C6500 Parts are no longer available for brake system. VIN# 1GDJ6HID7XJ853417
- FIRE381-1989 Ford F700 ex rental unit w/ 170,830 miles. VIN# 1FDNK74P3KUA35214
- FIRE398-2000 Dodge Durango w/151,852 miles. VIN# 1B4HS28N8YF130266
- 1998 Chevrolet Astro Van VIN# 1GNEL19W7WB201232 with 104,761 miles. Former Boise Airport Van.

Miscellaneous Items

- Used video camera parts from Drainage utility truck
- Various signal light components







PUBLIC WORKS COMMITTEE STAFF REPORT

DATE: September 19, 2017

FROM: Mike Anderson, Wastewater Superintendent

SUBJECT: CH & E six (6) inch portable trash pump Surplus

DECISION POINT: The Council is requested to decide surplus eligibility of one (1), CH & E six inch trash pump.

HISTORY: The Wastewater Utility utilizes trash pumps for emergencies and for transferring liquid from an active tank for tank cleaning. The trash pumps allow for transfer of sewer water from tank to tank and have the capacity to function as a “quick connect pump” to bypass a lift station in case of an emergency.

The six inch trash pump was purchased in 2001 and has reached its maximum useful life. As part of our emergency preparedness, it is important that the equipment be in reliable condition should an emergency arise.

FINANCIAL ANALYSIS: During the current fiscal year (2016/2017) replacement of both the four and six inch trash pumps was budgeted. The current value of the 2001 pump is unknown. Websites show similar (four inch) listings in the low \$2,000 range. In comparison to a 4 inch pump, this 6 inch pump is more cumbersome to manipulate in the field due to its larger size and therefore we have received no requests from other departments that it be transferred to them.

PERFORMANCE ANALYSIS: The capacity of the 6 inch pump is a necessary redundancy for emergency scenarios in the collection system and a useful tool when emptying various tanks.

DECISION POINT/RECOMMENDATION: Public Works Committee must decide whether or not to surplus this item to auction.



ANNOUNCEMENTS

PUBLIC WORKS COMMITTEE

GENERAL SERVICES STAFF REPORT

DATE: 9/25/2017

FROM: Monte McCully, City of Coeur d'Alene Trails Coordinator

SUBJECT: **Bike Corral Architects West** (action required)

DECISION POINT:

The Coeur d'Alene Parks Department is requesting General Services recommend to City Council the approval of a permit for Architects West to purchase and install a bike corral.

HISTORY:

The Coeur d'Alene Ped/Bike Committee partnered with the Parks Department to start a bike corral pilot project a few years ago that resulted in bike corrals being built and installed at two locations downtown. The purpose of a bike corral is to provide a place, in lieu of a car parking space, for bikes to park when there is not room for a bike rack or the bike rack that is present isn't big enough to meet demand. One of these corrals is located at Calypso's and the other is at Crafted. Both racks are utilized quite a bit at certain times of the day. Architects West is a company downtown on Lakeside Avenue and 2nd Street that sees the need for a similar bike corral for their company and the businesses adjacent. We have taken this proposal to the Parking Commission and they agreed that a bike corral could be placed there.

FINANCIAL ANALYSIS:

After the initial pilot project it was decided that if businesses want a bike corral they should purchase, store and maintain the corral with the location approved by the city. Architects West will need to move the bike corral out of the street and store it during the winter so the street department can plow.

PERFORMANCE ANALYSIS:

Bike corrals see heavy use in Coeur d'Alene and help to keep bicyclists from chaining their bikes to sign posts and trees along the sidewalks, sometimes making the sidewalks impassable to people in wheelchairs. This bike corral will encourage ridership, leading to less cars competing for the limited parking spaces downtown.

DECISION POINT/ RECOMMENDATION

The Coeur d'Alene Parks Department is requesting General Services recommend to City Council the approval of a permit for Architects West to purchase and install a bike corral.

OTHER BUSINESS

CITY COUNCIL STAFF REPORT

DATE: September 13, 2017
FROM: Mike Gridley – City Attorney
SUBJECT: Request for the City to be included as a Joint Applicant in the Limited Design PUD application for River’s Edge Apartments under MC 17.07.220 and to consent to the Special Use Permit application to increase density from 17 units per acre to 34 units per acre.

DECISION POINT:

Should the City Council approve the request from River’s Edge Apartments, LLC for the City to be a joint applicant in the River’s Edge Apartments, LLC’s pending application for a Limited Design Planned Unit Development for its 22.23 acre parcel along the Spokane River adjacent to Seltice Way, formerly owned by and commonly known as the Washington Trust property and consent to the Special Use Permit application to increase the density from 17 units per acre to 34 units per acre.

HISTORY:

The property is located on the south side of Seltice Way, just east of the U.S. Bank facility and west of the Atlas Mill site property. The property is bisected by the former BNSF right of way now owned by the City.

