

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 J - 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.

APRIL 7, 2015

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Pastor Ron Hunter from the Church of the Nazarene

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. Introduction of Jobs Plus President

PRESENTED BY: JAME DAVIS, JOBS PLUS

2. Hospital Corridor Traffic Plan

PRESENTED BY: JEREMY EVANS, KOOTENAI HEALTH

3. Proclamation – Fair Housing Month

ACCEPTED BY HILARY ANDERSON, COMMUNITY PLANNING DIRECTOR

***NOTE:** The City will make reasonable accommodations for anyone attending this meeting who require special assistance for hearing, physical or other impairments. Please contact the City Clerk at (208) 769-2231 at least 24 hours in advance of the meeting date and time.*

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

1. Approval of Council Minutes for March 17, 2015 and March 23, 2015.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for April 13, 2015 at 12:00 noon and 4:00 p.m. respectively.
4. Approval of a Beer/Wine License to Coeur d'Alene Souvenir & Sundry, LLC. At 207 ½ E. Sherman Avenue (new)

As Recommended by the City Clerk

5. Approval of the installation of a 5 foot bike lane on both sides of 8th Street from Young Avenue North to Mullan Avenue

As Recommended by General Services

6. Approval of a Cooperative Agreement for the installation of ADA ramps with Idaho Department of Transportation around the intersection of Sherman Avenue and 23rd Street.

As Recommended by the City Engineer

7. Resolution No. 15-010

- a. Policy regarding Beer and Wine Gardens

As Recommended by General Services

- b. Amendment to the Professional Services Agreement with Panhandle Area Council for a 1 year extension for Community Development Block Grant Administration services

As Recommended by General Services

- c. Renewal of the Lease Agreement with CDA Parasail & Watersports for commercial dock for bays 4 and 9

As Recommended by General Services

- d. Approval of the purchase of one Police Patrol Vehicle

As Recommended by General Services

Motion by _____, seconded by _____ to approve the Consent Calendar as presented, including **Resolution No. 15-010**.

***DISCUSSION**

***If a Councilman does not do so, ask the City Clerk to list the resolution items**

***ROLL CALL:** Edinger ____; Miller __; McEvers __; Gookin __; Evans __; Adams __.

***Motion carried/failed**

G. ANNOUNCEMENTS

1. City Council
2. Mayor
 - a. Appointment: Dixie Reid to the Civil Service Commission, Michael Ward and Jon Ingalls to the Planning Commission, and Trudy Elliott, David Groth, Christina Hull, and Mark Johnstone (term to begin May 1, 2015) to the Arts Commission.

Motion by _____, seconded by _____ to approve the reappointment of Dixie Reid to the Civil Service Commission, Michael Ward and Jon Ingalls to the Planning Commission, the appointment of Trudy Elliott, David Groth, and Christina Hull to

the Arts Commission, and the appointment of Mark Johnston to the Arts Commission (term to begin May 1, 2015).

*DISCUSSION

All in favor

*Motion carried/failed

H. GENERAL SERVICES

1. **COUNCIL BILL NO. 15-1004** - Amendment to Municipal Code 5.08.170(3) regarding exemption zone for sale of beer for consumption for the Rotary Harbor House and including the block between 5th and 6th south of Lakeside.

Staff Report by: Steve Anthony, Parks and Recreation Director

Motion by _____, seconded by _____, to pass the first reading of **Council Bill No. 15-1004**.

DISCUSSION:

Ask the City Clerk to read the title

*ROLL CALL: Miller __; McEvers __; Edinger __; Gookin __; Evans __; Adams __.

Motion carried/failed.

Motion by _____, seconded by _____, to suspend the rules and to adopt **Council Bill 15-1004** by its having had one reading by title only.

DISCUSSION:

*ROLL CALL: Miller __; McEvers __; Edinger __; Gookin __; Evans __; Adams __.

Motion carried/failed.

2. **COUNCIL BILL NO. 15-1005**- Creating Municipal Code 5.72 entitled Door to Door Solicitation.

Staff Report by: Renata McLeod, Municipal Services Director

Motion by _____, seconded by _____, to pass the first reading of **Council Bill No. 15-1005**.

DISCUSSION:

Ask the City Clerk to read the title

*ROLL CALL: McEvers __; Edinger __; Gookin __; Evans __; Adams __; Miller __.

Motion carried/failed.

Motion by _____, seconded by _____, to suspend the rules and to adopt **Council Bill 15-1005** by its having had one reading by title only.

DISCUSSION:

*ROLL CALL

Motion carried/failed.

I. PUBLIC HEARING:

1. (Legislative) Final Assessment Roll of LID 151; Front Avenue Improvement Project

- a. **RESOLUTION NO. 15-011** – Disposing of protests regarding the Assessment Roll for Local Improvement District No. 151

Motion by _____, seconded by _____ to approve **Resolution No. 15-011**, Disposing of protests regarding the Assessment Roll for Local Improvement District No. 151 (read each protester name and state approved or denied).

*DISCUSSION

*ROLL CALL: : Edinger ___; Gookin ___; Evans ___; Adams ___; Miller ___; McEvers ____.

*Motion carried/failed

- b. **COUNCIL BILL NO. 15-1006** - Approving and confirming the assessment roll of its Local Improvement District No. 151 and providing for assessments.

Staff Report by: Phil Boyd, President

Motion by _____, seconded by _____, to pass the first reading of **Council Bill No. 15-1006**.

DISCUSSION:

Ask the City Clerk to read the title

*ROLL CALL: Evans ___; Adams ___; Miller ___; McEvers ___; Edinger ___; Gookin ____.

Motion carried/failed.

Motion by _____, seconded by _____, to suspend the rules and to adopt **Council Bill 15-1006** by its having had one reading by title only.

DISCUSSION:

*ROLL CALL: Evans ___; Adams ___; Miller ___; McEvers ___; Edinger ___; Gookin ____.

Motion carried/failed.

2. (Legislative) Community Development Block Grant Plan Year 2015 Annual Action Plan

Staff Report by Sherri Wastweet, Panhandle Area Council Grant Administrator

Motion by _____, seconded by _____ to approve Community Block Grant Plan Year 2015 Annual Action Plan.

*DISCUSSION

*ROLL CALL: : Adams ___; Miller ___; McEvers ___; Edinger ___; Gookin ____; Evans ____.

Motion carried/failed.

J. 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.)

K. ADJOURNMENT:

Motion by _____, seconded by _____ that there being no other business this meeting be adjourned.

*All in favor/opposed

*Motion carried.

This meeting is aired live on CDA TV Cable Channel 19

NOTE: The City will make reasonable accommodations for anyone attending this meeting who require special assistance for hearing, physical or other impairments. Please contact the City Clerk at (208) 769-2231 at least 24 hours in advance of the meeting date and time.



Coeur d'Alene

CITY COUNCIL MEETING

April 7, 2015

MEMBERS OF THE CITY COUNCIL:
Steve Widmyer, Mayor
Council Members Adams, Edinger, Evans, Gookin, McEvers, Miller

CONSENT CALENDAR

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

March 17, 2015

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 March 17, 2015 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

CALL TO ORDER: The meeting was called to order by Mayor Widmyer.

INVOCATION: An invocation was provided by Craig Miles from Real Life Ministries CDA Church.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilmember Adams.

TRESPASS ENFORCEMENT PROGRAM:

Police Chief White explained the concept of the Trespass Enforcement Program in partnership with property owners throughout the city. This program does not require additional ordinances. This type of program could be used by snow birds or business owners to enforce trespassing after hours. If a citizen is interested in signing up for this program, forms can be found on the city website at www.cdavid.org/police, under the community resource center tab or in person at the police station. This program allows for more immediate law enforcement action. Registration with the program will be valid for one year. Councilmember McEvers asked if businesses using this program would need to post their hours of operation. Chief White stated that there is no requirement to provide or post hours of operation. It just provides law enforcement a method of trespassing persons that should not be there. Some examples would include unwanted camping or trespassing at a business that occurs at 2:00 a.m. when a business is obviously closed. Councilmember Gookin asked for clarification that participation in this program is not required to trespass people. Chief White clarified that if someone sees a suspicious person in their back lot, or wants someone trespassed to continue to call law enforcement.

AUDIT FISCAL YEAR 2013-2014 PRESENTATION:

Scott Hoover, Audit & Assurance Services Manager, Magnuson McHugh & Co. stated that he has finished the city's annual audit with the primary purpose being to ensure that financial statements are being accurately presented. There are three audit reports included within the audit. The primary report is the Independent Auditors Report on the Financial Statements which was an unqualified opinion which means it was a clean opinion. The second report is the Report on Internal Controls which is a government accounting audit standard. Within this review the auditors update their understanding of the key internal controls; this is not a test of the controls but gathering and documenting information. There were no findings in this report. The third report is the Independent Auditors Report on Compliance with Requirements; these requirements would have a direct or material effect and received an unqualified opinion. Some highlights of the audit report include the completion of the McEuen project, total debt increased by \$6.4 Million due to Wastewater Treatment Facility expansion and total Fund Balance increased to \$13.9 Million. Mr. Hoover explained the importance of Fund Balance as it is utilized to cover for inconsistent revenue streams, protects from unnecessary borrowing, and provides financial stability. The Government Finance Officers Association recommends 5-15% of revenue to be conserved in the Fund Balance. The City had 20% of revenue in the Fund Balance at the year end of 2014. Discussion ensued regarding Water and Wastewater Utility funds expenses versus revenues and the importance of capitalization fees. Councilmember Miller asked if all the information was funneled through the Finance Director and Deputy Finance Director or if the auditors talk to others. Mr. Hoover stated that the trial balance information comes from the Deputy Finance Director, but they spend time with the Finance Department and they interview each person who plays a role in the financial part of the city.

CONSENT CALENDAR: Motion by Miller, seconded by Evans to approve the consent calendar.

1. Approval of Council Minutes for March 3, 2015.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for March 23, 2015 at 12:00 noon and 4:00 p.m. respectively.
4. Approval of a Cemetery Lot Repurchase; Lots 385, 386; Block H, Section Riverview in Forest Cemetery Annex from Bill and Deloris Henderson
5. Approval of a Mobile Food Concession Permit for King of Tacos for April 12, 2015 in the lower City Hall parking lot.
6. Approval of Grant of Easement for Water Main and Appurtenances from Riverstone West Apts III, LLC; Riverstone Place, LLC.; and Hudson Park, LLC.
7. Setting of a Public Hearings:
 - a. April 7, 2015 to hear public comments regarding the Community Development Block Grant Plan Year 2015 Annual Action Plan.
 - b. April 7, 2015: Final Assessment Roll of LID 151; Front Avenue Improvement Project.
 - c. April 21, 2015: A-1-15 – Proposed Annexation from County Industrial to City C-17 by the City of Coeur d'Alene; Burlington Northern Railroad property
 - d. May 5, 2015: ZC-1-15 – Proposed Zone Change from R-12 to C-17 by Miller Development; 3113 N. Government Way

8. Declaration of Sole Source Procurement of Allen-Bradley electrical equipment and software for well houses due to its specific compatibility of the equipment and computer software; pursuant I.C. 67-2808 (2)(a)(II).
9. **Resolution No. 15-009** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A SECOND SUPPLEMENT TO REAL ESTATE PURCHASE AND SALE AGREEMENT WITH BNSF RAILWAY COMPANY.

ROLL CALL: Edinger Aye; Miller Aye; McEvers Aye; Gookin Aye; Evans Aye; Adams Aye.
Motion Carried.

COUNCIL ANNOUNCEMENTS:

Councilmember McEvers thanked Mr. Tymesen and Ms. Jensen regarding the outcome of the audit being positive. He felt that they have been conservative with the city funds and that has benefited the City.

APPOINTMENTS: Mayor Widmyer asked for confirmation of the appointments of Jon Ingalls, Mike Dodge, Jef Lemmon, and Rich McKernan to the Design Review Commission and Samantha Tuskan to the Childcare Commission.

MOTION: Motion by Edinger, seconded by McEvers to approve the appointments of Jon Ingalls, Mike Dodge, Jef Lemmon, and Rich McKernan to the Design Review Commission and Samantha Tuskan to the Childcare Commission. **Motion Carried.**

COUNCIL BILL 15-1003

AN ORDINANCE CALLING A GENERAL OBLIGATION BOND ELECTION TO BE HELD FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF COEUR D'ALENE, IDAHO, A PROPOSITION FOR THE ISSUANCE OF NEGOTIABLE GENERAL OBLIGATION BONDS OF THE CITY OF COEUR D'ALENE, IDAHO, AND IN PROVIDING FOR THE ISSUANCE OF SUCH BONDS, THE LEVY OF A TAX TO PAY SUCH BONDS.

STAFF REPORT: Finance Director Troy Tymesen stated that this Ordinance contains the official ballot language for the upcoming bond election. Staff is proposing to go to the voters on May 19, 2015 for a Public Safety General Obligation Bond. The debt interest cost on these bonds would be less than 2%. Mr. Tymesen clarified that the items proposed originally to be paid for with these funds has been modified to no longer include police vehicles based on legal opinion of the state code. The City Administrator, Jim Hammond, has proposed an amendment at the state legislature to clearly include police in the term public safety. However, the current code language does not include that, so staff has removed the police vehicles. The debt approval is up to \$6,000,000 but it does not mean that the City will spend that entire amount.

DISCUSSION: Mayor Widmyer asked for clarification regarding the timeline from when voters approve the bond to when actual purchasing of items will take place. Mr. Tymesen stated that the purchases may occur over time. For example, a ladder truck could take a year to be

delivered after the order is placed. He clarified that he does have a bank ready to work with the city. The storage facility and small purchases could be completed within 15 months. Mr. Tymesen also clarified that he would stagger the borrowing on an as-needed basis. He stated that the current bond is expiring and this bond would be a continuation of the existing bond, but at a lesser cost, as it is a lower amount at a lower interest rate. Councilmember Gookin clarified that the list presented to purchase items with the bond would be set in stone, so the funds cannot be used for other items after the citizens' vote. Mr. Tymesen explained that the bond language gives authority to go up to \$6,000,000 if needed. Councilmember Edinger asked for clarification regarding the replacement of a fire boat. Mr. Tymesen explained that the fire boat would be custom built to fulfill the needs of water rescue and that the donated boat is not functional as needed for rescues.

MOTION: Motion by Edinger, seconded by McEvers, to pass the first reading of **Council Bill No. 15-1003**.

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

MOTION: Motion by Gookin, seconded by McEvers, to suspend the rules and to adopt **Council Bill 15-1003** by its having had one reading by title only.

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

PUBLIC COMMENTS:

Roy Wargie, Coeur d'Alene, stated that people are still running the stop sign on 21st Street and are often using Coeur d'Alene Avenue as a racetrack. Also, people picking up kids from the school are blocking traffic. He wants to see something done about it. Mayor Widmyer stated that Chief White is conducting traffic studies in the area and would be willing to discuss this further with Mr. Wargie.

Dave Walker, Coeur d'Alene, stated that he has lived here for 60 years and has served on various committees, including the Committee of Nine. The Committee of Nine studied McEuen and made recommendations many years ago. They also established community values regarding changes to McEuen. While he has no vested interest in the movement of the Legion Field, he wanted to bring this item forward. He believes that the community value regarding movement of the field should have been done at equal to or better than the old field and he does not believe that was done at Ramsey Field. Specifically, the ingress and egress from the parking is horrible and the field is tucked back within the park and it does not have enough parking. He believes that the community deserves a first class baseball field and it is time to look at opportunities to achieve it. Councilmember McEvers asked what would constitute a first class baseball field - is it location, locker rooms, parking and/or concessions? Mr. Walker stated that it is not location, but a location where they can bring a regional event.

Brian Donnell, Coeur d'Alene stated that traffic is problematic in his neighborhood and that there has been an accident when a stop sign was misplaced. Ichabod Lane is used as a short cut to avoid the traffic light at 4th Street. He has requested that a stop sign be installed on the East and West side of Ichabod as neighbors have resorted to chasing down speeders.

MOTION: Motion by Gookin, seconded by McEvers to enter into Executive Session as provided by Idaho Code 67-2345§ (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency; and § (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

ROLL CALL: Gookin Aye; Evans Aye; Adams Aye; Miller Aye; McEvers Aye; Edinger Aye.
Motion Carried.

The City Council entered into Executive Session at 6:59 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney, and Police Chief. Council returned to regular session at 7:30 p.m.

MOTION: Motion by Gookin, seconded by Adams to approve the settlement recommendation of legal counsel regarding the Craig Jones claim. **Motion carried.**

ADJOURN: Motion by Gookin, seconded by Edinger that there being no other business this meeting be adjourned. **Motion Carried.**

The meeting adjourned at 7:33 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

A SPEICAL CALL MEETING OF THE
COEUR D'ALENE CITY COUNCIL HELD
IN THE LIBRARY COMMUNITY ROOM
ON MARCH 23, 2015 AT 1:00 P.M.

The City Council of the City of Coeur d'Alene met in a continued session held in the Library Community Room on March 23, 2015 at 1:00 p.m. there being present upon roll call a quorum of the Council.

Steve Widmyer, Mayor

Kiki Miller)	Members of City Council Present
Steve Adams)	
Dan Gookin)	
Ron Edinger)	
Amy Evan)	
Woody McEvers)	

DEPARTMENT HEADS PRESENT: Jim Hammond, City Administrator; Troy Tymesen, Finance Director; Renata McLeod, Municipal Services Director/City Clerk; and Warren Wilson, Deputy City Attorney.

APPROVAL OF A CEMETERY LOT REPURCHASE; LOT 025; BLOCK H, SECTION RIVERVIEW IN FOREST CEMETERY ANNEX FROM SANDY MCLAUGHLIN AND APPROVAL OF A BEER/WINE LICENSE TO THE CULINARY STONE; LOCATED AT 2129 N. MAIN STREET (NEW).