The Owner, River’s Edge Apartments, LLC has submitted an application for a Limited Design PUD for the property that includes the city-owned right of way and has requested that the City join in the application (see attached letter from attorney Ed Lawson dated September 5, 2017). Municipal code 17.07.222 requires that for all PUDs the land included in the proposed development must be under one ownership or control or be the subject of a joint application by the owners of the property. In order for the PUD application to go forward the City must join in the PUD application and also consent to the Special Use Permit application.

17.07.220: OWNERSHIP AND DIVISION OF LAND:

For all planned unit developments and limited design planned unit developments, the tract or tracts of land included in such developments must be under one ownership or control or be the subject of a joint application by the owners of all property included. Unless otherwise provided as a condition for approval of a planned unit development, the applicant may transfer units of any development for which approval has been granted; provided, that the transferee shall complete, use, and maintain each such unit, in strict conformance with the approved development plan. (Ord. 2368 §3, 1991: Ord. 1691 §1(part), 1982)

FINANCIAL ANALYSIS:

There is no direct financial cost to the City.

PERFORMANCE ANALYSIS:

If the City chooses to join in the application for the PUD and to consent to the Special Use Permit application they would go forward to the Planning Commission for review and processing. If the City does not join in the application then the current application could not go forward because it fails to comply with MC 17.07.220 and the requirement of the owner's consent for the Special Use Permit application.

Joining in the PUD application and consenting to the SUP application would not be an endorsement of the PUD or SUP by the City and the City would retain any existing rights to withhold approval or to impose conditions on any PUD approval that might be granted.

DECISION POINT/RECOMMENDATION:

City Council may choose to approve the request from River's Edge Apartments, LLC for the City to be a joint applicant in the River's Edge Apartments, LLC's pending application for a Limited Design Planned Unit Development for its 22.23 acre parcel along the Spokane River adjacent to Seltice Way, formerly owned by and commonly known as the Washington Trust property and consent to the Special Use Permit application to increase the density from 17 units per acre to 34 units per acre.

LAWSON LASKI CLARK & POGUE, PLLC
ATTORNEYS AT LAW

Edward A. Lawson
eal@lawsonlaski.com

675 SUN VALLEY ROAD, SUITE A
POST OFFICE BOX 3310
KETCHUM, IDAHO 83340
TELEPHONE: 208-725-0055
FACSIMILE: 208-725-0076
WWW.LAWSONLASKI.COM

September 5, 2017

Via Email (jhammond@cdaid.org) and
US Mail

Mr. Jim Hammond
City Administrator
City Of Coeur d'Alene
710 E. Mulian Avenue
Coeur D'Alene, Idaho 83814

Re: River's Edge Apartments, LLC application for Limited Design PUD approval
Our File No. 11708-001

Dear Mr. Hammond:

As you know, our client River's Edge Apartments, LLC, has submitted an application to the City of Coeur d'Alene ("City") for a limited design PUD approval for its 22.23 acre parcel along the Spokane River adjacent to Seltice Way formerly owned by and commonly known as the Washington Trust property ("Property"). Lanzce Douglas and I have been working on the application for months with your Mike Gridley and Hillary Anderson. Recently we were informed that under §17.07.220 of the City Code a requirement exists that all of the land included in the PUD be under one ownership or be the subject of a joint application by the owners of all property included in the PUD. The former railroad right-of-way, now owned by the City is included in the PUD as proposed because it is contemplated in the existing Annexation Agreement that an exchange of the right-of-way for a pedestrian/bicycle trail along the river may occur.

In view of the foregoing, River's Edge Apartments, LLC respectfully requests the City join in the pending application for PUD approval. If the City is willing to join in the application it would be with the understanding that it is doing so only to expedite consideration of the application and that the joinder is not an endorsement or implied approval of the PUD, or any part thereof. The joinder would be on the condition that the City would retain and not waive any right it has to withhold approval or to impose conditions on any PUD approval that might be granted.

Mr. Jim Hammond
September 5, 2017
Page 2

If you would kindly place this request on the City Council's agenda for their first meeting in October 2017 it would be appreciated. In the meantime, if you have any questions or concerns regarding this matter please advise.

Sincerely,

LAWSON LASKI CLARK & POGUE, PLLC

A handwritten signature in blue ink, appearing to read "E. Lawson", written over a light blue horizontal line.

Edward A. Lawson

Pdf: River's Edge Apartments, LLC (lanzce@irentspokane.com)
M. Gridley (cdaatty@cdaid.org)
H. Anderson (handerson@cdaid.org)

**CITY COUNCIL
STAFF REPORT**

DATE: October 3, 2017
FROM Mike Gridley – City Attorney
SUBJECT: Approval of Agreement with the Heirs of Thomas T. and Lola B. Kerl for Waiver of Inheritance and Release of Reversionary Interest as part of the Memorial Park Real Property Exchange with ignite cda

DECISION POINT:

Should the City pay \$50,000 to the Museum of North Idaho on behalf of the heirs of Thomas T. and Lola B. Kerl to obtain waivers of inheritance and releases of reversionary interests from the heirs so that the City can exchange the property to ignite cda?

HISTORY:

City Council has stated its intent to exchange City owned property on Garden Avenue for property owned by ignite cda near Memorial Park. Title research revealed that the City owned property was given to the City by Thomas T. and Lola B. Kerl in 1923 with the requirement that the property be used for tennis courts or park purposes. If the City fails to fulfill this requirement then the ownership of the property reverts to the Kerls, or their heirs.

Staff has identified six heirs of the Kerls. The heirs have agreed to waive their inheritance rights and release their reversionary interests in exchange for the City paying \$50,000 to the Museum of North Idaho in honor of the family of Thomas T. and Lola B. Kerl. The \$50,000 payment by the City to the Museum will be reimbursed to the City by ignite cda upon completion of the proposed land exchange. The exhibit to this staff report shows the property that will be conveyed and exchanged.

FINANCIAL ANALYSIS:

There is no financial cost to the city for this exchange. Ignite cda will reimburse the City for the \$50,000 paid to the Museum of North Idaho.

PERFORMANCE ANALYSIS:

The City cannot complete the proposed property exchange without first obtaining waivers and releases from the heirs of the Kerls.

DECISION POINT/RECOMMENDATION:

City Council should approve the payment of \$50,000 to the Museum of North Idaho (that will be reimbursed by ignite cda) to obtain waivers of inheritance and releases of reversionary interests from the heirs of Thomas T. and Lola B. Kerl.

Chicago Title Insurance Company

Commitment Number: 89841

EXHIBIT "A"
PROPERTY DESCRIPTION

The land referred to in this Commitment is described as follows:

A portion of Lot 72, SHERMAN PARK, recorded in Book B of Plats at Page 71, and a portion of Lot 48, Fort Sherman Abandoned Military Reservation, in Section 14, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the northwest corner of said Lot 72, thence along the North line of said Lot 72 and a portion of the North line of said Lot 48 South 89°04'31" East a distance of 140.00 feet;

Thence South 00°47'39" West a distance of 95.74 feet;

Thence North 89°04'31" West a distance of 138.27 feet to the westerly boundary of said Lot 72 and the beginning of a non-tangent curve to the right, having a radius of 55.45 feet;

Thence northerly along said curve, an arc length 13.90 feet, through a central angle of 14°21'39", a chord bearing of North 06°23'11" West and a chord distance of 13.86 feet;

Thence continuing along said westerly boundary of Lot 72 North 00°47'39" East a distance of 82.00 feet to the POINT OF BEGINNING.

RESOLUTION NO. 17-064

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AGREEMENTS WITH THE HEIRS OF THOMAS T. AND LOLA B. KERL FOR WAIVER OF INHERITANCE AND RELEASE OF REVERSIONARY INTEREST AS PART OF THE MEMORIAL PARK REAL PROPERTY EXCHANGE WITH IGNITE CDA.

WHEREAS, the City Attorney of the City of Coeur d'Alene has recommended that the City of Coeur d'Alene enter into agreements with the heirs of Thomas T. and Lola B. Kerl (Margaret Gates, Phil McWilliams, Bill Lee, John Lee, Richard Lee and Tom Lee), pursuant to the terms and conditions set forth in said agreements, a copy of which is attached hereto as Exhibit "1" 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 agreements; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the City enter into agreements with the heirs of Thomas T. and Lola B. Kerl, in substantially the form attached hereto as Exhibit "1" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreements to the extent the substantive provisions of the agreements remain intact.

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

DATED this 3rd day of October, 2017.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER GOOKIN Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER MILLER Voted _____

COUNCIL MEMBER EDINGER Voted _____

COUNCIL MEMBER EVANS Voted _____

COUNCIL MEMBER ENGLISH Voted _____

_____ was absent. Motion _____.

**WAIVER OF RIGHT OF INHERITANCE
AND RELEASE OF REVERSIONARY INTEREST**

The undersigned, being an heir of the estates of Thomas T. Kerl and Lola B. Kerl, do hereby waive any rights or claims he/she has now or may have in the future to the property described in Exhibit A hereto, said property having been deeded to the City of Coeur d'Alene by that Special Deed of Gift dated the 8th day of August, 1922, executed by Thomas T. Kerl and Lola B. Kerl, and recorded in the records of Kootenai County on the 15th day of May, 1923, in Book 79 of Deeds, page 148.

The undersigned, for him/herself and his/her heirs, successors, and assigns, further fully and completely releases that particular reversionary interest contained in the aforementioned Special Deed of Gift, to wit, that upon the failure to maintain two (2) standard tennis courts or to devote the property to any purpose other than that specified in the Act of Congress, of April 28, 1904 (33 Statutes at Large 485) the property shall automatically revert to the grantors, it being the intent of the undersigned that the property may hereafter be used by the City of Coeur d'Alene in any way which the City deems to be in the best interests of its citizens, including by conveyance upon such terms as it deems prudent to any third party and without regard to the reversionary clause.