MOTION: Motion by Gookin, seconded by Adams to approve the beer/wine license for The Culinary Stone and approval of the cemetery lot repurchase from Sandy McLaughlin. **Motion carried.**

ADJOURNMENT:

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

The meeting adjourned at 1:01 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

(Office Use Only)
 Amount Paid 50 (4,170 2016)
 Receipt # 181339
 Date 3/30/15
 Date to Council: 04/07/15
 Reg. Number: _____
 License # _____
 Date Issued _____ By: _____



City of Coeur d'Alene
 Municipal Services Department
 710 Mullan Avenue
 Coeur d'Alene, Idaho 83814
 (208) 769-2229
 kathylew@cdaid.org

BEER, WINE AND/OR LIQUOR LICENSE APPLICATION
 Expires Annually March 1st

Please provide a date you would like to begin alcohol service: April 2015

Check the ONE box that applies	SERVING:	FEES
X	Beer only (canned and bottled) NOT consumed on premise	\$50
	Beer and Wine (canned and bottled) NOT consumed on premise	\$250
	Beer only (canned and bottled) consumed on premise	\$100
	Beer and Wine (canned and bottled only) consumed on premise	\$300
	Beer only (draft, canned, and bottled) consumed on premise	\$200
	Beer and Wine (draft, canned, and bottled) consumed on premise	\$400
	Beer, Wine, and Liquor (number issued limited by State of Idaho)	\$762.50
	Transfer of ownership of a City license with current year paid: <ul style="list-style-type: none"> • Beer-to go only \$6.25. • Beer-Can, Bottle only COP \$12.50. • Beer-Draft, Can, Bottled COP \$25. • Wine additional \$25. Consumed on Premise: <input type="checkbox"/> YES <input type="checkbox"/> NO Transfer from: _____ to: _____	

BUSINESS INFORMATION

Company Name: Coeur d'Alene Souvenir & Sundry LLC Phone: 208-664-5303
 Mailing Address: PO Box 3455 City/State/Zip: CDA ID 83816
 Physical Address: 207-1/2 East Sherman Avenue City/State/Zip: CDA ID 83814
 Cell: 659-1246 Fax: _____ Email: customerservice@cdasouvenir.com

General Services STAFF REPORT

DATE: 3/18/2015

FROM: Monte McCully, Trails Coordinator

SUBJECT: 8th Street Bike Lanes Centennial Trail Connection

DECISION POINT:

The Parks and Rec Department is requesting the General Services Committee to recommend to City Council that the city install bike lanes on both sides of 8th street from Young Avenue north to Mullan Avenue and the removal of parking from the both sides of 8th street in that area.

HISTORY:

When the City Hall parking lot was constructed the engineer created a conceptual drawing of 8th street with bike lanes on either side of the street from where the Centennial Trail would end across from Young Street to where the Centennial Trail is located on Mullan. This option was created to prevent a gap in the trail system. The project was not done at the time because McEuen Park was not yet reconstructed with the new alignment of the Centennial Trail. It was decided the project should be done when the trail was built. There are two residences that will be impacted from the removal of parking. Both home owners were contacted with one in favor and one opposed. Both homes are on corner lots with single car driveways and on-street parking on adjacent side streets. Additional overflow parking is available across the street in the new free parking lot. Staff recommended the bike lanes be 6 feet wide and vehicular lanes be 11 feet wide. When this was brought to the Parks and Recreation Commission they were worried about larger vehicles fitting in the lanes and forwarded the recommendation to General Services that the bike lanes be 5 feet wide and the travel lanes be 12 feet wide. After the Commission meeting the City Engineer confirmed that 6 foot bike lanes are acceptable. Staff recommends 6 foot bike lanes.

FINANCIAL ANALYSIS:

The cost for this project is estimated at \$1,452. This would include the paint for the lines, the paint for the bike symbols and arrows, the bike lane signs with posts, and labor. The money to pay for the initial construction will come out the Trails line item of the Parks Capital Improvement fund with subsequent maintenance and restriping to come out of the Street Department's budget.

PERFORMANCE ANALYSIS:

Building these bike lanes will close a gap in the Centennial Trail that was created when the trail was moved. It is currently the only gap in the entire 23 mile trail and we have received a lot of complaints from trail users that are having trouble finding their way to the next part of the trail.

DECISION POINT RECOMMENDATION:

The Parks and Rec Department is requesting the General Services Committee to recommend to City Council that the city install bike lanes on both sides of 8th street from Young Avenue north to Mullan Avenue and the removal of parking from the both sides of 8th street in that area.

City Council

STAFF REPORT

DATE: April 7, 2015
FROM: Gordon Dobler, Engineering Services Director
SUBJECT: Cooperative Agreement for installation of ADA ramps

DECISION POINT

Staff is requesting the approval of an agreement with ITD for installation of ADA curb ramps.

HISTORY

The State has a program whereby they will reimburse local sponsors for installation of ADA compliant curb ramps on state highways and business loops. Last spring we applied for this grant and were approved. We will be installing 13 ramps in and around the intersection of Sherman Ave and 23rd St. We recently received the cooperative agreement from ITD for approval.

FINANCIAL ANALYSIS

The grant is for \$48,954, which ITD will pay to the City for installation of the curb ramps. This was a budgeted item, and is in the current capital improvement plan. The work will be done by City crews, so it is anticipated that the grant funds will be more than sufficient to cover the costs.

PERFORMANCE ANALYSIS

Installation of ADA compliant curb ramps is part of ITD's transition plan. This program facilitates ITD's compliance while providing a direct benefit to pedestrians and other users of the sidewalk system.

RECOMMENDATION

Staff recommends that Council direct the Mayor to execute the agreement.

**COOPERATIVE AGREEMENT
PROJECT NO. A018(676)
13 ADA RAMPS, CITY OF COEUR D'ALENE
KOOTENAI COUNTY
KEY NO. 18676**

PARTIES

This Agreement is made and entered into this _____ day of _____, _____, by and between the **IDAHO TRANSPORTATION BOARD** by and through the **IDAHO TRANSPORTATION DEPARTMENT**, hereafter called the State, and the **CITY OF COEUR D'ALENE**, hereafter called the City.

PURPOSE

The City of Coeur d'Alene wishes to upgrade the following curb ramps on I-90 within the City limits.

Ramp ID	Cross Street	Corner/Side
D1_0 6989	COEUR D'ALENE AVE	SE
D1_0 6986	LAKESIDE AVE	SW
D1_0 6985	LAKESIDE AVE	NW
D1_0 7130	CDA LK DR S	NW
D1_0 7129	CDA LK DR S	NE
D1_0 7119	CDA LK DR S	SW
D1_0 7120	CDA LK DR S	SE
D1_0 7121	I90 EASTBOUND ON RAMP	SW
D1_0 7122	I90 EASTBOUND ON RAMP	SE
D1_0 7126	I90 WESTBOUND ON RAMP	NW
D1_0 7125	I90 WESTBOUND ON RAMP	NE
D1_0 7124	I90 WESTBOUND OFF RAMP	SE
D1_0 7123	I90 WESTBOUND OFF RAMP	SW

The State has agreed to participate in the cost of this work. This Agreement will provide for the responsibilities of the parties in this project.

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

It is mutually agreed and understood by the Parties that:

SECTION I That the State will:

1. Upon execution of this Agreement and receipt of a written request from the City, pay to the City the amount of Forty-Eight Thousand Nine Hundred Fifty-Four Dollars (\$48,954) to be used for Americans with Disabilities Act (ADA) curb improvements as identified above. The amount paid under this agreement is a lump sum payment. No additional funds will be paid for this work.
2. At its discretion, perform an inspection of the work upon notification from the City of completion of the work.
3. At its discretion, audit the project records to ensure the funds paid to the City were utilized as intended by this Agreement.

SECTION II That the City will:

1. Provide for design and construction of the improvements as identified above.
2. Design and construct the project to State Standards as defined in the current version of the Idaho Transportation Department's Design Manual, or as subsequently revised. The current version of the Design Manual can be viewed at the following web site: <http://itd.idaho.gov/manuals/ManualsOnline.htm> .
3. Provide all funding necessary for the work over and above the funds paid by the State under Section I, Paragraph 1 above.
4. Upon completion of the work:
 - a. Notify the State and provide the opportunity for inspection of the completed project by the State; and
 - b. Complete and submit an ITD-0288 (ADA Ramp Inspection) form for each ramp constructed. The form(s) can be either mailed to the Division of Transportation Performance, PO Box 7129, Boise, ID 83707-1129, or sent to the following e-mail address: gateam@itd.idaho.gov .
5. Maintain all project records, including source documentation for all expenditures, for a period of three (3) years from the date of final acceptance. If any litigation, claim, negotiation, or audit has been started before expiration of the three-year period, the records shall be retained until completion of the action and resolution of all issues that arise from it.

6. Refund to the State the amount paid under this Agreement if the project is terminated prior to completion or if the project is not completed by December 31, 2016.
7. Indemnify, save harmless and defend regardless of outcome the State from expenses of and against suits, actions, claims, or losses of every kind, nature and description, including costs, expenses and attorney fees that may be incurred by reason of any negligent act or omission of the City in the construction and maintenance of the work.

GENERAL:

1. This Agreement shall become effective on the date the parties entered into this Agreement, and shall remain in full force and effect until amended or replaced upon the mutual written consent of both parties.

EXECUTION

This Agreement is executed for the State by its Engineering Services Division Administrator, and executed for the City by the Mayor, attested to by the City Clerk, with the imprinted corporate seal of the City of Coeur d'Alene.

IDAHO TRANSPORTATION DEPARTMENT

Engineering Services Division Administrator

ATTEST:

CITY OF COEUR D'ALENE

City Clerk

Mayor

By regular/special meeting held
on _____

hm:18676 ADA Coop.docx

*Cooperative Agreement
City of Coeur d'Alene
Key No. 18676*

RESOLUTION

WHEREAS, the Idaho Transportation Department, hereafter called the **STATE**, has submitted an Agreement stating obligations of the **STATE** and the **CITY OF COEUR D'ALENE** hereafter called the **CITY**, for ADA improvements on I-90; and

WHEREAS, the **STATE** is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal-aid Highway System; and

WHEREAS, the **CITY** and the **STATE** are providing funds for this project; and

NOW, THEREFORE, BE IT RESOLVED:

1. That the Cooperative Agreement to construct ADA improvements on I-90 within city limits is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the **CITY**.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a *regular, duly* called special (X-out non-applicable term) meeting of the City Council, City of Coeur d'Alene, held on

_____ , _____.

(Seal)

City Clerk

RESOLUTION NO. 15-010

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 ADOPTING A POLICY REGARDING BEER AND WINE GARDENS; APPROVING AN AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PANHANDLE AREA COUNCIL FOR A 1-YEAR EXTENSION FOR COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATION SERVICES; APPROVING A RENEWAL TO THE LEASE AGREEMENT WITH CDA PARASAIL & WATERSPORTS FOR COMMERCIAL DOCK FOR BAYS 4 AND 9; APPROVING THE PURCHASE OF ONE (1) POLICE PATROL VEHICLE.

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 D" and by reference made a part hereof as summarized as follows:

- A) Adopting a Policy regarding Beer and Wine Gardens;
- B) Approving an Amendment No. 2 to the Professional Services Agreement with Panhandle Area Council for a 1-year extension for Community Development Block Grant Administration Services;
- C) Approving a Renewal to the Lease Agreement with CDA Parasail & Watersports for Commercial Dock for Bays 4 and 9;
- D) Approving the purchase of one (1) Police Patrol Vehicle;

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 D" 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 March, 2015.

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 ADAMS Voted _____

COUNCIL MEMBER GOOKIN Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

**GENERAL SERVICES
MEMORANDUM**

DATE: MARCH 23, 2015

FROM: RENATA MCLEOD, MUNICIPAL SERVICES DIRECTOR

RE: APPROVAL OF A BEER/WINE GARDEN POLICY

DECISION POINT: To approve a policy regarding beer/wine gardens within the city.

HISTORY: As the popularity of beer/wine gardens has increased with special events throughout our community, staff had encountered requests to allow children into the designated areas during concerts or other family friendly events. Idaho State code does not prohibit the City from allowing all age groups to enter the beer/wine garden areas. Additionally, staff has been requested to review the ability to open entire areas rather than specific designated areas. The Police Department has expressed concern over opening up entire public areas to allow open containers, which Parks staff is amenable to. Staff would like the ability to determine the type of item used for the physical barrier designating the beer/wine garden areas, which event and location would be appropriate to allow ages within the designated area. Therefore, staff recommends approval of the attached proposed policy.

FINANCIAL ANALYSIS: There is no financial impact to the City associated with this item.

PERFORMANCE ANALYSIS: Approving this policy will allow city department to consistently regulate beer/wine areas and give event sponsors clarity in the process.

DECISION POINT/RECOMMENDATION: To approve a policy regarding beer/wine gardens within the city.



City of Coeur d'Alene Beer Wine Policy

Policy Title	Beer Wine	Policy Content	Regulated areas for service of beer/wine
Effective Date		Responsible Dept.	Municipal Services

PURPOSE

This policy sets forth internal policy regarding beer/wine gardens within the City limits. It is intended to provide all departments and applicants a clear understanding of what are allowable service areas. Additionally, many events held in public areas are family friendly events and it should be clear how staff will coordinate the beer/wine consumption areas to accommodate such events.

POLICY

The City shall require physical barriers to designate beer/wine garden areas. The physical barrier may be of any material sufficient in strength and presence to clearly define the identified beer/wine garden area. These areas may be open to all ages; however, the vendor will be responsible to ensure no service of alcohol is provided to minors.

The City will review catering permit requests and determine if it is appropriate to require 21 and over beer/wine garden areas.

DEFINITION

Physical Barrier- Barriers to be used are of a temporary nature and may include fencing and/or posts with chain or rope, as appropriate, and approved by the City for the event.

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

DATE: MARCH 23, 2015

FROM: RENATA MCLEOD, MUNICIPAL SERVICES DIRECTOR

RE: APPROVAL OF AMENDMENT #2 OF AGREEMENT TO THE
PROFESSIONAL SERVICES CONTRACT WITH PANHANDLE AREA
COUNCIL FOR GRANT ADMINISTRATION SERVICES.

DECISION POINT: To approve amendment #2 to the Professional Services Agreement with Panhandle Area Council for grant administration services.

HISTORY: The City entered into a Professional Services Contract on May 7, 2013 with Panhandle Area Council for grant administration services of the City's Community Development Block Grant (CDBG) program. The Contract term was two years with two (3) one-year options for renewal. Staff recommends another one-year extension Panhandle Area Council.

FINANCIAL: Payment for services is budgeted within the CDBG administration account and shall be \$45,000 (paid in monthly installments).

PERFORMANCE ANALYSIS: Authorizing the extension to the agreement will allow PAC to continue providing grant administration services.

DECISION POINT/RECOMMENDATION: To approve amendment #2 to the Professional Services Agreement with Panhandle Area Council for grant administration services.

**AMENDMENT 2
TO THE
PROFESSIONAL SERVICES CONTRACT
between
the City of Coeur d'Alene and Panhandle Area Council (PAC)
for the
Coeur d'Alene CDBG Entitlement Program**

WHEREAS, The above parties entered into a Professional Services Contract on May 7, 2013, adopted pursuant to Resolution No. 13-027, as amended by Resolution No. 14-011 on March 18, 2014, to render grant administration services related to funds received under Title I of the Housing and Community Development Act of 1974, as amended, from the U.S. Department of Housing and Urban Development (HUD) for housing and community development needs; and

WHEREAS, Panhandle Area Council (PAC) desires to exercise a 1 year option for renewal; and

WHEREAS, this will extend the existing effective date and time of performance to March 31, 2016; and

THEREFORE, the parties mutually agree to amend the Contract as follows:

1. Section 5 EFFECTIVE DATE AND TIME OF PERFORMANCE:

This Contract takes effect on April 1, 2013 and shall end on March 31, 2016 with two (2) one-year options for renewal still remaining.

2. No Further Modification of the Professional Services Contract:

The parties agree that the Professional Services Contract, as herein amended, remains in full force and effect and that this amendment to the Professional Services Contract between the parties does not amend or alter any other right or obligation of either party under the Professional Services Contract.

IN WITNESS WHEREOF, the City of Coeur d'Alene has caused this Contract to be executed by its Mayor and City Clerk, and the Contractor have caused the same to be executed.

DATED THIS 7th day of April, 2015.

CITY OF COEUR D'ALENE

CONTRACTOR

By: _____
Steve Widmyer, Mayor

by: _____
Wally Jacobson
Executive Director

ATTEST:

Renata McLeod, City Clerk

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 7th day of April, 2015, before me, a Notary Public, personally appeared **Steve Widmyer** and **Renata McLeod**, known to me to be the Mayor and City Clerk, respectively, of the City of Coeur d'Alene and the persons who executed the foregoing instrument and acknowledged to me that said City of Coeur d'Alene executed the same.

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

Notary Public for Idaho
Residing at Coeur d'Alene
My Commission expires:

STATE OF IDAHO)
) ss.
County of Kootenai)

On this ____ day of April, 2015, before me, a Notary Public, personally appeared **Wally Jacobson**, known to me to be the Executive Director, of **Panhandle Area Council**, and the person who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Notary Public for Idaho
Residing at Coeur d'Alene
My Commission expires:

**GENERAL SERVICES
STAFF REPORT**

Date: March 23, 2015
From: Bill Greenwood Parks & Recreation Superintendent
SUBJECT: CDA Parasail & Watersports Agreement Renewal *(Council Action Required)*

DECISION POINT:

The Parks & Recreation Commission has recommended to General Services the renewal of the Coeur d'Alene Parasail and Watersports agreement.

HISTORY:

Coeur d'Alene Parasail & Watersports has been leasing Bays 4 and 9 on the commercial dock for over 16 years.

FINANCIAL ANALYSIS:

The rental amounts, as per the lease agreements, are increased each year based on the current 2% CPI (Consumer's Price Index). The 2016 dock lease will be Nine Thousand Sixty-Six and 00/100 Dollars (\$9,066.00), based on a monthly rental of Nine Hundred Six and 60/100 Dollars (\$906.60) per month, per bay. An a yearly two percent (2%) Department of Lands fee which is One Hundred Eighty-one and 32/100 (\$181.32),

PERFORMANCE ANALYSIS:

Coeur d'Alene Parasail & Watersports currently has a 4-year lease agreement with the city that will expire on September 30, 2015. Section 3 of this agreement allows them to submit a written request for a 4-year extension of their lease. Coeur d'Alene Parasail & Watersports has submitted a letter requesting this 4-year extension with a new expiration date of September 30, 2019. Ben Rodriguez of CDA Parasail and Watersports has asked to have his sons Benjamin & Reuben Rodriguez added to the new lease agreement.

DECISION POINT / RECOMMENDATION:

Extend the lease agreement with Coeur d'Alene Parasail and Watersports.

LEASE AGREEMENT

THIS LEASE, entered into this 7th day of April, 2015, by and between the **CITY OF COEUR D'ALENE**, a municipal corporation organized and existing under the laws of the state of Idaho, whose address is 710 E. Mullan Avenue, Coeur d'Alene Idaho 83814, hereinafter referred to as the "Lessor," and **BENJAMIN C. RODRIGUEZ, RUTHIE RODRIGUEZ, BENJAMIN CRUZ RODRIGUEZ II & REUBEN DANIEL CRUZ RODRIGUEZ**, d/b/a **COEUR D'ALENE PARASAIL & WATERSPORTS, INC.**, with its principle place of business at 7040 N Valley Street, Dalton Gardens, Idaho 83815, hereinafter referred to as the "Lessee."