The City shall pay the sum of fifty thousand dollars (\$50,000.00) at the request of, and in honor of, the family of Thomas T. and Lola B. Kerl, to the Museum of North Idaho upon receipt of an executed Waiver and Release from all heirs of Thomas T. and Lola B. Kerl.

I make this decision freely and willingly, with no coercion from any person.

DATED this _____ day of _____, 2017.

By _____
_____ (printed name)

STATE OF _____)
) ss.
County of _____)

On this ____ day of _____, 2017, before me, a Notary Public, personally appeared _____, known or identified to me as the person who executed the foregoing instrument and acknowledged to me that they 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 _____
Residing at _____
My Commission expires: _____

Chicago Title
Insurance Company

Commitment Number: 89841

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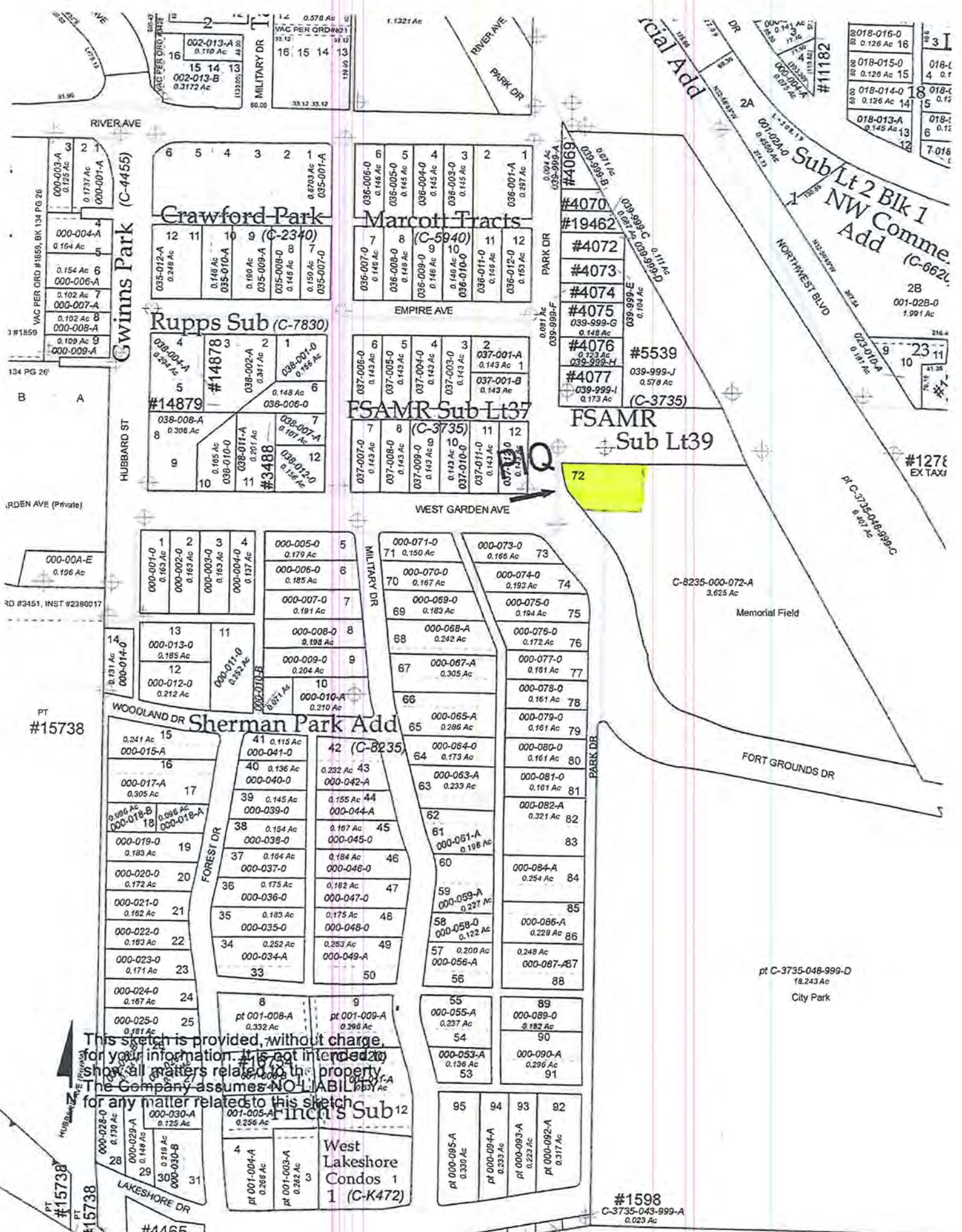
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Thence South 00°47'39" West a distance of 95.74 feet;

Thence North 89°04'31" West a distance of 138.27 feet to the westerly boundary of said Lot 72 and the beginning of a non-tangent curve to the right, having a radius of 55.45 feet;

Thence northerly along said curve an arc length 13.90 feet, through a central angle of 14°21'39", a chord bearing of North 06°23'11" West and a chord distance of 13.86 feet;

Thence continuing along said westerly boundary of Lot 72 North 00°47'39" East a distance of 82.00 feet to the POINT OF BEGINNING.