WITNESSETH:

That the Lessor, for and in consideration of the rents and covenants hereinafter mentioned to be paid and performed by the Lessee, does hereby lease and let unto the Lessee the following described moorage along the Westside of the City Dock, to wit:

THAT SPACES DESCRIBED AS BAY 4 ON THE EAST SIDE
AND BAY 9 ON THE WEST SIDE OF THE CITY DOCK.

Said bays are depicted on the attached drawing identified as Exhibit "A" and by this reference incorporated herein.

Section 1. Term: The term of this lease shall be four (4) years from May 1st through September 30th each year, commencing May 1, 2016, and ending September 30, 2019. Any property left beyond September 30, 2019, will be impounded and returned to the Lessee only upon payment of reasonable impounding costs, fees, and storage. All rent is to be paid in advance as described below.

Section 2. Rental: The Lessee agrees to pay as rental for the right of such moorage space and the use of said portion of said dock in advance of May 1, 2016, for the first year of the lease, the sum of Nine Thousand Sixty-Six and 00/100 Dollars (\$9,066.00), based on a monthly rental of Nine Hundred Six and 60/100 Dollars (\$906.60) per month per bay and One Hundred Eighty-One and 32/100 (181.32), the (2%) Department of Lands fee as identified in Section 4. The rental fee will increase annually in an amount that matches any increase in the Consumer Price Index (CPI) Western. For the second year of the Lease and each subsequent year thereafter until termination, the monthly rental amount shall be paid in advance of May 1st of each year.

Section 3. Renegotiation: Lessee may request in writing a four (4) year extension of this agreement for the period from May 1, 2020, to September 30, 2023, by submitting to Lessor a written request for extension after May 1, 2018, and prior to October 1, 2018. Upon receipt of such request, the Lessor will consider whether it will grant an additional four (4) year extension and if so, the parties may mutually renegotiate terms applicable to said extension.

If the parties are unable to negotiate terms mutually agreeable to both parties within sixty (60) days of the date of receipt of the request from Lessee for an extension of the original agreement or extension of the extended agreement, then no extension shall occur and the lease shall expire according to previously agreed upon terms.

Section 4. Additional Rent: The State of Idaho Land Board has initiated a fee or other charge against the Lessor, during the term of this lease, for maintenance, operation, placement, and use of the City Dock, the Lessee shall pay to the Lessor its proportionate share of such rental or fee which for the first year of this lease is \$181.32, or 2% of the annual fee. This fee is included in Section 2. Should the State of Idaho charge any other or additional fee, Lessee shall be responsible for a proportionate share.

Section 5. Utilities: The Lessee agrees to pay all electrical services and other utility costs incurred at said dock.

Section 6. Maintenance: The Lessee agrees at Lessee's sole cost within 5 five days, to repair any damage done to the City Dock, including but not limited to decking, railings, pilings, walkways, and float logs, caused by the Lessee, Lessee's employees, agents, customers, or equipment and to promptly notify the Parks Director of any such damages. Lessee is expected to not conduct any activity, or operate equipment in any manner that could potentially cause damage to the City Dock, including but not limited to decking, railings, pilings, walkways, and float logs.

Section 7. Improvements or Construction: The Lessee shall not construct anything on or about said dock without the written consent of the Parks Director. The Lessee agrees that City has the right to reconstruct and modify, including expansion of the dock, at any time during the term of the Lease. Lessee further agrees that it shall have no claim against Lessor for any inconvenience or lost income that may result from reconstruction, modification, or expansion of the dock.

Section 8. Signs: Except as set forth in this section and in Section 10, entitled "Souvenir Sales," no signs for advertising purposes or otherwise shall be attached to the dock or affixed in the area adjacent to the dock, except a small sign designating the owner or the name of the boat and its location, which sign must be approved by the Parks Director and be in conformance with the Municipal Sign Code.

Section 9. Alcoholic Beverages: The Lessee shall not dispense by gift, sale or otherwise, or allow anyone else on the deck or watercraft for which the space is leased, to dispense by gift or sale, or otherwise, any alcoholic beverage, including but not limited to beer and wine, within the City limits of the City of Coeur d'Alene which extends 1,000 feet from the shoreline. The Lessee shall not permit any person to debark from the watercraft to the City dock with any opened, sealed or unsealed container of any alcoholic beverage.

Section 10. Souvenir Sales: The Lessee may sell from the dock non-food items directly related to its business, with the following conditions. The only items that may be sold

are hats, t-shirts, sweatshirts, mugs, drinking cups, bumper stickers, and pennants provided such items either bear the Lessee vendor's logo or some other mark indicating a relation to the Lessee vendor's business. Provided, however, that sales and display of the items are to be confined to the interior of their respective booths, which booths and location must be approved in writing by the Parks Director prior to placement and must be removed from the premises at the close of each day. Signs advertising the items for sale must be approved by the Parks Director and be in conformance with the Municipal Sign Code. The City reserves the right to direct Lessee to immediately cease the sale of souvenir items if in the City's sole discretion the continued sale of souvenir items creates an unsafe condition upon the City's dock. In such event, Lessee shall have no claim for damages against Lessor.

Section 11. Use of Leased Premises at Bay 4: It is understood and agreed that the Lessee will use the leased premises only for the purpose of mooring one (1) power motor boat with flat decking specifically designed for parasailing by take-off and landing on an attached deck and loading and unloading passengers of said boat for transporting to parasailing locations. It is specifically understood that no parasailing may occur on or from the City dock or within the City limits of Coeur d'Alene. Except as set forth in Section 10 entitled "Souvenir Sales," the Lessee shall make no sales form the dock of merchandise of any type including but not limited to watercraft, food, or beverages. It is further understood and agreed that the general public shall at all times be invited to patronize the Lessee and shall have free access to and from the dock and the use thereof without charge by the Lessee. The manner of moorage of the watercraft shall be approved by the Lessor or its Parks Director. Due to increased water activity on the 4th of July, access to the dock will be restricted from 6:00 p.m. to the following morning.

Section 12. Use of Leased Premises at Bay 9: It is understood and agreed that the Lessee will use the leased premises only for the moorage of non-motorized watercraft for hire, and the loading and/or unloading of said craft. Low tech is described as aquatic equipment with zero (0) horsepower or that which is propelled by human power only. Except as set forth in Section 10 entitled "Souvenir Sales," the Lessee shall make no sales form the dock of merchandise of any type including but not limited to watercraft, food, or beverages. It is further understood and agreed that the general public shall at all times be invited to patronize the Lessee and shall have free access to and from the dock and the use thereof without charge by the Lessee. The manner of moorage of the watercraft shall be approved by the Lessor or its Parks Director. Due to increased water activity on the 4th of July, access to the dock will be restricted for commercial activity from 6:00 p.m. to the following morning.

Section 13. Liability: The Lessee covenants to hold the Lessor harmless from any and all demands, loss or liability resulting at any time or times from injury to or the death of any person or persons and/or from damage to any and all property occurring from the negligence or other fault or omission of the Lessee, Lessee's agents, employees and/or patrons in and about the leased premises, on or about or during activities associated with Lessee's use, or resulting from noncompliance with any law, ordinance, or regulation respecting the condition, use, occupation, sanitation or safety of the leased premises or any part thereof. The phrase "in and about the leased premises" shall mean the City Dock and all other areas owned, maintained, or regulated by Lessor upon which Lessee's customers and potential customers, invitee's, employees, and agents

utilize in the course of his/her activity associated with Lessee's use, or inquiry about the same on Lessee's watercraft or in the course of access to or egress from Lessee's watercraft, including specifically, but not limited to, the waters surrounding the dock, the beach, sidewalks, ramp, parking areas, and other amenities and structures whether natural or manmade in the vicinity of the City Dock upon which or by which a customer, potential customer, invitee, employee, and agent of Lessee crosses until that person has left City property. To this end, the Lessee shall at its own expense obtain a policy or contract of insurance or comprehensive liability plan naming the Lessor as an additional insured, which policy, contract or plan shall insure against loss for personal injury or death or property damage in an amount of at least One Million Dollars (\$1,000,000). Insurance coverage shall include coverage for those claims which arise in and about the leased premises as defined above. A copy of such policy shall be filed in the office of the City Clerk together with a certificate of insurance showing such policy to be in effect at all times during the term of this lease. The certificate of insurance in a form acceptable to the City shall provide at least thirty (30) days written notice to the Lessor prior to cancellation of the policy.

This policy must run for the entire period of this lease.

Section 14. Assignability: Lessee shall not assign the lease or sublet the bay, or any part thereof, during the term hereof, without first having obtained the written consent of the Lessor to do so.

Section 15. Filing of Charges and Schedules: The Lessee shall at all times during the term hereof keep on file with the City Clerk of Coeur d'Alene a current schedule of its hours of operation and charges to the public.

Section 16. Interference With Use By Other Lessees: The Lessee shall not hamper or interfere with the use of the dock or other moorage spaces leased by the Lessor to other lessees.

Section 17. Removal in Emergency: Should it appear to the Lessor that because of flooding or other danger, the property of the Lessor is endangered by the mooring of watercraft, the Lessee shall, immediately after receiving notice, remove the watercraft from the leased premises until the danger has ceased as determined by Lessor.

Section 18. Other Laws: Lessee agrees it shall comply with all local, state, and federal laws, statutes, rules and regulations, including agency rules and regulations, that may apply to Lessee's use of the leased premises.

Section 19. Parking: The parties recognize that the City is involved in a process of developing a downtown properties plan that may modify, move or eliminate some parking in the present downtown public parking lots. Lessee acknowledges and agrees that this may occur and may effect the parking areas presently used by Lessee's customers. In the event of said occurrence Lessee hereby releases, holds harmless Lessor and waives any claim whatsoever Lessee may have against the City its employees, agents, elected and appointed officials in the event parking is modified.

Section 20. Default: In the event the Lessee fails, neglects, or refuses to perform any covenant or condition required of Lessee herein, that Lessor may terminate this lease and reenter and retake possession of the leased space, retaining any and all payments made by the Lessee as liquidated damages, or the Lessor may, at its option, enforce the specific performance of the terms hereof, or take such other recourse as may be open to it in law or in equity. In any of such events, the Lessee agrees to pay all expenses, including a reasonable attorney's fee, in any suit or action brought by the Lessor.

Lessee further agrees, in the event of default, that Lessor may impound property moored at or on the dock and store the same at Lessee's expense at a location chosen by Lessor.

Section 21. Notice: Provided, however, that before declaring such default, the Lessor shall notify the Lessee in writing of the particulars in which it deems the Lessee to be in default, and the Lessee shall have seven (7) days from the time such written notice has been placed in the United States mail addressed to the Lessee at the last address the Lessee has left with the Lessor, with proper postage affixed, within which to remedy the default. Any notice required herein to be given to City shall be written and deemed received by City when personally delivered to the office of the City Clerk, 710 E. Mullan Avenue, Coeur d'Alene, Idaho 83814. Any notice required herein to be given to Lessee shall be written and deemed received by Lessee when addressed to 7040 N Valley Street, Dalton Gardens, Idaho 83815 and deposited in the United States mail with proper postage affixed thereto. In lieu of service by mail, a notice of default or of termination may be served in the manner provided for the service of process under the Idaho Rules of Civil Procedure, Rule 5(b).

Section 22. Lessor's Option to Terminate Lease: The Lessor may at any time after ten (10) day's written notice terminate this lease, retake possession of the leased space upon payment to the Lessee of the prorated, unearned portion of the lease payment. The notice of the exercise by the Lessor of its option to terminate the lease will identify any infraction in this agreement that causes termination, or the city may terminate the agreement for construction, access, or other needs or uses of said lease site.

Section 23. Time of the Essence: Time is of the essence of this agreement.

The terms and provisions hereof shall extend to and be binding upon the heirs, executors, administrators, and assigns of the respective parties.

IN WITNESS WHEREOF, the Lessor has caused this lease to be executed by its Mayor and attested by its City Clerk, and the corporate seal hereunto affixed, and the Lessee has signed the same, the day and year first above written.

[Signatures Appear On Following Page]

LESSOR:
CITY OF COEUR D'ALENE

LESSEE: BENJAMIN C. RODRIGUEZ,
RUTHIE RODRIGUEZ, BENJAMIN
CRUZ RODRIGUEZ II & REUBEN
DANIEL CRUZ RODRIGUEZ, d/b/a
COEUR D'ALENE PARASAIL &
WATERSPORTS, INC.

By: _____
Steve Widmyer, Mayor

By: _____
Benjamin C. Rodriguez, Owner

By: _____
Ruthie Rodriguez, Owner

ATTEST:

By: _____
Benjamin Cruz Rodriguez II, Owner

Renata McLeod, City Clerk

By: _____
Reuben Daniel Cruz Rodriguez, Owner

[Signature Page to Lease Agreement with CDA Parasail & Watersports]

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 7th day of April, 2015, before me, a Notary Public, personally appeared **Steve Widmyer** and **Renata McLeod**, known to me to be the Mayor and City Clerk, respectively, of the City of Coeur d'Alene and the persons who executed the foregoing instrument and acknowledged to me that said City of Coeur d'Alene executed the same.

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

Notary Public for Idaho
Residing at _____
My Commission expires: _____

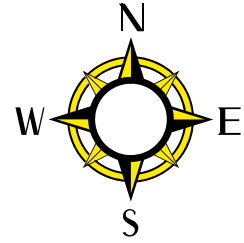
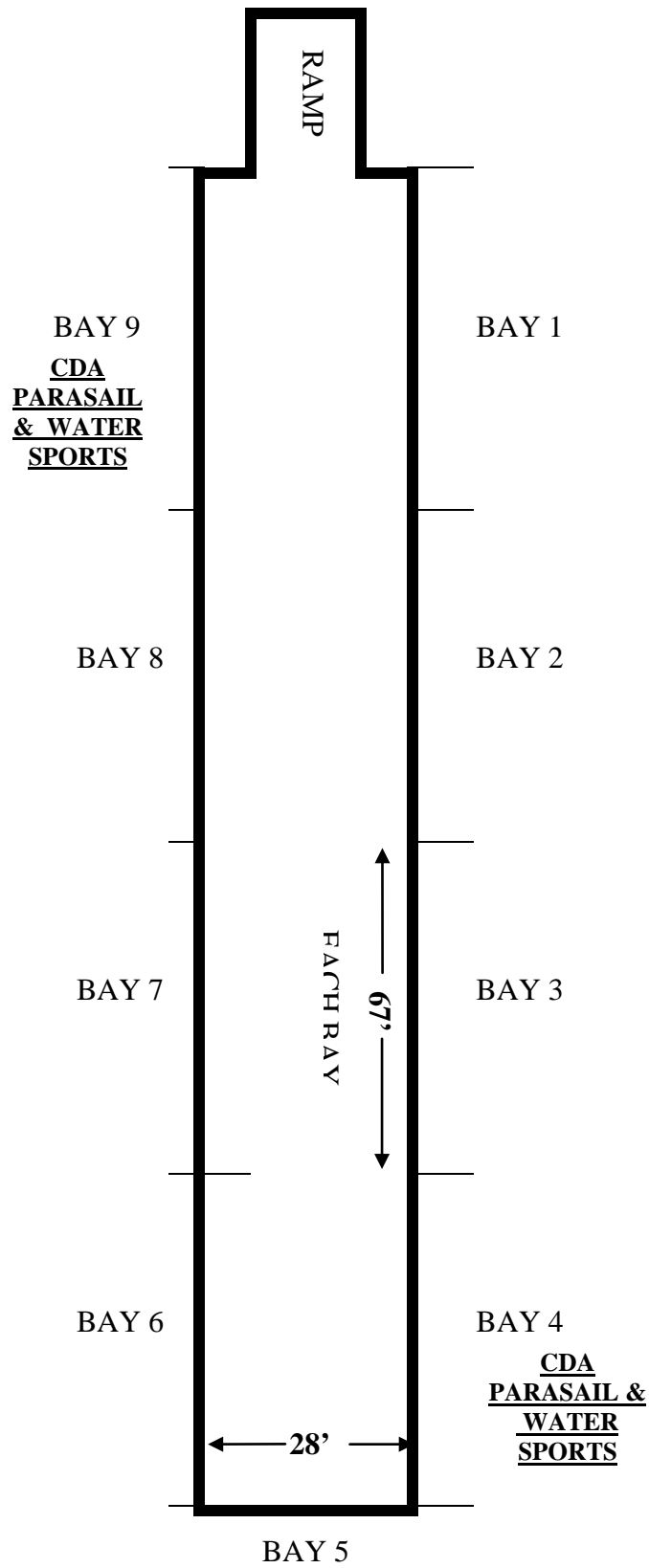
STATE OF IDAHO)
) ss.
County of Kootenai)

On this _____ day of April, 2015, before me, a Notary Public, personally appeared BENJAMIN C. RODRIGUEZ, RUTHIE RODRIGUEZ, BENJAMIN CRUZ RODRIGUEZ II AND REUBEN DANIEL CRUZ RODRIGUEZ, known to me to be the owners of COEUR D ALENE PARASAIL & WATERSPORTS, INC., and the persons whose names are subscribed to the within instrument and acknowledged that such corporation executed the same.

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

Notary Public for Idaho
Residing at _____
My Commission expires: _____

Exhibit "A"



CITY COUNCIL
STAFF REPORT

DATE: March 18, 2015
FROM: Lee White, Chief of Police
SUBJECT: Request to purchase one additional patrol vehicle

Decision Point: Authorization to purchase one (1) patrol vehicle.

History: We currently have eleven (11) marked police cars assigned to the Patrol Division for patrol officers to utilize, not including supervisor vehicles. The Division currently has 35 officers' assigned to four (4) shifts.

In an effort to maintain enough vehicles for 24/7 patrol coverage, extra vehicles are required. In a recent request, it was discovered Lake City Ford has a 2015 Ford Explorer Police SUV. The vehicle has been offered to the Coeur d'Alene Police Department for the State Bid price of \$26,493.00, plus the cost of additional police equipment already installed on the vehicle. Total cost of the vehicle is \$33,351.00. In addition to Lake City Ford, we have researched other dealerships in our Region and have found no other compatible vehicles currently available.

The Coeur d'Alene Police Department has a long history of purchasing from our local dealerships at the State Bid price. The requested 2015 Ford Police SUV is a current model used by our Department and meets all patrol vehicle requirements. Because the vehicle already comes equipped with some "add-on" equipment there will be minimal build time required to have the vehicle assigned to our fleet and ready for use. Any additional/required equipment will be installed by our City mechanics.

Financial Analysis: The total purchase price of this vehicle is \$33,351.00. Due to this being a mid-year purchase and not funded in the fy 2015 budget, staff has looked for savings within the current budget. Because fuel prices have dropped over the past few months, we feel there will be approximately \$25,000- \$30,000.00 in fuel savings by the end of our budget year. Remaining funds will come from other areas of the authorized police budget.

Performance Analysis: The patrol vehicles are used for a variety of patrol-related functions. These vehicles obtain a high amount of mileage being used in traffic and patrol-related enforcement. The line patrol vehicles run nearly on a 24-hour, 7-days-a-week basis.

Decision Point: Authorization to purchase one (1) patrol vehicle from Lake City Ford.

ANNOUNCEMENTS

Memo to Council

DATE: March 30, 2015

RE: Appointments to Boards/Commissions/Committees

The following reappointments are presented for your consideration for the April 7th Council Meeting:

DIXIE REID	CIVIL SERVICE COMMISSION
MICHAEL WARD	PLANNING COMMISSION
JON INGALLS	PLANNING COMMISSION

Copies of the data sheets have been placed by your mailboxes.

Sincerely,

Amy Ferguson
Executive Assistant

cc: Renata McLeod, Municipal Services Director
Melissa Tosi, Civil Service Commission Liaison
Shana Stuhlmiller, Planning Commission Staff Support

Memo to Council

DATE: April 1, 2015

RE: Appointments to Boards/Commissions/Committees

The following appointments are presented for your consideration for the April 7th Council Meeting:

DAVID GROTH	ARTS COMMISSION
CHRISTINA HULL	ARTS COMMISSION
TRUDY ELLIOTT	ARTS COMMISSION
MARK JOHNSTONE	ARTS COMMISSION (Term to begin 5/1/15)

Copies of the data sheets have been placed by your mailboxes.

Sincerely,

Amy Ferguson
Executive Assistant

cc: Renata McLeod, Municipal Services Director
Shana Stuhlmiller, Arts Commission Staff Support

OTHER COMMITTEE MINUTES
(Requiring Council Action)

March 23, 2015
**GENERAL SERVICES COMMITTEE
MINUTES**

12:00 p.m., Library Community Room

COMMITTEE MEMBERS

Council Member Ron Edinger, Chairperson
Council Member Steve Adams
Council Member Amy Evans

CITIZENS

Rob Berger, Crafted Tap House + Kitchen - Item #3

STAFF

Renata McLeod, City Clerk
Bill Greenwood, Parks Superintendent
Kathy Lewis, Deputy City Clerk
Capt. Steve Childers, PD
Juanita Knight, Senior Legal Assistant
Keith Erickson, Communications Coordinator
Jim Hammond, City Administrator
Troy Tymesen, Finance Director
Warren Wilson, Chief Civil Deputy City Attorney

**Item 1. Policy regarding Beer and Wine Garden.
(Resolution No. 15-010)**

Renata McLeod, City Clerk, presented a request to approve a Policy regarding beer and wine gardens within the city. Mrs. McLeod explained that as the popularity of beer/wine gardens has increased with special events throughout the community, staff has encountered requests to allow children into the designated areas during concerts or other family friendly events. Idaho State code does not prohibit the City from allowing all age groups to enter the beer/wine garden areas. It was requested that staff review the ability to open entire areas rather than specific designated areas. The Police Department has expressed concern over opening up entire public areas to allow open containers, which Parks staff is amenable to. Staff would like the ability to determine the type of item used for the physical barrier designating the beer/wine garden areas, which event and location would be appropriate to allow ages within the designated area.

MOTION: by Evans seconded, by Adams, to recommend that Council adopt Resolution No. 15-010 approving a Policy regarding beer / wine gardens within the city. Motion Carried.

**Item 2. Amendment to Municipal Code 5.08.170(3) regarding exemption zone for sale of beer for consumption for the Rotary Harbor House.
(CB No. 15-1004)**

Bill Greenwood is requesting Council approve a code amendment to expand the exemption zone to include McEuen Park and allow the beer and wine sales and consumption at the Rotary Harbor House. It was explained in the staff report that the Rotary Harbor House has a concession area to serve patrons of the park. The concessionaire was allowed to serve food items and soft drinks. Staff has heard comments from the public and potential vendors that an added amenity to the park would be a designated area for serving and consuming beer and wine. The current code states that "business located at least three hundred feet (300') from any park, school, or church and at least six hundred feet from any nursing homes or hospitals may serve beer to be consumed on the premises within 300' of any R-1,R-3, R-5, R-8, R-12 zoned property if they have the written consent of a majority of the owners of those residential properties protected by this section that are within six hundred feet (600) of the business. The city currently has an exemption area that exempts the 300 ft. of a park but it does not include the area of the Rotary Harbor House. By allowing the vendor an opportunity to apply

for a beer and wine license there is a potential the city will be able to lease the Rotary Harbor House and that potential lease's availability to serve Beer and Wine will substantially increase the amount of proposals and the dollar amount in the proposals.

Councilmember Edinger expressed his concern with allowing too much alcohol consumption in parks. He asked what the Police Department thinks of all the changes. Capt. Childers said they have been involved in the early stages of these requests and they don't see any concerns with allowing them. How the city is managing the requests and keeping boundaries of the alcohol consumption seems to be workable.

MOTION: by Evans, seconded by Adams, to recommend that Council adopt Council Bill No. 15-1004 amending Municipal Code Section 5.08.170(3) to expand the exemption zone to include McEuen Park and allow the Beer and Wine sales and consumption at the Rotary Harbor House. Motion Carried.

Item 3. Amendment to Municipal Code 5.08.170(3) regarding exemption zone for sale of beer for consumption – block between 5th and 6th St. south of Lakeside.
(CB No. 15-1004)

Rob Berger, president and owner of Crafted Tap House, is asking Council to extend the exemption zone to include an area the parking lot behind Crafted at 523 Sherman Ave (Southwest corner of 6th Street and Lakeside Ave). If approved, the parking lot would be transformed into an outdoor entertainment area for the general public to enjoy during the summer months. The goal is to provide a venue for people to enjoy live music, paly yard games, and serve as a safe and fun meeting place for all the events that take place in downtown. Mr. Berger went into detail of what they are proposing. Mr. Berger said they are looking to make the downtown community more attractive and provide locals and tourist with a different more upscale atmosphere than they are accustomed to with the rest of the downtown bars.

Councilmember Adams asked Mr. Berger if the Pastor of the First Presbyterian Church has presented this proposal to the board of his church. Mr. Berger said he does not know but that the Pastor comes into the restaurant regularly with his family and has commented that he thinks Mr. Berger's request is a good thing. However, Mr. Berger is not sure how far the pastor has taken the proposal within his church.

MOTION: by Evans, seconded by Adams, to recommend that Council adopt Council Bill No. 15-1004 amending Municipal Code Section 5.08.170(3) to expand the exemption zone to include the block between 5th and 6th south of Lakeside for beer and wine consumption. Motion Carried.

Item 4. Amendment to the Professional Services Agreement with Panhandle Area Council for a 1-year extension for Community Development Block Grant Administration Services.
(Resolution No. 15-010)

Renata McLeod is requesting Council approve an amendment to the Professional Services Agreement with PAC. Mrs. McLeod explained in her staff report that the City entered into a Professional Services Contract on May 7, 2013 with Panhandle Area Council for grant administration services of the City's Community Development Block Grant (CDBG) program. The Contract term was two years with two (3) one-year options for renewal. Staff recommends another one-year extension Panhandle Area Council. Payment for services is budgeted within the CDBG administration account and shall be \$45,000 (paid in monthly installments). Authorizing the extension to the agreement will allow PAC to continue providing grant administration services.

MOTION: by Adams, seconded by Evans, to recommend that Council adopt Resolution No. 15-010 approving Amendment No. 2 to the Professional Services Agreement with Panhandle Area Council for Grant Administration Services. Motion Carried.

**Item 5. Renewal of the Lease Agreement with CDA Parasail & Watersports for commercial dock for bays 4 and 9.
(Resolution No. 15-010)**

Bill Greenwood is requesting Council approve extending the lease agreement with Coeur d'Alene Parasail and Watersports. Mr. Greenwood explained in his staff report that Coeur d'Alene Parasail & Watersports have been leasing Bays 4 and 9 on the commercial dock for over 16 years. The rental amounts, as per the lease agreements, are increased each year based on the current 2% CPI (Consumer's Price Index). The 2016 dock lease will be Nine Thousand Sixty-Six and 00/100 Dollars (\$9,066.00), based on a monthly rental of Nine Hundred Six and 60/100 Dollars (\$906.60) per month, per bay. An a yearly two percent (2%) Department of Lands fee which is One Hundred Eighty-one and 32/100 (\$181.32). Coeur d'Alene Parasail & Watersports currently has a 4-year lease agreement with the city that will expire on September 30, 2015. Section 3 of this agreement allows them to submit a written request for a 4-year extension of their lease. Coeur d'Alene Parasail & Watersports has submitted a letter requesting this 4-year extension with a new expiration date of September 30, 2019. Ben Rodriguez of CDA Parasail and Watersports has asked to have his sons Benjamin & Reuben Rodriguez added to the new lease agreement.

MOTION: by Evans, seconded by Adams, to recommend that Council adopt Resolution No. 15-010 Extending the Lease Agreement with Coeur d'Alene Parasail and Watersports. Motion Carried.

**Item 6. Installation of a 5-foot bike lane on both sides of 8th Street from Young Avenue North to Mullan Avenue.
(Consent Calendar)**

Bill Greenwood is requesting Council authorize staff to install bike lanes on 8th Street. Mr. Greenwood explained in his staff report that when the City Hall parking lot was constructed the engineer created a conceptual drawing of 8th street with bike lanes on either side of the street from where the Centennial Trail would end across from Young Street to where the Centennial Trail is located on Mullan. This option was created to prevent a gap in the trail system. The project was not done at the time because McEuen Park was not yet reconstructed with the new alignment of the Centennial Trail. It was decided the project should be done when the trail was built. There are two residences that will be impacted from the removal of parking. Both home owners were contacted with one in favor and one opposed. Both homes are on corner lots with single car driveways and on-street parking on adjacent side streets. Additional overflow parking is available across the street in the new free parking lot. Staff recommended the bike lanes be 6 feet wide and vehicular lanes be 11 feet wide. When this was brought to the Parks and Recreation Commission they were worried about larger vehicles fitting in the lanes and forwarded the recommendation to General Services that the bike lanes be 5 feet wide and the travel lanes be 12 feet wide. After the Commission meeting the City Engineer confirmed that 6 foot bike lanes are acceptable. Staff recommends 6 foot bike lanes. The cost for this project is estimated at \$1,452. This would include the paint for the lines, the paint for the bike symbols and arrows, the bike lane signs with posts, and labor. The money to pay for the initial construction will come out the Trails line

item of the Parks Capital Improvement fund with subsequent maintenance and restriping to come out of the Street Department's budget.

MOTION: by Evans, seconded by Adams, to recommend that Council authorize staff to install 6 foot bike lanes on both sides of 8th Street from Young Avenue north to Mullan Avenue and the removal of parking from both sides of 8th Street in that area. Motion Carried.

**Item 7. Creation of Municipal Code 5.72 entitled Door to Door Solicitation.
(CB No. 15-1005)**

Kathy Lewis is requesting Council adopt an ordinance creating Door to Door Solicitation regulations. Mrs. Lewis explained in her staff report that on June 9, 2014 the General Services Committee requested staff to prepare regulations regarding door to door residential solicitation. Upon reviewing other area regulations and based on previous complaints from citizens staff believes the proposed regulations meet the needs of the community. One major difference between the proposed code and other area regulations is the inclusion of background checks. Staff believes this is important to provide the security to the community. The Criminal History Background Check will be conducted at the applicant's expense plus a fee to cover the cost of the permit (approved by Council to be \$50.00). The code includes an exemptions for fundraising for a non-profit organization that has an Internal Revenue 501-C, (3, 4, or 6) designation. Based on the research and conferences with the City Police Department and Legal Department, staff recommends approval of the attached proposed ordinance regulating door to door solicitation.

Councilmember Evans asked about Girl Scouts or school age children going door to door. Mrs. Lewis said the proposed ordinance has an exemption for those. Mrs. Lewis also said it excludes religious and political.

Councilmember Evans asked what if someone visits a residence without the proper identification, what steps should the resident take. Mrs. Lewis said that would be a violation of the ordinance and the resident should call the police.

MOTION: by Adams, seconded by Evans, to recommend that Council adopt Council Bill No. 15-1005 creating Door to Door regulations. Motion Carried.

**Item 8. Approval of the purchase of one Police Patrol Vehicle.
(Resolution No. 15-010)**

Captain Steve Childers is requesting authorization to purchase one (1) patrol vehicle from Lake City Ford. Capt. Childers noted in his staff report that they currently have eleven (11) marked police cars assigned to the Patrol Division for patrol officers to utilize, not including supervisor vehicles. The Division currently has 35 officers' assigned to four (4) shifts. In an effort to maintain enough vehicles for 24/7 patrol coverage, extra vehicles are required. In a recent request, it was discovered Lake City Ford has a 2015 Ford Explorer Police SUV. The vehicle has been offered to the Police Department for the State Bid price of \$26,493.00, plus the cost of additional police equipment already installed on the vehicle. Total cost of the vehicle is \$33,351.00. In addition to Lake City Ford, we have researched other dealerships in our Region and have found no other compatible vehicles currently available. The Police Department has a long history of purchasing from our local dealerships at the State Bid price. The requested 2015 Ford Police SUV is a current model used by our Department and meets all patrol vehicle requirements. Because the vehicle already comes equipped with some "add-on" equipment

there will be minimal build time required to have the vehicle assigned to our fleet and ready for use. Any additional/required equipment will be installed by our City mechanics. Due to this being a mid-year purchase and not funded in the FY 2015 budget, staff has looked for savings within the current budget. Because fuel prices have dropped over the past few months, we feel there will be approximately \$25,000- \$30,000.00 in fuel savings by the end of our budget year. Remaining funds will come from other areas of the authorized police budget.

Councilmember Adams said he is for purchasing a new patrol vehicle but not that comfortable with using funds designated as 'potential' savings from the fuel budget.

Capt. Childers explained that their equipment specialist, Tony Woltz, researched this extensively and has already identified fuel savings to this point due to the lower cost of fuel. Capt. Childers said Mr. Woltz does a very good job of forecasting out and said Mr. Woltz is very comfortable in projecting the \$30,00 plus savings, even if fuel costs were to rise today.

Councilmember Adams said if Capt. Childers is comfortable with Mr. Woltz's math, then he is. If a shortfall should happen, a budget amendment can be done at a later time.

MOTION: by Evans, seconded by Adams, to recommend that Council adopt Resolution No. 15-010 authorizing the Police Department to purchase one (1) patrol vehicle for a total price of \$33,351.00 from Lake City Ford. Motion Carried.

The meeting adjourned at 12:40 p.m.

Respectfully submitted,

Juanita Knight
Recording Secretary

**City Council
Staff Report**

From: Parks and Recreation Director Steve Anthony

Date: March 23rd, 2015

Subject: Amend Municipal Code Section 5.08.170 (3)

DECISION POINT:

Does the General Services Committee want to amend Municipal Code Section 5.08.170 (3) to allow Beer and Wine sales and consumption at The Rotary Harbor House?

HISTORY:

The City of Coeur d'Alene completed McEuen Park the summer of 2014. Within in the boundary of the park the Rotary Harbor House was constructed. The building has a concession area to serve patrons of the park. The concessionaire was allowed to serve food items and soft drinks. Staff has heard comments from the public and potential vendors that an added amenity to the park would be a designated area for serving and consuming beer and wine. The current code states that "business located at least three hundred feet (300') from any park ,school, or church and at least six hundred feet from any nursing homes or hospitals may serve beer to be consumed on the premises within 300' of any R-1,R-3, R-5, R-8, R-12 zoned property if they have the written consent of a majority of the owners of those residential properties protected by this section that are within six hundred feet (600) of the business. The city currently has an exemption area that exempts the 300 ft. of a park but it does not include the area of the Rotary Harbor House.

Financial Analysis:

By allowing the vendor an opportunity to apply for a Beer and Wine license staff believes the city will be able to lease the Rotary Harbor House and that potential lease's availability to serve Beer and Wine will substantially increase the amount of proposals and the dollar amount in the proposals.

PERFORMANCE ANALYSIS:

Amending the ordinance and extending the area (see attached) would allow an exemption to Municipal Code 5:08.170(A) 2 which does not allow the sale of alcohol within 300' of a park.

RECOMMENDATION:

It is recommended by staff that the General Services committee recommend to City Council; to amend Municipal Code Section 5.08.170(3) to expand the exemption zone to include McEuen Park and allow the Beer and Wine sales and consumption at the Rotary Harbor House.





COEUR D'ALENE

LAKESIDE

SHERMAN

FRONT

1ST

2ND

3RD

4TH

5TH

6TH

7TH

8TH

8TH

8TH

MULLAN

8TH

YOUNG

CITY COUNCIL STAFF REPORT

From: Kathy Lewis, Municipal Services
Date: March 30, 2015
Subject: Request by Crafted Tap House for expansion of exempt zone for alcohol consumption

Decision: Should the City Council expand the exempt zone in the Downtown Core to include the block on the south side of Lakeside between at 5th and 6th streets?

History: The City Council enacted an Ordinance that prohibits the consumption of alcohol on premises within 300 feet of a church, park, or school. Crafted Tap House is currently able to meet the requirements for their existing establishment as they are located within the approved exempt zone. However, they wish to obtain a separate license for the parking lot adjacent to their building at 6th and Sherman located on the north side of the alley, which would remain open seasonally. The parking lot is outside the current exemption zone, so they would like to include in the exemption zone. The parking lot is across the street from a church and would be closer than 300 feet making them unable to obtain a city beer/wine license. The 300 foot distance is measured from the entrance of a business to the front door where parishioners enter the church. Under State Alcohol regulations, this premise would have to carry a separate license from the main facility, as it is separated by a public alley. The owners of Crafted have stated that they would like to have a stage for live music, play outdoor games, serve food from the main dining area, and have a permanent structure seasonally serving alcohol in the proposed parking lot area. They have indicated that they have discussed this with the church pastor and he has no concerns with the boundary adjustment and proposed activities for the parking lot. Any new construction on this site would require a project review and would need to meet design standards. Council may wish to consider discussion regarding the following:

- Would the Council wish to require formal documentation of support from the Church Board of Directors prior to approval of this request?
- Current owners state willingness to work with the Church, what if business sells to a different owner?
- What if current business changed to a bar only situation rather than food and alcohol?
- Bars on Sherman must close outdoor eating on sidewalks at 11:00 p.m.; however, private property would only be subject to noise complaints.

Quality of Life: The current owners of Crafted stated that they are willing to work with the Church and schedule events around church activities. If the exemption zone is granted, there would be no restrictions legally in place by the City to prohibit activities at this location or other businesses within the same block.

Financial Impact: Ordinance codification.

Decision Point: Should the City Council approve the expansion of the exempt zone in the Downtown Core to include the block south of Lakeside between 5th and 6th Streets?