This sketch is provided, without charge, for your information. It is not intended to show all matters related to the property. The Company assumes NO LIABILITY for any matter related to this sketch.

PUBLIC HEARINGS

**CITY COUNCIL
STAFF REPORT**

DATE: October 3, 2017
FROM: Bill Greenwood – Parks and Recreation Director

SUBJECT: Memorial Park Real Property Exchange with Ignite CDA

=====

DECISION POINT:

Does City Council want to proceed with conveying City owned real property in Memorial Park to Ignite CDA in exchange for real property owned by Ignite CDA?

HISTORY:

This land exchange proposal was presented to council previously when discussing Memorial Park renovations and the shared parking lot projects. At that time council supported this exchange and recognized the advantage for the City to proceed with this land exchange. The City must now go through the formal proceedings to authorize the conveyance/exchange. The exhibit to this staff report shows the land that will be conveyed and exchanged.

FINANCIAL ANALYSIS:

There is no financial cost to the city for this exchange. The City and Ignite real property that is the subject of this exchange is similar in size and value and is mutually beneficial to both parties.

PERFORMANCE ANALYSIS:

City Council must declare the City’s intent to convey the City’s property to Ignite CDA in exchange for Ignite’s property and set a public hearing date. The conveyance/exchange of this land is beneficial to the overall park layout and the flow of the park plan. This exchange will also create approximately 4,000 more square feet of parkland.

DECISION POINT/RECOMMENDATION:

Does City Council want to proceed with conveying City owned real property in Memorial Park to Ignite CDA in exchange for real property owned by Ignite CDA?

Chicago Title Insurance Company

Commitment Number: 89841

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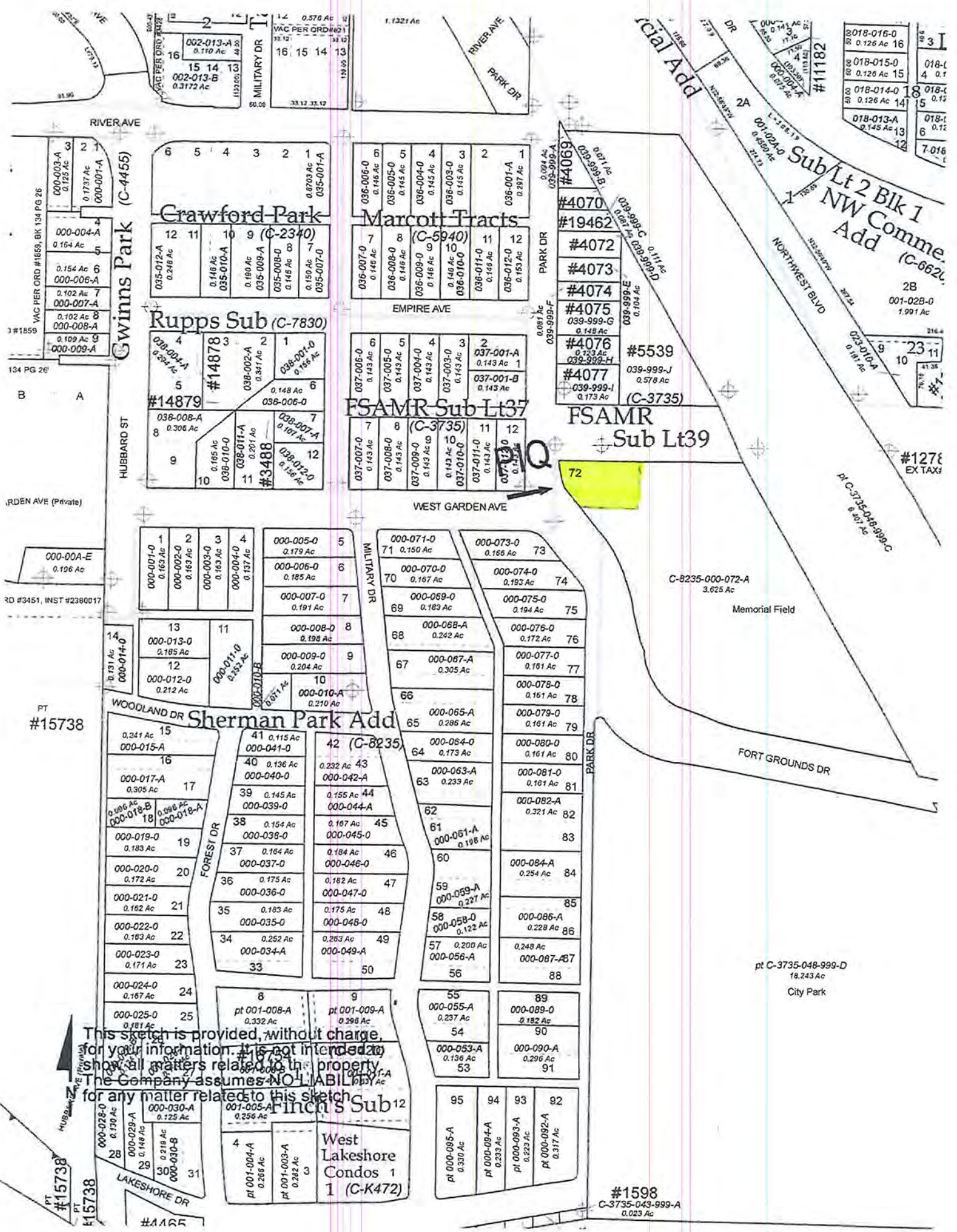
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This sketch is provided, without charge, for your information. It is not intended to show all matters related to the property. The Company assumes NO LIABILITY for any matter related to this sketch.

#1598
C-3735-043-999-A
0.023 Ac

pt C-3735-048-999-D
18.243 Ac
City Park

8018-016-0
R 0.126 Ac 16
#3 I
018-018-0
4 0.7
018-015-0
5 0.126 Ac 15
018-014-0
18 0.126 Ac 14
018-013-A
6 0.148 Ac 13
7.016

Sub/Lt 2 Bk 1
NW Comme
Add (C-662)
28
001-028-0
1.991 Ac

23 11
10
#1278
EX TAX

pt C-3735-048-999-C
0.407 Ac

Official Add
#11182
001-028-0
0.111 Ac
001-028-0
0.104 Ac
#5539
039-999-J
0.578 Ac
(C-3735)

#4069
001-028-0
0.111 Ac
001-028-0
0.104 Ac
#4070
#19462
#4072
#4073
#4074
#4075
039-999-G
0.148 Ac
#4076
039-999-H
0.143 Ac
#4077
039-999-I
0.173 Ac

FSAMR Sub Lt37
#14879
038-008-A
0.306 Ac
#3488
038-011-A
0.201 Ac
038-012-A
0.136 Ac

FSAMR Sub Lt39
#72

Crawford Park
#14878
038-002-A
0.341 Ac
038-001-0
0.188 Ac

Marcott Tracts
#19462
#4072
#4073
#4074
#4075
039-999-G
0.148 Ac
#4076
039-999-H
0.143 Ac
#4077
039-999-I
0.173 Ac

Rupps Sub (C-7830)
#14879
038-008-A
0.306 Ac
#3488
038-011-A
0.201 Ac
038-012-A
0.136 Ac

FSAMR Sub Lt37
#14879
038-008-A
0.306 Ac
#3488
038-011-A
0.201 Ac
038-012-A
0.136 Ac

Gwinns Park (C-4455)
#15738
000-001-A
0.1737 Ac
000-001-A
0.1737 Ac
000-004-A
0.164 Ac
000-006-A
0.154 Ac
000-007-A
0.102 Ac
000-008-A
0.109 Ac
000-009-A

Woodland Dr
#15738
000-015-A
0.341 Ac
000-017-A
0.309 Ac
000-018-A
0.296 Ac
000-018-A
0.296 Ac
000-019-0
0.183 Ac
000-020-0
0.172 Ac
000-021-0
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000-022-0
0.163 Ac
000-023-0
0.171 Ac
000-024-0
0.167 Ac
000-025-0
0.181 Ac

Lakeshore Dr
#15738
000-028-0
0.190 Ac
000-029-A
0.148 Ac
000-030-A
0.129 Ac
000-030-B
0.218 Ac
000-030-B
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0.218 Ac

Sherman Park Add
#15738
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0.309 Ac
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West Lakeshore Condos 1
#15738
001-004-A
0.268 Ac
001-003-A
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Military Dr
#15738
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000-047-0
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000-087-A
0.248 Ac
000-088
0.248 Ac
000-089-0
0.182 Ac
000-090-A
0.296 Ac
000-091
0.296 Ac
000-092-A
0.317 Ac
000-093-A
0.233 Ac
000-094-A
0.233 Ac
000-095-A
0.330 Ac

#72

Park Dr

West Lakeshore Condos 1
#15738
001-004-A
0.268 Ac
001-003-A
0.268 Ac
001-003-A
0.268 Ac
001-003-A
0.268 Ac

#1598
C-3735-043-999-A
0.023 Ac

pt C-3735-048-999-D
18.243 Ac
City Park

8018-016-0
R 0.126 Ac 16
#3 I
018-018-0
4 0.7
018-015-0
5 0.126 Ac 15
018-014-0
18 0.126 Ac 14
018-013-A
6 0.148 Ac 13
7.016