To the City of Coeur d'Alene,

We are writing this letter to ask the city to extend its alcohol serving exemption zone to include the parking lot behind our restaurant at 523 Sherman Ave (Southwest corner of 6th Street and Lakeside Ave.). If granted, this parking lot would be transformed into an outdoor entertainment area for the general public to enjoy during the summer months. Our goal is to provide a venue for people to occasionally enjoy live music, play yard games, and serve as a safe and fun meeting place for all the events that take place in downtown Coeur d'Alene (Forth of July, Car'd Alene, and Ironman).

We are proposing a fenced-off area with grass, trees, landscaping, picnic benches, and a small stage for live music performances. Within the area we would like to sell small plates of food, beer, and wine to people that are 21 years of age or older. While in use, the entertainment area would have staff on site to check ID's and make sure our patrons follow all rules and regulations. The Idaho Alcohol Beverage Control Bureau has already approved this plan, and the parcel would be licensed under a separate Beer and Wine License.

In order to serve food and drinks, we would require a temporary or permanent structure with electric service on the property. This structure would be built to follow all building code and city planning regulations, and would be constructed by a licensed general contractor.

Furthermore, we understand there are city ordinances we would have to follow, which we are more than happy to comply with. These include...



- Patrons will not be allowed to take opened alcoholic beverages from the existing restaurant across the public alley into the entertainment area (or visa versa).
- No live music will be played past 10pm and Crafted will comply with all sound ordinances.
- Crafted will respect all wishes of the First Presbyterian Church (located across Lakeside Ave) and we will refrain from having events during church services.
- Crafted would love to work with the city to use this outdoor entertainment space free of charge for city functions, fundraisers, etc. (similar to the property located in front of the Parkside Condominiums, which is now for sale).

Ultimately, we are looking to make the downtown Coeur d'Alene community more attractive and provide locals and tourists with a different, more upscale atmosphere than they are accustomed to with the rest of the downtown bars. Please feel free to contact me directly at 208-755-0949 or rob@craftedtaphouse.com to discuss any suggestions or thoughts you have on this matter. If permitted, we would like to have the entertainment area completed by June 1, 2015. Thanks for your continued support of Crafted! We look forward to hearing from you soon!

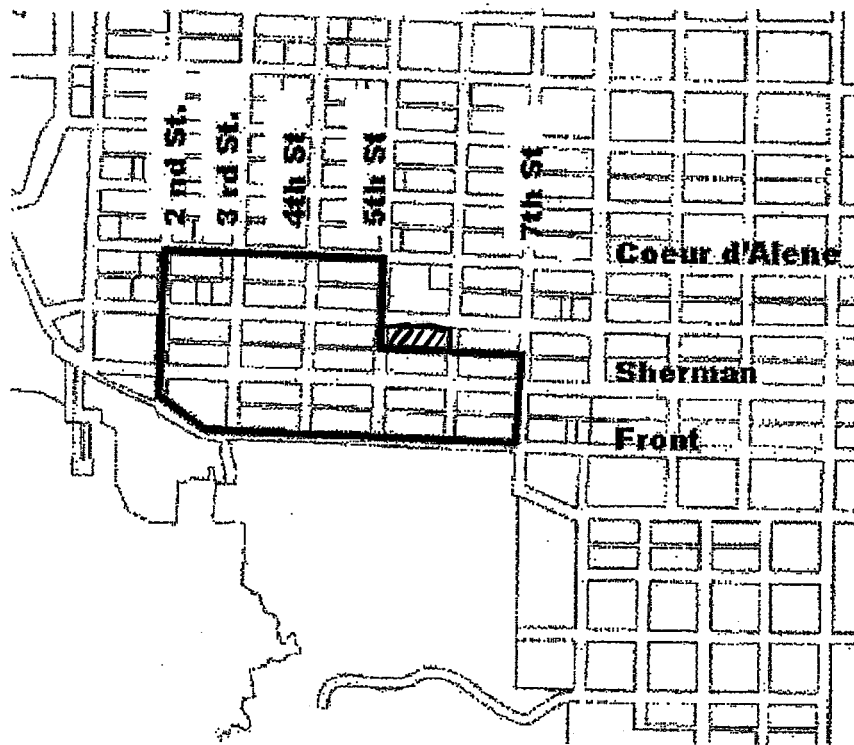
Sincerely,

Rob Berger

President
Crafted Tap House + Kitchen

A. No persons shall sell beer to be consumed on the premises within three hundred feet (300') of any park, school or church, nor within six hundred feet (600') of any R-1, R-3, R-5, R-8 or R-12 zone, nursing home or hospital except:

1. This section does not apply to the sale of beer for consumption on the premises when such sales are incidental to the operation of an eating establishment. Applicants for new licenses must sign and submit an affidavit with their application committing to commence the operation of an eating establishment and to operate the business as a bona fide eating establishment meeting the requirements of this chapter; or
2. Businesses located at least three hundred feet (300') from any park, school or church and at least six hundred feet (600') from any nursing homes or hospital may serve beer to be consumed on the premises within three hundred feet (300') of any R-1, R-3, R-5, R-8 or R-12 zoned property if they have the written consent of a majority of the owners of those residential properties protected by this section that are within six hundred feet (600') of the business; or
3. This section does not apply to the area depicted below:



B. Businesses which now lawfully sell beer within the prohibited area set forth in this section are exempt from the provisions of this section so long as they continue their operation. However, in the event any such business seeks to expand beyond twenty percent (20%) of the business's original floor space, they must comply with all requirements set forth in section 5.08.015 of this chapter, including, but not limited to, this section. Should any such exempt business discontinue its operation for a period of six (6) months, it will no longer be exempt from the restrictions of this chapter. (Ord. 3353 §2, 2009)

5.08.180: BEER; LEGAL DESCRIPTION AND OWNERSHIP LIST REQUIRED

WHEN:  

An applicant for a license to be granted under the exceptions in subsection 5.08.170A of this chapter shall submit with the application the legal description of the property on which the licensed premises will be located, together with an ownership list prepared by a title insurance company listing the property owners and residents within a radius of six hundred feet (600') of the premises on which the business is to be located. (Ord. 1706 §1, 1982)

ORDINANCE NO. _____
COUNCIL BILL NO. 15-1004

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 5.08.170(3) TO AMEND THE BOUNDARY MAP; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.

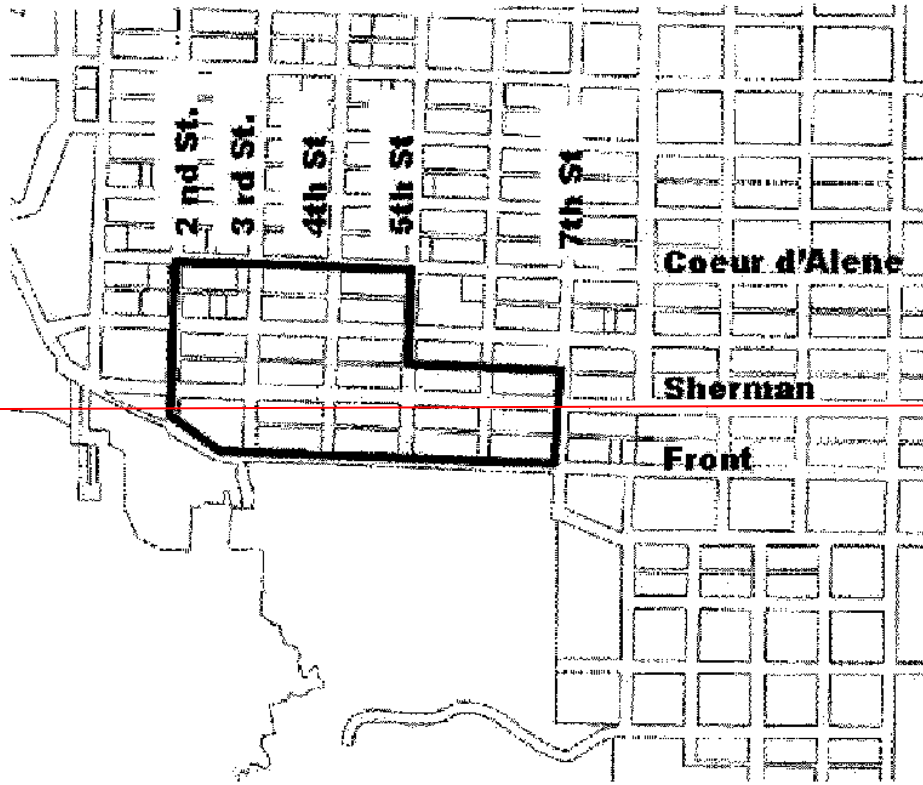
WHEREAS, after recommendation by the General Services Committee, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

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

SECTION 1. *That Coeur d'Alene Municipal Code Section 5.08.170(3) is amended to read as follows:*

5.08.170: BEER; LIMITS ON AREAS OF SALE:

- A. No persons shall sell beer to be consumed on the premises within three hundred feet (300') of any park, school or church, nor within six hundred feet (600') of any R-1, R-3, R-5, R-8 or R-12 zone, nursing home or hospital except:
1. This section does not apply to the sale of beer for consumption on the premises when such sales are incidental to the operation of an eating establishment. Applicants for new licenses must sign and submit an affidavit with their application committing to commence the operation of an eating establishment and to operate the business as a bona fide eating establishment meeting the requirements of this chapter; or
 2. Businesses located at least three hundred feet (300') from any park, school or church and at least six hundred feet (600') from any nursing homes or hospital may serve beer to be consumed on the premises within three hundred feet (300') of any R-1, R-3, R-5, R-8 or R-12 zoned property if they have the written consent of a majority of the owners of those residential properties protected by this section that are within six hundred feet (600') of the business; or
 3. This section does not apply to the area depicted below:



B. Businesses which now lawfully sell beer within the prohibited area set forth in this section are exempt from the provisions of this section so long as they continue their operation. However, in the event any such business seeks to expand beyond twenty percent (20%) of the business's original floor space, they must comply with all requirements set forth in section 5.08.015 of this chapter, including, but not limited to, this section. Should any such exempt business discontinue its operation for a period of six (6) months, it will no longer be exempt from the restrictions of this chapter.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 4. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 5. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on April 7, 2015.

APPROVED, ADOPTED and SIGNED this 7th day of April, 2015.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amending Section 5.08.170(3) – Boundary Map

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 5.08.170(3) TO AMEND THE BOUNDARY MAP; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Amending Section 5.08.170(3) – Boundary Map , and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 7th day of April, 2015.

Warren J. Wilson, Chief Deputy City Attorney

**GENERAL SERVICES
STAFF REPORT**

Date: March 19, 2015

From: Kathy Lewis, Deputy City Clerk

Re: Door to Door Solicitation

Decision Point:

To adopt the proposed ordinance to regulate Door to Door Solicitation regulating residential solicitation,

History:

On June 9, 2014 the General Services Committee requested staff to prepare regulations regarding door to door residential solicitation. Upon reviewing other area regulations and based on previous complaints from citizens staff believes the proposed regulations meet the needs of the community. One major difference between the proposed code and other area regulations is the inclusion of background checks. Staff believes this is important to provide the security to the community. The Criminal History Background Check will be conducted at the applicant's expense plus a fee to cover the cost of the permit (approved by Council to be \$50.00). The code includes an exemptions for fundraising for a non-profit organization that has an Internal Revenue 501-C, (3, 4, or 6) designation. Based on the research and conferences with the City Police Department and Legal Department, staff recommends approval of the attached proposed ordinance regulating door to door solicitation.

Quality of Life:

Staff believes these regulations would provide an added level of protection. The citizens would feel safer knowing a solicitor has completed and cleared a Criminal History background check. The citizen would also be able to identify the person at their door as the solicitor would be required to display a laminated license. (This same type of license with a photo has been issued to massage therapists in the City for previous years).

Financial Impact

The solicitor would bear the expense of the permit and the expense for the Criminal History Background check at their own expense. The City would receive the revenue generated for the cost of producing the permit, processing the application, and enforcement of the Code.

Decision Point:

Staff recommends approval of the proposed ordinance regulating door to door solicitation.

ORDINANCE NO. _____
COUNCIL BILL NO. 15-1005

AN ORDINANCE ADOPTING A NEW CHAPTER OF THE MUNICIPAL CODE TO REGULATE DOOR TO DOOR SOLICITATION BY REQUIRING DOOR TO DOOR SOLICITORS TO REGISTER WITH THE CITY AND HAVE A BACKGROUND CHECK; PROVIDING RULES OF CONDUCT AND EXEMPTIONS AND PROVIDING THAT THE FIRST THROUGH THIRD VIOLATIONS OF THE CHAPTER ARE AN INFRACTION PUNISHABLE BY A FINE OF UP TO THREE HUNDRED DOLLARS AND THAT FURTHER VIOLATIONS ARE MISDEMEANORS PUNISHABLE BY A FINE OF UP TO ONE THOUSAND DOLLARS OR BY IMPRISONMENT UP TO ONE HUNDRED AND EIGHTY DAYS OR BOTH; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after recommendation by the General Services Committee, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

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

SECTION 1. *That a new Chapter 5.72, entitled, DOOR TO DOOR SOLICITATION, is added to the Coeur d'Alene Municipal Code as follows:*

**CHAPTER 5.72
DOOR TO DOOR SOLICITATION**

5.72.010: AUTHORIZATION:

This chapter is enacted pursuant to the city's general police power and the authority granted to cities by article 12, section 2 of the Idaho constitution and Idaho Code section 50-302.

5.72.020: PURPOSE:

The purpose of this chapter is to regulate the activities of door to door solicitors in order to protect against criminal activity, including fraud and burglary, to minimize the unwelcome disturbance of citizens and the disruption of privacy, and to otherwise preserve the public health, safety and welfare of citizens of the city.

This chapter is not intended to prohibit or hamper speech which is protected by the First Amendment but merely to regulate specific activities which are commercial in nature. As such, the registration and background check provisions of this chapter do not apply to political or religious activities.

5.72.030: REGISTRATION REQUIRED:

It is unlawful for any person to solicit door to door without first registering with the city of Coeur d'Alene and passing a background check, unless exempt by state or federal law.

For the purposes of this chapter, "door to door solicitation" means any unsolicited contact by a person with any person at a residence or dwelling in the city of Coeur d'Alene for the purpose of selling any product or service, or soliciting orders for any product or service.

5.72.040: REGISTRATION FEE:

A registration fee and background check fee in the amounts set by resolution of the city council must be paid at the time the registration application is submitted.

5.72.050: REQUIRED INFORMATION:

Applicants for registration must present a current government issued photo identification to the city clerk, allow the clerk to take a photograph of the applicant, and fill out a registration application to be provided by the city clerk, including the following information:

- A. Name and permanent home address of the applicant;
- B. A brief description of the nature of the business and the goods or services to be sold or provided;
- C. Name and address of the person's employer, together with an explanation of the exact relationship between the person and the employer;
- D. Length of time for which the door to door solicitation will occur;
- E. A statement as to whether or not the person has been convicted of any crime or violation of any municipal ordinance, the nature of the offense and where the offense was committed.

5.72.060: REQUIRED BACKGROUND CHECK:

Persons convicted of a felony within five (5) years prior to the date of application are prohibited from door to door soliciting within the city limits of Coeur d'Alene.

To determine eligibility, each applicant for registration must provide information and fingerprints necessary to obtain criminal history information from the Idaho state police and the federal bureau of investigation. Pursuant to Idaho Code Section 67-3008 and congressional enactment public law 92-544, the city of Coeur d'Alene will submit a set of fingerprints obtained from the applicant and the

required fees to the Idaho State Police, Bureau of Criminal Identification, for a criminal records check of state and national databases. The submission of fingerprints and information required by this section will be on forms prescribed by the Idaho State Police. The city of Coeur d'Alene is authorized to receive criminal history information from the Idaho State Police and from the Federal Bureau of Investigation for the purpose of evaluating the fitness of applicants for licensing. As required by state and federal law, further dissemination or other use of the criminal history information is prohibited. Fees required for the criminal history check must be tendered at such time as the application is made.

5.72.070: TERM AND UPDATING PRODUCT INFORMATION:

- A. A new registration must be filed with the city clerk annually.
- B. Each registrant must submit a revised product and/or services description, on a form provided by the city clerk, before selling door to door any products or services not listed on the original registration application.

5.72.080: IDENTIFICATION AND DISPLAY OF REGISTRATION:

All registrants must visibly display the city issued proof of registration on the outside of their clothing any time they are soliciting within the city limits of Coeur d'Alene.

5.72.080: PROHIBITED CONDUCT:

- A. No person, registered or not, shall solicit business at any home or business when such location has clearly posted any sign indicating that solicitation or peddling is prohibited.
- B. No person, registered or not, shall continue with door to door solicitation at any home or business when requested to leave by the owner, authorized agent of the owner, or any other person that resides or works on the premises.
- C. No person may provide false information on a registration or background check application.
- D. No person, registered or not, may conduct door to door solicitations before 9:00 am or after 8:00 pm.
- E. No person, registered or not, may not misrepresent the purpose of or affiliation of those engaged in the solicitation, or make misrepresentations or false statements when conducting the solicitation.
- F. No person, registered or not, may represent that the city of Coeur d'Alene endorses the solicitation.

5.72.090: EXEMPTIONS:

The fee and background check provisions of this chapter do not apply to persons qualifying as a nonprofit business, including charitable activities, within the meaning of section 503 of the United States internal revenue code. Possession of a certificate of such status from the Internal Revenue Service is required to qualify for this exemption.

5.72.100: VIOLATIONS AND PENALTIES:

Any person violating any of the mandatory provisions or requirements of this chapter is guilty of an infraction or misdemeanor as follows:

- A. Initial violations of any provision are an infraction subject to a fine of one hundred dollars (\$100.00).
- B. Second and third violations of the same section are an infraction subject to a fine of three hundred dollars (\$300.00).
- C. Any additional violations of the same section are a misdemeanor punishable as provided in section 1.28.010 of this code.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 4. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 5. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on April 7, 2015.

APPROVED, ADOPTED and SIGNED this 7th day of April, 2015.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Creating Municipal Code Chapter 5.72 entitled Door to Door Solicitation

AN ORDINANCE ADOPTING A NEW CHAPTER OF THE MUNICIPAL CODE TO REGULATE DOOR TO DOOR SOLICITATION BY REQUIRING DOOR TO DOOR SOLICITORS TO REGISTER WITH THE CITY AND HAVE A BACKGROUND CHECK; PROVIDING RULES OF CONDUCT AND EXEMPTIONS AND PROVIDING THAT THE FIRST THROUGH THIRD VIOLATIONS OF THE CHAPTER ARE AN INFRACTION PUNISHABLE BY A FINE OF UP TO THREE HUNDRED DOLLARS AND THAT FURTHER VIOLATIONS ARE MISDEMEANORS PUNISHABLE BY A FINE OF UP TO ONE THOUSAND DOLLARS OR BY IMPRISONMENT UP TO ONE HUNDRED AND EIGHTY DAYS OR BOTH; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Creating Municipal Code Chapter 5.72 entitled Door to Door Solicitation, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 7th day of April, 2015.