Sub/Lt 2 Bk 1
NW Comme
Add (C-662)
28
001-028-0
1.991 Ac

23 11
10
#1278
EX TAX

pt C-3735-048-999-C
0.407 Ac

Official Add
#11182
001-028-0
0.111 Ac
001-028-0
0.104 Ac
#5539
039-999-J
0.578 Ac
(C-3735)

#4069
001-028-0
0.111 Ac
001-028-0
0.104 Ac
#4070
#19462
#4072
#4073
#4074
#4075
039-999-G
0.148 Ac
#4076
039-999-H
0.143 Ac
#4077
039-999-I
0.173 Ac

FSAMR Sub Lt37
#14879
038-008-A
0.306 Ac
#3488
038-011-A
0.201 Ac
038-012-A
0.136 Ac

FSAMR Sub Lt39
#72

Crawford Park
#14878
038-002-A
0.341 Ac
038-001-0
0.188 Ac

Marcott Tracts
#19462
#4072
#4073
#4074
#4075
039-999-G
0.148 Ac
#4076
039-999-H
0.143 Ac
#4077
039-999-I
0.173 Ac

Gwinns Park (C-4455)
#15738
000-001-A
0.1737 Ac
000-001-A
0.1737 Ac
000-004-A
0.164 Ac
000-006-A
0.154 Ac
000-007-A
0.102 Ac
000-008-A
0.109 Ac
000-009-A

Woodland Dr
#15738
000-015-A
0.341 Ac
000-017-A
0.309 Ac
000-018-A
0.296 Ac
000-018-A
0.296 Ac
000-019-0
0.183 Ac
000-020-0
0.172 Ac
000-021-0
0.162 Ac
000-022-0
0.163 Ac
000-023-0
0.171 Ac
000-024-0
0.167 Ac
000-025-0
0.181 Ac

Lakeshore Dr
#15738
000-028-0
0.190 Ac
000-029-A
0.148 Ac
000-030-A
0.129 Ac
000-030-B
0.218 Ac
000-030-B
0.218 Ac
000-030-B
0.218 Ac

Sherman Park Add
#15738
000-015-A
0.341 Ac
000-017-A
0.309 Ac
000-018-A
0.296 Ac
000-018-A
0.296 Ac
000-019-0
0.183 Ac
000-020-0
0.172 Ac
000-021-0
0.162 Ac
000-022-0
0.163 Ac
000-023-0
0.171 Ac
000-024-0
0.167 Ac
000-025-0
0.181 Ac

West Lakeshore Condos 1
#15738
001-004-A
0.268 Ac
001-003-A
0.268 Ac
001-003-A
0.268 Ac
001-003-A
0.268 Ac

Military Dr
#15738
000-001-0
0.163 Ac
000-002-0
0.163 Ac
000-003-0
0.163 Ac
000-004-0
0.137 Ac
000-005-0
0.179 Ac
000-006-0
0.185 Ac
000-007-0
0.191 Ac
000-008-0
0.198 Ac
000-009-0
0.204 Ac
000-010-A
0.210 Ac
000-011-0
0.150 Ac
000-012-0
0.167 Ac
000-013-0
0.183 Ac
000-014-0
0.194 Ac
000-015-0
0.172 Ac
000-016-0
0.161 Ac
000-017-0
0.161 Ac
000-018-0
0.161 Ac
000-019-0
0.161 Ac
000-020-0
0.161 Ac
000-021-0
0.161 Ac
000-022-0
0.161 Ac
000-023-0
0.161 Ac
000-024-0
0.161 Ac
000-025-0
0.161 Ac
000-026-0
0.161 Ac
000-027-0
0.161 Ac
000-028-0
0.161 Ac
000-029-0
0.161 Ac
000-030-0
0.161 Ac
000-031-0
0.161 Ac
000-032-0
0.161 Ac
000-033-0
0.161 Ac
000-034-0
0.161 Ac
000-035-0
0.161 Ac
000-036-0
0.161 Ac
000-037-0
0.161 Ac
000-038-0
0.161 Ac
000-039-0
0.161 Ac
000-040-0
0.161 Ac
000-041-0
0.161 Ac
000-042-A
0.232 Ac
000-043
0.232 Ac
000-044-A
0.155 Ac
000-045-0
0.167 Ac
000-046-0
0.184 Ac
000-047-0
0.182 Ac
000-048-0
0.175 Ac
000-049-A
0.283 Ac
000-050
0.283 Ac
000-051-A
0.198 Ac
000-052-A
0.227 Ac
000-053-A
0.136 Ac
000-054
0.136 Ac
000-055-A
0.237 Ac
000-056-A
0.200 Ac
000-057-A
0.200 Ac
000-058-0
0.122 Ac
000-059-A
0.227 Ac
000-060-0
0.161 Ac
000-061-0
0.161 Ac
000-062-A
0.321 Ac
000-063-A
0.233 Ac
000-064-0
0.173 Ac
000-065-A
0.286 Ac
000-066
0.286 Ac
000-067-A
0.305 Ac
000-068-A
0.242 Ac
000-069-0
0.183 Ac
000-070-0
0.167 Ac
000-071-0
0.150 Ac
000-072-A
3.625 Ac
000-073-0
0.168 Ac
000-074-0
0.193 Ac
000-075-0
0.194 Ac
000-076-0
0.172 Ac
000-077-0
0.161 Ac
000-078-0
0.161 Ac
000-079-0
0.161 Ac
000-080-0
0.161 Ac
000-081-0
0.161 Ac
000-082-A
0.321 Ac
000-083
0.321 Ac
000-084-A
0.254 Ac
000-084-A
0.254 Ac
000-085
0.254 Ac
000-086-A
0.228 Ac
000-087-A
0.248 Ac
000-088
0.248 Ac
000-089-0
0.182 Ac
000-090-A
0.296 Ac
000-091
0.296 Ac
000-092-A
0.317 Ac
000-093-A
0.233 Ac
000-094-A
0.233 Ac
000-095-A
0.330 Ac