Warren J. Wilson, Chief Deputy City Attorney

PUBLIC HEARINGS

CITY COUNCIL STAFF REPORT

DATE: April 7, 2015
FROM: Dennis Grant, Engineering Project Manager
SUBJECT: Approval of the Engineers Assessment Roll Report and Final Assessment Roll, Resolution establishing the disposition of protests, and an Ordinance confirming the final assessment of Local Improvement District (LID) No. 151, Front Avenue Improvements.

DECISION POINT

Staff is requesting the City Council take the following actions:

- Approve the Engineers Assessment Roll Report and Final Assessment Roll for LID No. 151
- Adopt the Resolution establishing the disposition of protests
- Adopt the Ordinance confirming the final assessment for LID No. 151

HISTORY

The City Council approved Ordinance No. 3457 creating LID No. 151 on January 15, 2013. It was formed as a funding mechanism for the property owner participation in the cost of street and streetscape improvements including paving, curb, sidewalk, trees, landscaping, lighting, irrigation and power systems, street furniture, erosion and site control, and other related infrastructure to this portion of Front Avenue. Staff has completed the final costs and the Engineer's Assessment Roll Report establishing the Final Assessment Roll. All of the adjacent property owners were notified of the public hearing and of their respective final assessments as required by Idaho Code.

FINANCIAL ANALYSIS

Attached, is a copy of the LID No. 151 Engineers Assessment Roll Report and Final Assessment Roll.

PERFORMANCE ANALYSIS

As of writing this staff report, we had five written letters of protest.

RECOMMENDATION

Staff recommends that Council take the following actions:

- Approve the Engineers Assessment Roll Report and Final Assessment Roll for LID No. 151
- Adopt the Resolution establishing the disposition of protests
- Adopt the Ordinance confirming the final assessment for LID No. 151

RESOLUTION NO. 15-011

A Resolution of the City of Coeur d'Alene, Kootenai County, Idaho, hearing, considering and disposing of protests regarding the Assessment Roll for Local Improvement District No. 151; and providing for other matters properly relating thereto.

CITY OF COEUR D'ALENE
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 151

Adopted on April 7, 2015

RESOLUTION NO. 15-011

A Resolution of the City of Coeur d'Alene, Kootenai County, Idaho, hearing, considering and disposing of protests regarding the Assessment Roll for Local Improvement District No. 151; and providing for other matters properly relating thereto.

CITY OF COEUR D'ALENE
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 151

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COEUR D'ALENE, Kootenai County, Idaho, as follows:

WHEREAS, the City Council (the "Council"), has heretofore duly created Local Improvement District No. 151 ("LID No. 151"), provided for certain improvements to be made therein, and provided that the cost and expense of said improvements be assessed against the property benefited thereby; and

WHEREAS, after proper publication and mailing of notice to the owners of property within LID No. 151, a hearing was held on April 7, 2015, at which time and place owners of property within LID No. 151 were heard concerning the amount or apportionment of the assessment affixed upon their property; and

WHEREAS, it appears to the Council that each lot, tract, parcel, and other property included within LID No. 151 will be specially benefited by the doing and making of the improvements within said LID No. 151 at least in an amount equal to, as to such lot, parcel of land and other property, the specific amount set opposite each such lot, parcel of land and other property upon the Assessment Roll heretofore filed; and

WHEREAS, each and all of said assessments are strictly in accordance with the benefits and are in amount and apportionment in accordance with Idaho Code 50-1712, and the

ordinances and resolutions of the City, and said Assessment Roll and each and all of the assessments set forth therein are correct and proper in every respect; and

WHEREAS, the Council has also considered the Engineer's Report with respect to the apportionment and correctness of the assessments with respect to the amounts levied on any particular lot or parcel of land, including the benefits accruing thereon, and the proper apportionment of the total cost of the improvements to be borne thereby, and the inclusion of any lot or parcel of land in LID No. 151;

NOW, THEREFORE, IT IS HEREBY FURTHER RESOLVED as follows:

Section 1. PROTESTS TO ASSESSMENT ROLL

The protests to the Assessment Roll, as described in Exhibit "A" attached hereto and incorporated herein by this reference, were presented at the public hearing.

Section 2. DISPOSITION OF PROTESTS

Disposition is hereby made, as set forth in Exhibit "B" attached hereto and incorporated herein by this reference, concerning each of the protests set forth in Exhibit "A" attached hereto and referred to in Section 1 hereof.

Section 3. FINDING OF BENEFIT FROM IMPROVEMENTS

Each and all of said lots, parcels of land and other property within said LID No. 151, as the same are described in the Assessment Roll, will be specially benefited by the making and doing of said improvements in excess of the costs and expenses of said improvements.

Section 4. DETERMINATION OF AMOUNT OF BENEFIT

Each and every lot or parcel of land is benefited in the amount of the assessment now levied thereon.

Section 5. SUFFICIENCY OF ASSESSMENT ROLL

The Assessment Roll and the amount levied on each lot or parcel of land, including the benefits accruing thereon, and the proper proportionate share of the total cost of the improvements to be borne by each lot or parcel of land, are proper, regular, sufficient, and correct.

Section 6. LIMITATION ON INCREASE OF ASSESSMENTS

No single assessment has been increased in an amount greater than twenty percent (20%) of the amount of the assessment as set forth in the Notice of Hearing.

Section 7. SEVERABILITY

If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of each section, paragraph, clause, or provision shall in no manner affect any remaining provision of this Resolution.

Section 8. EFFECTIVE DATE OF RESOLUTION

This Resolution shall take effect and be in force and effect from and after its passage and approval.

PASSED at a regular meeting of the City Council of the City of Coeur d'Alene, held on the 7th day of April, 2015.

CITY OF COEUR D'ALENE

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

I, the undersigned, Clerk of the City of Coeur d'Alene, Kootenai County, Idaho hereby certify that the foregoing Resolution is a full, true, and correct copy of a Resolution duly adopted at a regular meeting of the City Council, duly and regularly held at the regular meeting place thereof on April 7, 2015, of which meeting all members of said Council had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote:

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

ROLL CALL:

COUNCIL MEMBER GOOKIN	Voted _____
COUNCIL MEMBER GOODLANDER	Voted _____
COUNCIL MEMBER MCEVERS	Voted _____
COUNCIL MEMBER ADAMS	Voted _____
COUNCIL MEMBER KENNEDY	Voted _____
COUNCIL MEMBER EDINGER	Voted _____

_____ was absent. Motion _____.

I further certify that I have carefully compared the same with the original Resolution on file and of record in my office; that said Resolution is a full, true, and correct copy of the original Resolution adopted at said meeting; and that said Resolution has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the Council on April 7, 2015.

CITY OF COEUR D'ALENE

Renata McLeod, City Clerk

EXHIBIT “A”

CITY OF COEUR D’ALENE
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 151

The following protests to the Assessment Roll for Local Improvement District No. 151 were presented and considered, at the public hearing held on April 7, 2015:

Name of Protester	Address of Property	Reason for Protest
Doug & Karen Burkhardt	601 Front #1701 (address not included in the letter)	We strongly object to any additional increase in assessment. Our taxes are considerably higher than most areas within Coeur d’Alene, with very little additional benefit. The park and surrounding areas are for the benefit of all of the CDA citizens – not just those living close by. Again, we strongly object to any additional increases.
Bill Wendlandt	601 Front #1901	Please let this letter serve as objection to the proposed assessment.
Martin Krupitsky	601 Front #1604	<u>Letter Summary:</u> The northeast facing Parkside Condos gain no view benefits from the Park or Front Avenue changes and the convenience and safety to the owners entering or leaving their Parkside underground garage has been compromised. Actual cash value increase to the property from the street changes, if any, is yet to be determined. Requests that his unit be exempted from the assessment.
Lewis Chartrand	601 Front #703	<u>Letter Summary:</u> No benefit from the project, specifically no improvements to the sidewalks, street lighting, planters, etc. in front of his housing. Additionally, the original hearing was conducted in a way that limited meaning participation by residents, resulting in a loss of due process.
Carol Sue Dunton	601 Front #1404	<u>Letter Summary:</u> They have a north facing unit and do not overlook the park and derive no benefit from the park.

*Written materials received are attached hereto and were considered.

EXHIBIT "B"

CITY OF COEUR D'ALENE
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 151

The following disposition is made concerning the protests to the Assessment Roll for Local Improvement District No. 151 which were presented at the public hearing held on April 7, 2015.

Name of Protester	Address of Property	Disposition
Doug & Karen Burkhardt	601 Front #1701 (address not included in the letter)	
Bill Wendlandt	601 Front #1901	
Martin Krupitsky	601 Front #1604	
Lewis Chartrand	601 Front #703	
Carol Sue Dunton	601 Front #1404	

RECEIVED

MAR 16 2015

CITY CLERK

March 15, 2015

FORMAL OBJECTION AND PROTEST TO LID NO. 151

I am the owner of unit 703 at Parkside Condominiums in CDA. I am requesting that unit 703 at Parkside Condos be exempted from the LID-151 and from further assessments to the LID pursuant to Idaho Statutes section 50-179 et seq. Idaho law requires that the creation of the LID must be of a "particular benefit" to those being assessed. There has been no benefit to me as a property owner at Parkside as a result of LID creation. There are no improvements to sidewalks, street lighting, planters, etc. in front of the complex resulting from the LID. In fact there has been an actual detriment to me caused by the passing of the LID. Parking was restriped to allow more cars to park and create more noise and fumes directly under my windows. Federal law (42 USC section 1983) allows private citizens to sue the city and members of the local government personally for actions under color of state law that deprive them of their Constitutional rights. In this matter, the creation of the LID does not benefit those being assessed in violation of the state statute and results in an unconstitutional taking of money. Also the original hearing by the city council regarding the LID was conducted in a way to limit meaningful participation by the residents of Parkside resulting in a loss of due process. The original hearing and comment period on the LID was conducted when many of the Parkside residents were away for the Christmas holidays. I believe this was purposefully done to limit opposition. Finally, the February 24, 2015 notice is defective because it does not cite the authority for the statement that "...the Council may increase any assessment or assessments up to 20 percent (20%) of the original amount hereof without giving further notice and holding a new hearing." The remainder of the 2015 notice is so vague that it is difficult to ascertain what the Council is contemplating. This appears to be a due process violation because it is impossible to prepare and defend at the hearing. Please re-notice the hearing to correct the above deficiencies and allow meaningful participation by those being taxed.

I respectfully request the council respond to the following questions at any hearing:

- Make findings regarding the specific benefits from the LID to the residential owners of Parkside Condominiums as a result of the initial

creation of the LID and any subsequent increases. Please limit your response to the specific improvements on the north side of Front Ave. between 6th and 7th Avenues.

- Itemize the dollar amounts expended from the LID that specifically benefit Parkside residential owners.
- Articulate the rationale and specific statutory authority for increasing the existing LID up to 20 per cent.
- What statutes and ordinances specifically authorize the March 17, 2015 hearing?

Respectfully Submitted



Lewis Chartrand
Attorney at Law (California)
601 E Front Ave #703
Coeur D'Alene, ID 83814
(916) 799-1844

RECEIVED

February 24, 2015

MAR 02 2015


CITY CLERK

City of Coeur d' Alene
Attn: Renata McLeod
710 E. Mullan Avenue
Coeur d' Alene, Idaho 83814

Local Assessment Roll (Unit 1901 Parkside Condo) C-K167-00-1901-1

Please let this letter serve as objection to the proposed assessment.

Thank you



Bill Wendlandt

Coeur d'Alene City Council
710 E. Mullan Avenue
Coeur d'Alene, Idaho 83814
Attn: Renata McLeod, City Clerk

RECEIVED

March 3, 2015

MAR 03 2015

CITY CLERK

Subject: Local Improvement District 151 Proposed Assessment C-K167-00-1604-0

Dear Renata McLeod et al:

As the owner of Parkside Condo Unit 1604, I have received your Notice of a proposed assessment for approximately \$1284.00. Your proposal relates to the benefits accrued thereon in relation to the property's proportionate share of the total improvements cost.

Unit 1604 is one of fourteen two bedroom units including mine, per plat, located on the northeast corner of the Parkside Tower. Each of these essentially identical units face Sherman Avenue to the north and McEuen Terrace to the east.

Benefits Derived from the Improvements:

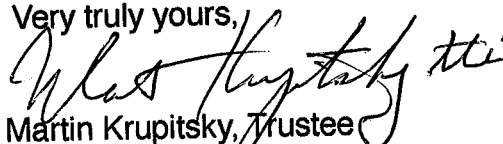
1. My unit has no view of the newly improved park nor the new Front Avenue.
2. The sidewalk in front of the Parkside Tower and its sidewalk trees were previously improved and remain unchanged by the District 151 improvements.
3. The parallel parking in front of the Tower has been changed to diagonal parking, adding several parking spaces. These benefit park goers and the three commercial businesses on the ground floor of Parkside as is indicated by the commercially oriented two hour parking restriction. They offer no advantage to my unit.

Disadvantages derived from the Improvements:

1. Each Parkside two bedroom condo has a private underground two car garage platted to that unit. The primary parking facilities for the park terminate at 3rd Street on the west and on 6th Street on the east, both at new Front Avenue intersections. Ingress and egress from our residential garages is solely via 6th Street, only two car lengths north of Front Avenue, the primary east park exit. Vehicle convenience and occupant safety are reduced in proportion to traffic increase. That is an obvious fact and only the degree of degradation remains open to discussion.

In summary, the northeast facing Parkside condos gain no view benefits from the park and Front Avenue changes and the convenience and safety of the owners entering or leaving their Parkside underground garages has been compromised. Actual cash value increase to the property from the street changes, if any, is yet to be determined. I respectfully request that my unit described herein be exempted from this proposed assessment as it decreases rather than increases the value received.

Very truly yours,



Martin Krupitsky, Trustee
4580 Greenchain Loop, CDA, ID 83814

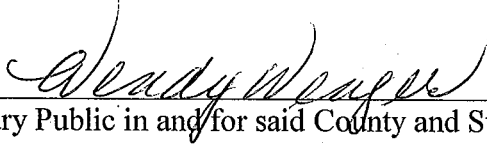
cc: NE corner condos

State of Idaho)

) ss.

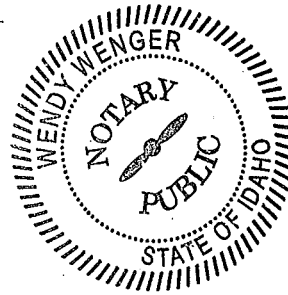
County of Kootenai)

On this 3rd day of March, 2015, before me, Wendy Wenger, the undersigned, a Notary Public in and for said State, personally appeared Martin Krupitsky, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as Trustee(s) of the Trust for the benefit of Martin Krupitsky Living Truste, and acknowledged to me that he/she/they executed the same as Trustee(s).



Notary Public in and for said County and State

Residing at: Hayden
Commission Exp.: 4/28/2016



RECEIVED

FEB 25 2015

CITY CLERK

Date: 2/23/15

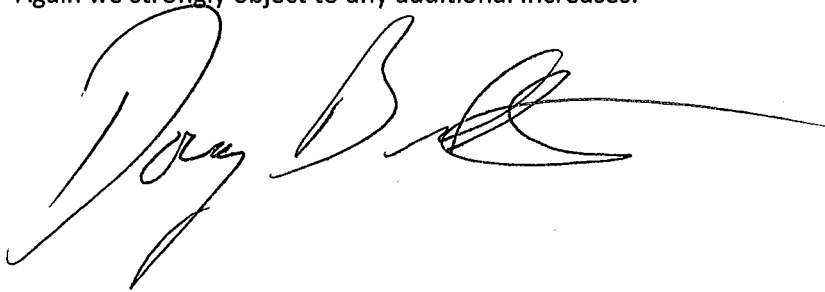
To: City of Coeur d' Alene Clerks Office

From: Doug & Karen Burkhardt

Subject: Objection to the proposed increase in assessment

We strongly object to any additional increase in assessment. Our taxes are considerably higher than most areas within Coeur d' Alene, with very little additional benefit. The Park and surrounding areas are for the benefit of all of CDA citizens – not just those living close by.

Again we strongly object to any additional increases.

A handwritten signature in black ink, appearing to read "Doug Burkhardt". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

**CITY OF COEUR D'ALENE
KOOTENAI COUNTY, IDAHO**

**NOTICE OF HEARING ON ASSESSMENT ROLL
FOR LOCAL IMPROVEMENT DISTRICT NO. 151**

NOTICE IS HEREBY GIVEN March 17, 2015, at 6:00 p.m., the City Council of the City of Coeur d'Alene, Kootenai County, Idaho (the "Council") will conduct a hearing at the Community Room of the Coeur d'Alene Public Library, 702 E. Front Avenue, Coeur d'Alene, Idaho, 83814, for the purpose of hearing and considering public comment on the assessment roll for Local Improvement District No. 151.

The assessment roll and modifications and clarifications thereto are on file in the office of the City Clerk of the City of Coeur d'Alene, and are available for inspection by the public during regular office hours.

At the hearing, the Council will hear and determine all objections to the regularity of the proceedings in making assessments, the correctness of assessments, and the amount levied on particular lots or parcels in relation to the benefits accruing thereon and in relation to the property proportionate share of the total cost of the improvements.

Each owner of property within Local Improvement District No. 151 is hereby further notified that in revising the assessment roll at or after the hearing, the Council may increase any assessment or assessments up to twenty percent (20%) of the original amount hereof without giving further notice and holding a new hearing.

The owner or owners of any property assessed on the assessment roll, whether or not said owner is named on the assessment roll, may, on or before 5:00 p.m. on the date of said hearing, file with the Clerk, in writing, at the address below, objection to said assessment. Any objections not so filed, will be deemed waived.

Mail or hand deliver to:
City of Coeur d'Alene
Attn: Renata McLeod
710 E. Mullan Avenue

DATED this 24th day of February, 2015.

CITY OF COEUR D'ALENE,

By: /s/ Renata McLeod
Renata McLeod, City Clerk

LID No.	151	Total Assessment: \$1673.6821
Assessment No.	C-K167-00-1701-0	
Legal Description	PARKSIDE CONDOS, UNIT 1701 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	
Owner:	BURKHARDT, DOUGLAS G 601 E FRONT AVE, SUITE 1701 COEUR D'ALENE, ID83814	

RECEIVED

MAR 24 2015

CITY CLERK

City of Coeur d Alene
Attn: Renata McLeod
710 E Mullan Avenue

My husband and I, Ford and Sue Dunton, owners of Unit 1404 at Parkside Condo's strongly object to being assessed. We have the northeast facing Unit.....do not even see the Park and derive no benefit from the park. I also strongly object that you have the right to increase any assessment up to 20% without giving further notice or holding a new hearing.