#72

Park Dr

West Lakeshore Condos 1
#15738
001-004-A
0.268 Ac
001-003-A
0.268 Ac
001-003-A
0.268 Ac
001-003-A
0.268 Ac

#1598
C-3735-043-999-A
0.023 Ac

pt C-3735-048-999-D
18.243 Ac
City Park

Proposed Land Exchange

City of CDA and Ignite



Google Earth

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CITY COUNCIL STAFF REPORT

DATE: 10/3/2017

FROM: Monte McCully, Trails Coordinator

SUBJECT: Tilford Lane Property (City Council – action required)

DECISION POINT:

The Parks and Rec Department is requesting the City Council approve entering into a trade initiative with Ignite CDA to trade property to the equal benefit of both parties.

HISTORY:

City leadership has proposed a potential trade initiative involving Ignite CDA owned property located on Young Avenue, south of City Hall, for City owned property adjacent to Tilford Lane in Riverstone. The City's proposal would involve trading their 60 foot right of way, located just south of Tilford Lane to Ignite, so that Ignite could combine the City's 60 feet of ROW with their currently owned 60 feet of ROW also south of Tilford Lane to create 17 developable residential parcels. This proposed trade would require the widening of Tilford Lane and the relocation of the Prairie Trail to the southern edge of the Ignite's property. Included in the realignment is the possibility of improvements that could be made to the Riverstone Park parking area, as well as additional public space that could be created to the west of the Tilford Land project that would blend with the proposed public improvements for the Atlas mill site area.

FINANCIAL ANALYSIS:

In return for the trade the City would be deeded the Ignite owned property located on Young Avenue south of City Hall that was appraised recently at \$960K. Preliminary net revenue estimates (i.e. residential lot sales minus development costs) prepared by Welch-Comer for the proposed Tilford Lane trade initiative show a net revenue value of approximately \$1.0 million, making the proposed trade a fairly close net value for value proposition from the Ignite's perspective.

PERFORMANCE ANALYSIS:

Trading these two pieces of property allows the City to add valuable space downtown to the McEuen/Tubbs Hill complex. This parcel will be used as a trail head to Tubbs Hill, and will be much more utilized by the recreating public then the 60 feet of ROW along the Centennial trail. The 17 proposed lots along the ROW is much more valuable to Ignite to develop than the 3 lots at the base of Tubbs Hill, making this trade mutually beneficial. The realignment of the trail also places the trail in a safer location for users crossing Beebe Blvd as the current alignment is at an angle across the street. The new alignment will place the two legs of the trail directly across from each other with a crosswalk, creating a safer environment for trail users.

DECISION POINT RECOMMENDATION:

The Parks and Rec Department is requesting the City Council approve entering into a trade initiative with Ignite CDA to trade property to the equal benefit of both parties.

**CITY COUNCIL
PUBLIC COMMENTS FOR AGENDA ITEM TILFORD LANE SWAP**

DATE: 10/3/2017

FROM: Monte McCully, Trails Coordinator

SUBJECT: Tilford Lane Property Public Comments

Public Comment for October 3, 2017

Although the proposed land swap between the City and IgniteCDA makes sense, I'm very concerned with the IgniteCDA proposal to place 17 shoulder-to-shoulder homes on the Tilford Lane site. Alternative development should be considered such as a few smaller, single story, spaced out commercial buildings (cafe, bike shop, small restaurant) with small 'open space' parking lots between. This 'low density' alternative would be more visually fitting and have more 'public value' - especially because this is a transition area in to park land and future waterfront open areas at the mill sites, and right on the Centennial Trail. The alternative 'low density' development could also be designed to have less encroachment on the Trail.

Public value should be a big consideration in any development close to the Lake or Spokane River.

Thank you.

--

Roger Smith
810 Bancroft St.
CDA 83814