We are out of town, or would be there in person to strongly object to such assessments.

Carol Sue Dunton
Ford S Dunton



3/12/15

ORDINANCE NO. _____
Council Bill No. 15-1006

An Ordinance of the City of Coeur d'Alene, Kootenai County, Idaho, approving and confirming the assessment roll of its Local Improvement District No. 151 for the acquisition, construction and installation of street and streetscape improvements including paving, curb, sidewalk, trees, landscaping, lighting, irrigation and power systems, street furniture, erosion and site control, and other related infrastructure, within the limits of Local Improvement District No. 151; providing for assessments; providing for the appeal procedure; providing for the publication of a summary of this ordinance; and providing for other matters properly relating thereto.

CITY OF COEUR D'ALENE
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 151

Approved: April 7, 2015

City of Coeur d'Alene
Kootenai County, Idaho
Local Improvement District No. 151

ORDINANCE NO. _____
Council Bill No. 15-1006

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* This Table of Contents is provided for convenience only and is not a part of this ordinance.

ORDINANCE NO. ____

An Ordinance of the City of Coeur d’Alene, Kootenai County, Idaho, approving and confirming the assessment roll of its Local Improvement District No. 151 for the acquisition, construction and installation of street and streetscape improvements including paving, curb, sidewalk, trees, landscaping, lighting, irrigation and power systems, street furniture, erosion and site control, and other related infrastructure, within the limits of Local Improvement District No. 151; providing for assessments; providing for the appeal procedure; providing for the publication of a summary of this ordinance; and providing for other matters properly relating thereto.

CITY OF COEUR D’ALENE
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 151

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, as follows:

WHEREAS, the City of Coeur d’Alene, Kootenai County, Idaho, (the “City”), is a municipal corporation operating and existing under and pursuant to the provisions of the Constitution and laws of the State of Idaho, and as such is authorized and empowered to create local improvement districts and to construct improvements pursuant to Idaho Code, Title 50, Chapter 17; and

WHEREAS, the City Council (the “Council”) of the City has heretofore by Ordinance No. 3457 (the “Formation Ordinance”) duly created Local Improvement District No. 151 (“LID No. 151”) for the purpose of acquisition, construction and installation of improvements to certain roadways of the City to benefit properties within the boundaries of LID No. 151; and

WHEREAS, the members of the Council have considered the report of the City’s Engineer with respect to the apportionment and the correctness of the assessments and the amounts levied on any particular lot or parcel of land, including the benefits accruing thereon,

and the proper apportionment of the total cost of the improvements to be borne thereby, and the inclusion of any lot or parcel of land within LID No. 151. This report shall be in the form of Exhibit “A” attached hereto and incorporated herein by this reference; and

WHEREAS, notice of time and place of hearing on the final assessment roll was duly and regularly given to all property owners within LID No. 151 by publication thereof and by mailing to all property owners in the manner required by law, and the hearing was duly and regularly held on March 17, 2015, pursuant to said notice, at the time and place fixed for said hearing; and

WHEREAS, the Council now desires to confirm the Assessment Roll, to levy the assessments, and to authorize the issuance of local improvement district bonds.

NOW, THEREFORE, BE IT FURTHER ORDAINED AS FOLLOWS:

Section 1. CONFIRMATION OF ASSESSMENT ROLL

The assessments set forth on the Assessment Roll for LID No. 151, in the total amount of \$845,100.00, for the purpose of acquisition, construction and installation of street and streetscape improvements including paving, curb, sidewalk, trees, landscaping, lighting, irrigation and power systems, street furniture, erosion and site control, and other related infrastructure, and all legal and other miscellaneous expenses, within the limits of LID No. 151 are hereby approved and confirmed, and the assessments set forth therein are hereby levied against each lot, tract and parcel described in the roll (the “Assessment Roll”), attached hereto and incorporated herein as Exhibit “B.” No single assessment has been increased in an amount greater than twenty percent (20%) of the amount of the assessment as set forth in the Notice of Hearing.

Section 2. PROPERTY AFFECTED; LEVY OF ASSESSMENTS

Each lot or parcel of land and other property shown upon the Assessment Roll is hereby found to be benefited to the amount of the assessment levied thereon, and there is hereby levied

and assessed against each of the lots, parcels and other properties, as set forth and described in said Assessment Roll, the amount as finally charged against each such lot, parcel and other property as it appears in said Assessment Roll. In establishing assessment amounts, the Council has determined that “actual value” as stated in Section 50-1711 Idaho Code is determined by the “market value”.

Section 3. CERTIFICATION OF ASSESSMENT ROLL

The City Clerk, upon passage of this Ordinance, is directed to certify and file the confirmed Assessment Roll forthwith with the City Treasurer and shall file with the Kootenai County Recorder a notice which shall contain the date of adoption of this Ordinance and a description of the boundaries of LID No. 151 (the “Notice”). This Assessment Roll shall be in the form of Exhibit “B” attached hereto and incorporated herein by this reference. Upon filing of the Assessment Roll with the City Treasurer, the amount of each assessment set forth in the roll, together with any interest or penalty imposed from time to time, shall become a lien against the property so assessed. The liens shall be paramount and superior to any other lien or encumbrance whatsoever, theretofore or thereafter created, except a lien for general taxes.

Section 4. DUE DATE OF ASSESSMENTS; PAYMENT IN INSTALLMENTS

Said assessments shall become due and payable to the City Treasurer within thirty (30) days from the date of the adoption of this Ordinance confirming the Assessment Roll (March 17, 2015). The City Treasurer shall mail notice of the assessment amount due to each property owner assessed at the post office address if known, or if unknown, to the post office in Coeur d’Alene, Idaho, stating the total amount of the property owner’s assessment, plus the substance of the terms of payment of the same. This Notice shall generally be in the form of Exhibit “C”

attached hereto and incorporated herein by this reference. An Affidavit of Mailing of the foregoing notice shall be filed in the City Clerk's office.

Any property owner who has not paid his assessment in full within said thirty-day period shall be conclusively presumed to have chosen to pay the same in ten (10) equal annual installments, the first of which shall become due and payable one (1) year from the date of the passage of this Ordinance, with a like amount due on the same day of each year thereafter until the full amount of the assessment, with interest due thereon at a rate of 4.00%, shall be paid in full. The Council shall approve the issuance of installment bonds payable from such unpaid installments (the "Bonds"). Assessments paid in installments shall bear interest on the whole unpaid sum from the date of adoption of this Ordinance. The rate of interest per annum which such installments shall bear is hereby fixed as the net effective rate of interest on the Bonds issued to finance the improvements in LID No. 151. If any installment is not paid within twenty (20) days from the date it is due, the same shall become delinquent and the City Treasurer shall add a penalty of two percent (2%) thereon. Installments may be prepaid in the manner provided by Section 50-1715, Idaho Code.

Section 5. COST AND EXPENSES

The total cost and expenses of improvements include the contract price of all improvements, together with any costs or expenses incurred for engineering, clerical, printing and legal services, as well as for advertising, surveying, inspection of work, collection of assessments, interest upon bonds or warrants, and an amount for contingencies as may be considered necessary by the Council. Said costs are hereby levied and assessed by the benefits derived method of assessment against each of the lots, parcels and properties located within LID No. 151, as described in the ordinance creating LID No. 151.

Section 6. INSTALLMENT DOCKET

The City Treasurer shall, upon passage of this Ordinance, establish a Local Improvement Installment Docket for LID No. 151 as provided in Section 50-1717, Idaho Code.

Section 7. APPEAL PROCEDURE

The confirmation of the Assessment Roll for LID No. 151 herein made is a final determination of the regularity, validity and correctness of said Assessment Roll, of each assessment contained therein, and of the amount levied on each lot or parcel of land or other property within LID No. 151, subject to the right of appeal as set forth in Section 50-1718, Idaho Code.

Any person who has filed objections to the Assessment Roll, or any other person who feels aggrieved by the decision of the Council then confirming said Assessment Roll, shall have the right to appeal. Such appeal shall be made within thirty (30) days from the date of publication of this Ordinance, by filing a written notice of appeal with the Clerk of the City and with the Clerk of the Court of Kootenai County, describing the property and objections of the appellant.

After said 30-day appeal period has run, no one shall have any cause or right of action to contest the legality, formality, or regularity of any assessment.

Section 8. RATIFICATION OF PROCEEDINGS

All proceedings heretofore had in connection with the creation of LID No. 151, the preparation and adoption of the Assessment Roll, and hearing thereon, and the giving of notice of said hearing on said Assessment Roll, are hereby in all respects ratified, approved, and confirmed.

Section 9. IRREPEALABILITY

From and after the date the Bonds issued to finance the improvements within LID No. 151 are issued, this Ordinance shall be and remain irrevocable until said Bonds and the interest thereon shall be fully paid and discharged, as herein provided.

Section 10. SEVERABILITY

If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of each section, paragraph, clause or provision shall in no manner affect any remaining provision of this Ordinance.

Section 11. ENFORCEABILITY CLAUSE

The City shall enforce and seek remedies for breaches of the terms of this Ordinance, as provided by the laws of the State of Idaho.

Section 12. PUBLICATION AND EFFECTIVE DATE

After its passage and adoption, this Ordinance shall be published once in the official newspaper of the City, under the provisions of the Idaho Code, and upon such publication shall be in full force and effect.

Passed, under suspension of the rules, at a regular meeting of the City Council of the City of Coeur d'Alene held on the 17th day of March, 2015, upon which a roll call vote was duly taken and duly enacted.

CITY OF COEUR D'ALENE

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

Exhibit "A"

Exhibit “B”

Exhibit "C"

LID No. 151

Assessment No. _____

Amount of Assessment: \$ _____

Owner and Address: _____

Legal Description: _____

NOTICE OF ASSESSMENT

CITY OF COEUR D'ALENE
Kootenai County, Idaho

LOCAL IMPROVEMENT DISTRICT NO. 151

NOTICE IS HEREBY GIVEN that the City Council of the City of Coeur d'Alene, Kootenai County, Idaho adopted Ordinance No. ____ confirming the Assessment Roll for the acquisition, construction and installation of improvements to said roadway and facilities within the limits of Local Improvement District No. 151. The property and the assessment with reference to which this notice is given is reflected above.

The above assessment may be paid by April 16, 2015, such date being thirty (30) days after adoption of Ordinance No. ____, without penalty, interest or costs. If the assessment is not paid in full by said date, the assessment will be payable in ten (10) annual installments of principal and interest, with the first installment due on March 17, 2016. The rate of interest would be four percent (4.0%) per annum.

If any installment is not paid within twenty (20) days from the date it is due, the same shall become delinquent and a penalty of two percent (2%) of said delinquent installment shall be added thereto.

DATED this 7th day of April, 2015.

CITY OF COEUR D'ALENE

Troy Tymesen, City Treasurer

Please remit payment to:

City of Coeur d'Alene
Attn: Deputy Finance Director
710 E Mullan Ave
Coeur d'Alene ID 83814-3958

Re: Assessment Payment -- LID No. 151

Local Improvement District No. 151 Assessment Roll Report

for the

City of Coeur d'Alene, Idaho

Front Avenue Improvement Project

March, 2015



350 E. Kathleen Avenue • Coeur d'Alene, Idaho 83815
(208) 664-9382 • (208) 664-5946 Fax

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LOCAL IMPROVEMENT DISTRICT NO. 151 ASSESSMENT ROLL REPORT

for the

City of Coeur d'Alene, Idaho

FRONT AVENUE IMPROVEMENT PROJECT

Introduction

Local Improvement District (LID) No. 151 was formed by action of the City Council of the City of Coeur d'Alene (City) on January 15th, 2013, by Ordinance No. 3457, based upon a front foot method of assessment, as provided under Idaho Code, for the benefits derived by those property owners within the LID. When the LID was formed on the properties, the estimated assessment rate was \$300 per front foot.

The Front Avenue LID was formed to help finance a portion of the estimated \$2,847,000 design, bid, construction and related costs (hereinafter referred to as Project Cost) for the Front Avenue portion of the 2013 McEuen Construction Project shown in Exhibit "A". The project scope of work was based on the LID providing \$1,126,800 (\$400 per front foot LID assessment) and \$1,720,200 of City funding.

The City Council voted to form the LID at a \$300 per front foot assessment (LID value of \$845,100), reducing the available funding by \$281,700 and requiring that the project scope of work to be reduced, primarily by removing concrete intersections at 3rd and 5th Streets and reducing landscaping and lighting to address the reduced funding.

The Front Avenue LID funded work was completed as part of the McEuen Park improvement project.

Final Project Costs

The McEuen project budget, including the Front Avenue LID was \$20,217,800. The final McEuen Project costs, including the Front Avenue work is \$20,188,900. Therefore, no change in the LID assessment value is recommended.

LID Assessments

The City will be self-funding the LID. Assessments which are not pre-paid by property owners within a 30-day pre-payment period will be deferred to annual installments over a ten (10) year period paid to the City. The amortized assessments paid under the installment method will pay interest at the rate of 4% which is set by the City.

Method of Assessment

It was previously decided by the City and presented at all public hearings, that each lot or parcel within the LID area, shown in Exhibit "B" would be assessed by a front foot method of

assessment based on the benefits derived by those property owners within the LID. No variation from this assessment method is recommended.

Calculation of LID Assessments and Project Funding

LID assessments have been calculated by taking the total amount of front feet by \$300, in order to generate the LID amount of \$845,100.

Limitations on Assessments

Idaho Code limits the principal amount of all outstanding LID assessments not to exceed the actual value of the property being assessed. The Engineer's project administrator has compared the final LID assessments against the current Kootenai County Assessor's records for market value of each parcel, and it was found that all LID assessments are lower than the County assessed value of the property being assessed.

Changes within the LID

Since the formation of LID No. 151 in 2013, there has been 21 transfers of ownership changes to the LID roll.

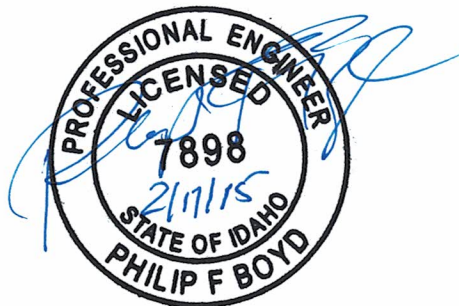
Payment of LID Assessments

As provided by Idaho LID Statutes, each property owner which is assessed may either elect to pay the assessment in full within 30 days of confirmation of the assessment roll without any interest or penalty, or may defer payment to annual amortized installments of principal plus interest.

Any property owner who does not pay their assessment in full within the 30-day prepayment period, shall be conclusively considered to have chosen to amortize their assessment with ten (10) annual installments. In the event a property owner should choose to pay their assessment in full after the 30-day prepayment period, the amount due shall include the remaining principal, plus interest for that year and one-year's interest in penalty, as provided in the State of Idaho LID Statutes.

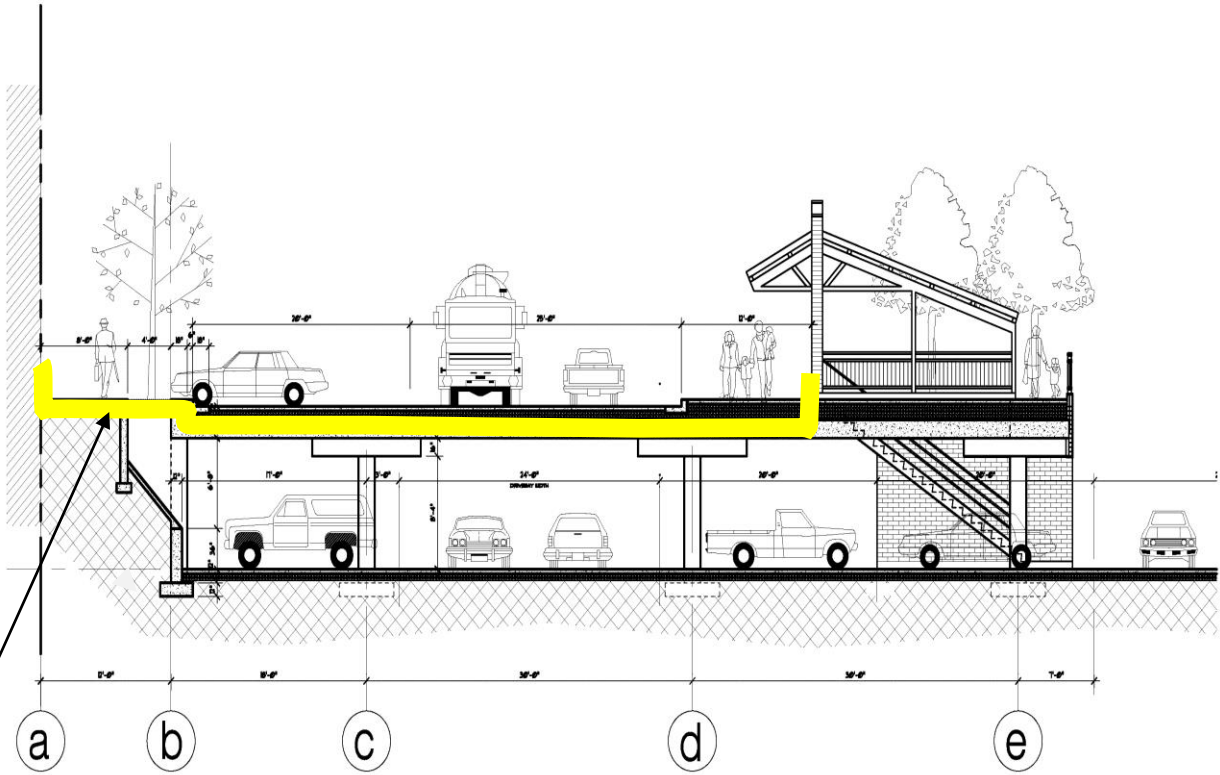
Report Prepared By:

Philip F. Boyd, P.E.
President / Principal Engineer
Welch, Comer & Associates, Inc.

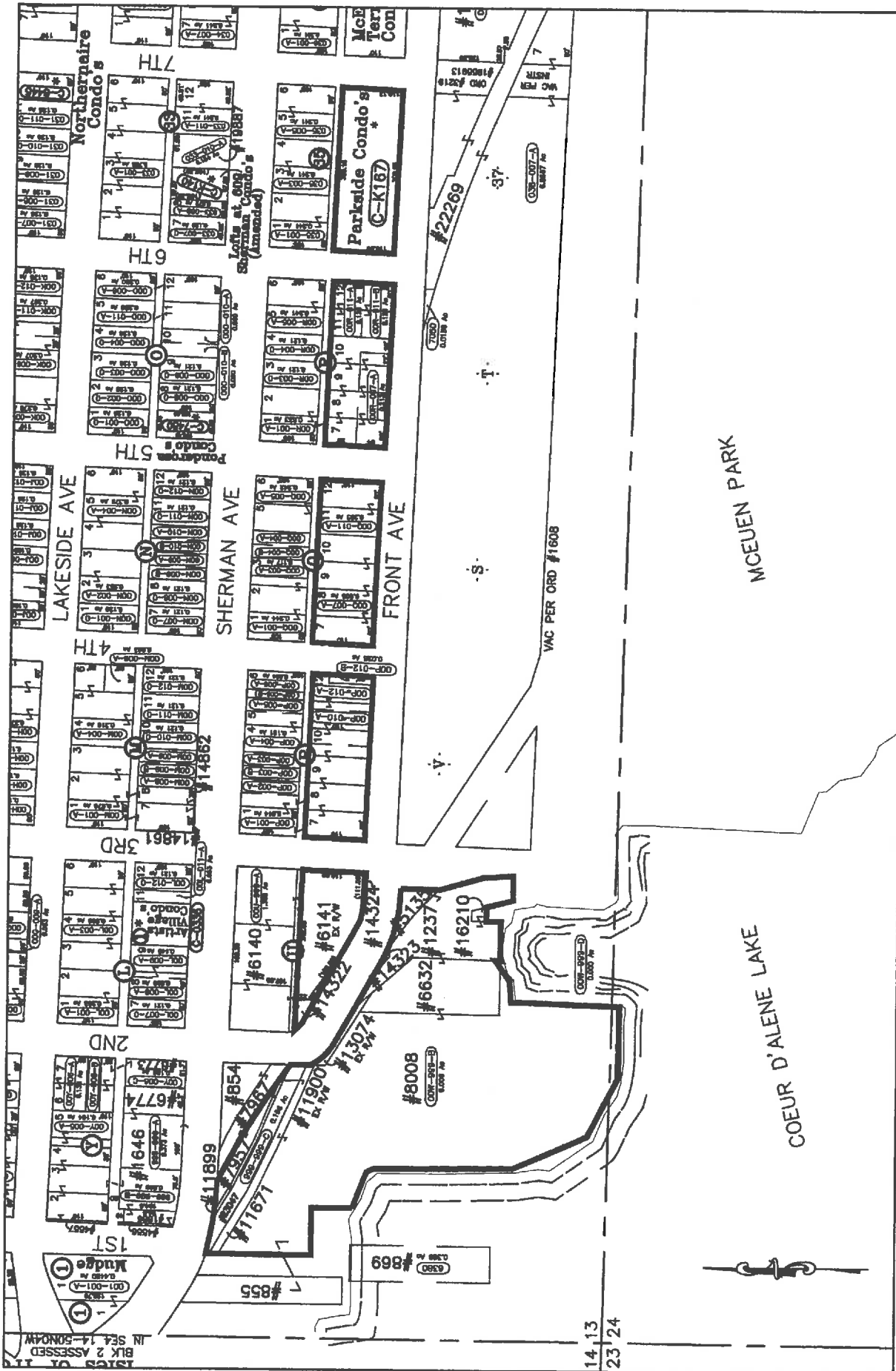


Enclosures:
Exhibit "A" Street Cross Section
Exhibit "B" LID Boundary Map
LID Roll

Exhibit A



PROJECT ELEMENTS ABOVE THIS LINE ARE PART OF THE LID COST.



PROJECT NO.: 41022
 DESIGNED BY:
 DRAWN BY: TJF
 DWG NAME: 41022LID-EX01
 DATE: 12-12-12
 SHEET NO: 1

EXHIBIT B
FRONT AVENUE LID

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WELCH-COMER
 ENGINEERS | SURVEYORS

www.welchcomer.com
 350 E. Kathleen Ave.
 Coeur d'Alene, ID 83815

208-664-9382
 (toll free) 877-815-5672
 (fax) 208-664-5946

City of Coeur d'Alene Front Avenue LID Final LID Roll

LIDNo	AssessNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
1	C-1800-00P-001-A	US BANK CORPORATE PROPERTIES 2800 E LAKE ST MINNEAPOLIS MN 55406	CDA & KINGS ADD, LT 7, 8, 9, W 21.65' OF LT 10, BLK P (SEE NOTES) URD LAKE DISTRICT 1997	\$1,725,746.00	0.614	281.65	\$300.00	\$84,495.00
2	C-1800-00P-010-A	HAGADONE REALTY, INC. P.O. BOX 6200 COEUR D'ALENE ID 83816-1937	CDA & KINGS ADD, W 35'-LT 11, E 28.35' OF LT 10, BLK P URD LAKE DISTRICT 1997	\$474,944.00	0.16	63.35	\$300.00	\$19,005.00
3	C-1800-00P-012-A	ROXY BUILDING, LLC 1010 E SHERMAN AVE COEUR D'ALENE ID 83814	CDA & KINGS ADD, E 15'-LOT 11, LOT 12 EX E 15' OF S 80', BLK P URD LAKE DISTRICT 1997	\$738,697.00	0.137	80.00	\$300.00	\$24,000.00
4	C-1800-00P-012-B	WIDMYER, STEVEN 1319 E ASH AVE COEUR D'ALENE ID 83814	CDA & KINGS ADD, E 15' OF S 80' OF LOT 12, BLK P ORD LAKE DISTRICT 1997	\$414,972.00	0.028	95.00	\$300.00	\$28,500.00
5	C-1800-00Q-007-A	BLACKRIDGE PROPERTIES, LLC 2100 NORTHWEST BLVD #350 COEUR D'ALENE ID 83814	CDA & KINGS ADD, LOT 7, 8, 9, 10 OF BLK Q URD LAKE DISTRICT 1997	\$2,036,396.00	0.505	310.00	\$300.00	\$93,000.00
6	C-1800-00Q-011-A	BLACKRIDGE PROPERTIES, LLC 2100 NORTHWEST BLVD, #350 COEUR D'ALENE ID 83814	CDA & KINGS ADD, LOT 11 & 12 OF BLK Q URD LAKE DISTRICT 1997	\$269,950.00	0.253	210.00	\$300.00	\$63,000.00
7	C-1800-00R-001-A	SPOKANE TELEVISION, INC. 500 W BOONE AVE SPOKANE WA 99201	CDA & KINGS ADD, LTS 7, 8, 9 EX S 54', LT 10 EX S 54'-W 22' OF BLK URD LAKE DISTRICT 1997	\$1,141,005.00	0.533	84.00	\$300.00	\$25,200.00

LIDNo	AssossNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
8	C-1800-00R-007-A	JAXTUFF LLC 801 S 11TH STREET COEUR D'ALENE	CDA & KINGS ADD, S 54'-LTS 7, 8, 9, S 54'-W 22' OF LT 10, BLK R URD LAKE DISTRICT 1997	\$3,436,458.00	0.213	226.00	\$300.00	\$67,800.00
		ID 83814						
9	C-1800-00R-011-A	JAXTUFF LLC 801 S 11TH STREET COEUR D'ALENE	CDA & KINGS ADD, N2-LT 11, 12 OF BLK R URD LAKE DISTRICT 1997	\$147,802.00	0.126	55.00	\$300.00	\$16,500.00
		ID 83814						
10	C-1800-00R-011-B	JAXTUFF LLC 801 S 11TH STREET COEUR D'ALENE	CDA & KINGS ADD, S2-LT 11, 12 OF BLK R URD LAKE DISTRICT 1997	\$135,432.00	0.126	155.00	\$300.00	\$46,500.00
		ID 83814						
11	C-1800-00U-999-A	WESTERN FRONTIERS, INC. P.O. BOX 6200 COEUR D'ALENE	CDA & KINGS ADD, BLK U & VAC ALLEY, TX#S 14322 & 1#14324 ALL URD LAKE DISTRICT 1997	\$3,858,284.00	0.50482	436.00	\$300.00	\$130,800.00
		ID 83816-1937						
12	C-1800-00W-999-B	HAGADONE HOSPITALITY CO. P.O. BOX 6200 COEUR D'ALENE	CDA & KINGS ADD, TX #S 1237, 5135, 6632, 13074, 14323, 16210, BLK URD LAKE DISTRICT 1997	\$54,400,732.00	6.2126	410.00	\$300.00	\$123,000.00
		ID 83816-1937						
13	C-K167-00-0101-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 101 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$673,675.00	0.0135	7.31	\$300.00	\$2,193.66
		ID 83814						
14	C-K167-00-0102-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNTI 102 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$234,290.00	0.0045	2.44	\$300.00	\$731.22
		ID 83814						
15	C-K167-00-0103-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 103 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$270,475.00	0.0053	2.87	\$300.00	\$861.22
		ID 83814						

LIDNo	AssessNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
16	C-K167-00-0104-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 104 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$525,752.00	0.0105	5.69	\$300.00	\$1,706.18
		ID 83814						
17	C-K167-00-0105-0	PARKSIDE CONDOMINIUM ASSOCIATION, INC. 601 E FRONT AVE, SUITE 105 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 105 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$49,318.00	0.0009	0.49	\$300.00	\$146.24
		ID 83814						
18	C-K167-00-0201-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 201 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$762,410.00	0.0152	8.23	\$300.00	\$2,469.90
		ID 83814						
19	C-K167-00-0202-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 202 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$318,883.00	0.0061	3.30	\$300.00	\$991.21
		ID 83814						
20	C-K167-00-0203-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 203 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$428,830.00	0.0084	4.55	\$300.00	\$1,364.94
		ID 83814						
21	C-K167-00-0204-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 204 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$2,045,259.00	0.0416	22.53	\$300.00	\$6,759.73
		ID 83814						
22	C-K167-00-0205-0	PARKSIDE CONDOMINIUM ASSOCIATION, INC. 601 E FRONT AVE, SUITE 105 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 205 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$321,480.00	0.0062	3.36	\$300.00	\$1,007.46
		ID 83814						
23	C-K167-00-0301-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 301 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$318,750.00	0.0062	3.36	\$300.00	\$1,007.46
		ID 83814						

LIDNo	AssessNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
24	C-K167-00-0302-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 302 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$521,213.00	0.0104	5.63	\$300.00	\$1,689.93
		ID 83814						
25	C-K167-00-0303-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 303 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$577,416.00	0.0115	6.23	\$300.00	\$1,868.67
		ID 83814						
26	C-K167-00-0304-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 304 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$458,092.00	0.009	4.87	\$300.00	\$1,462.44
		ID 83814						
27	C-K167-00-0401-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 401 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$2,421,309.00	0.049	26.54	\$300.00	\$7,962.18
		ID 83814						
28	C-K167-00-0501-0	SCOTT, JAKE R 601 E FRONT AVE, SUITE 501 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 501 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$515,576.00	0.0103	5.58	\$300.00	\$1,673.68
		ID 83814						
29	C-K167-00-0502-0	PARKSIDE, LLC 601 E FRONT AVE, SUITE 201 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 502 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$1,108,829.00	0.0206	11.16	\$300.00	\$3,347.36
		ID 83814						
30	C-K167-00-0504-0	ISAAC, MAUREEN 601 E FRONT AVE, SUITE 504 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 504 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$255,872.00	0.0079	4.28	\$300.00	\$1,283.70
		ID 83814						
31	C-K167-00-0601-0	MILLER, KIKI J 3555 E FERNAN HILL RD COEUR D'ALENE	PARKSIDE CONDOS, UNIT 601 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$569,427.00	0.0103	5.58	\$300.00	\$1,673.68
		ID 83814						

LIDNo	AssossNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
32	C-K167-00-0602-0	PYBAS, ROBERT 1010 FLAGSTONE DRIVE SANTA MARIA CA 93455	PARKSIDE CONDOS, UNIT 602 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$704,757.00	0.0101	5.47	\$300.00	\$1,641.18
33	C-K167-00-0603-0	LUTEN FAMILY TRUST 601 E FRONT AVE, SUITE 603 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 603 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$545,229.00	0.0098	5.31	\$300.00	\$1,592.44
34	C-K167-00-0604-0	FISHER, RONALD K 601 E FRONT AVE, SUITE 604 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 604 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$293,515.00	0.0079	4.28	\$300.00	\$1,283.70
35	C-K167-00-0701-0	SNELL, MARY KAY 3508 DANBURY DR AMARILLO TX 79109	PARKSIDE CONDOS, UNIT 701 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$561,037.00	0.0103	5.58	\$300.00	\$1,673.68
36	C-K167-00-0702-0	RASCHMANN, JURGEN K 601 E FRONT AVE, SUITE 702 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 702 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$638,430.00	0.0101	5.47	\$300.00	\$1,641.18
37	C-K167-00-0703-0	CHARTRAND, GEORGE LEWIS 601 E FRONT AVE, SUITE 703 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 703 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$545,229.00	0.0098	5.31	\$300.00	\$1,592.44
38	C-K167-00-0704-0	ANDREW MARCHESE PROFIT SHARING PLAN 601 E FRONT AVE, SUITE 704 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 704 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$293,515.00	0.0079	4.28	\$300.00	\$1,283.70
39	C-K167-00-0801-0	FOSSEEN, BRAD C 601 E FRONT AVE, SUITE 801 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 801 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$569,427.00	0.0103	5.58	\$300.00	\$1,673.68

LIDNo	AssessNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
40	C-K167-00-0802-0	FRY, MICHAEL E 25019 E PINE POINT CT LIBERTY LAKE WA 99019	PARKSIDE CONDOS, UNIT 802 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$745,810.00	0.0101	5.47	\$300.00	\$1,641.18
41	C-K167-00-0803-0	LANG, KEITH 601 E FRONT AVE, SUITE 803 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 803 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$461,309.00	0.0098	5.31	\$300.00	\$1,592.44
42	C-K167-00-0804-0	GRIFFITH, GRATIA H 601 E FRONT AVE, SUITE 804 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 804 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$293,515.00	0.0079	4.28	\$300.00	\$1,283.70
43	C-K167-00-0901-0	MILLS, KAY LYNNE P.O. BOX 3825 COEUR D'ALENE ID 83816	PARKSIDE CONDOS, UNIT 901 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$485,507.00	0.0103	5.58	\$300.00	\$1,673.68
44	C-K167-00-0902-0	SIMPSON, BRIAN J 601 E FRONT AVE, SUITE 902 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 902 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$867,152.00	0.0101	5.47	\$300.00	\$1,641.18
45	C-K167-00-0903-0	D'AGOSTINO, MARK 6605 S WESTCHESTER DR SPOKANE WA 99223	PARKSIDE CONDOS, UNIT 903 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$545,229.00	0.0098	5.31	\$300.00	\$1,592.44
46	C-K167-00-0904-0	BESSENT FAMILY TRUST 601 E FRONT AVE #904 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 904 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$377,435.00	0.0079	4.28	\$300.00	\$1,283.70
47	C-K167-00-1001-0	THE RICHARD A DAVIS FAMILY TRUST 717 S PINES RD SPOKANE VALLEY WA 99206	PARKSIDE CONDOS, UNIT 1001 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$569,427.00	0.0103	5.58	\$300.00	\$1,673.68

LIDNo	AssessNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
48	C-K167-00-1002-0	SCOTT, GORDON 601 E FRONT AVE, SUITE 1002 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1002 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$697,077.00	0.0101	5.47	\$300.00	\$1,641.18
		ID	83814					
49	C-K167-00-1003-0	BUUS, RICK B 601 E FRONT AVE, SUITE 1003 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1003 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$461,309.00	0.0098	5.31	\$300.00	\$1,592.44
		ID	83814					
50	C-K167-00-1004-0	THE SHORTRIDGE FAMILY TRUST 601 E FRONT AVE, SUITE 1004 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1004 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$293,515.00	0.0079	4.28	\$300.00	\$1,283.70
		ID	83814					
51	C-K167-00-1101-0	RICH, RONN C 601 E FRONT AVE, SUITE 1101 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1101 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$509,441.00	0.0103	5.58	\$300.00	\$1,673.68
		ID	83814					
52	C-K167-00-1102-0	FRY, CARL E 6828 W ROCKFORD BAY RD COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1102 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$714,671.00	0.0101	5.47	\$300.00	\$1,641.18
		ID	83814					
53	C-K167-00-1103-0	JOHNSON, GARY D 601 E FRONT AVE, SUITE 1103 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1103 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$484,223.00	0.0098	5.31	\$300.00	\$1,592.44
		ID	83814					
54	C-K167-00-1104-0	MILLENIU LEASING, LLC 20184 RED OAK CT TECUMSEH	PARKSIDE CONDOS, UNIT 1104 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$391,551.00	0.0079	4.28	\$300.00	\$1,283.70
		OK	74837					
55	C-K167-00-1201-0	ALBERICI, GEORGE P.O. BOX 15416 SARASOTA	PARKSIDE CONDOS, UNIT 1201 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$629,262.00	0.0103	5.58	\$300.00	\$1,673.68
		FL	34277					

LIDNo	AssessNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
56	C-K167-00-1202-0	SJF SPRING CREEK INVESTMENTS, LLC 601 E FRONT AVE, SUITE 1202 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 1202 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$822,050.00	0.0101	5.47	\$300.00	\$1,641.18
57	C-K167-00-1203-0	THE STICKNEY FAMILY TRUST 601 E FRONT AVE, SUITE 1203 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 1203 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$518,596.00	0.0098	5.31	\$300.00	\$1,592.44
58	C-K167-00-1204-0	FISHER, THOMAS P.O. BOX 105 COEUR D'ALENE ID 83816-0105	PARKSIDE CONDOS, UNIT 1204 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$419,784.00	0.0079	4.28	\$300.00	\$1,283.70
59	C-K167-00-1401-0	RBDR IDAHO LLC 4512 BIRMINGHAM AVE TULSA OK 74105	PARKSIDE CONDOS, UNIT 1401 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$838,682.00	0.0103	5.58	\$300.00	\$1,673.68
60	C-K167-00-1402-0	HEWEL, KEITH C 601 E FRONT AVE, SUITE 1402 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 1402 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$755,723.00	0.0101	5.47	\$300.00	\$1,641.18
61	C-K167-00-1403-0	RICHARDSON, GARRY 601 E FRONT AVE, SUITE 1403 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 1403 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$558,697.00	0.0098	5.31	\$300.00	\$1,592.44
62	C-K167-00-1404-0	DUNTON, CAROL 2781 S EVERGREEN LN COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 1404 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$443,311.00	0.0079	4.28	\$300.00	\$1,283.70
63	C-K167-00-1501-0	BARTLETT, WILLIAM W 4615 S MYRTLE SPOKANE WA 99223	PARKSIDE CONDOS, UNIT 1501 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$653,195.00	0.0103	5.58	\$300.00	\$1,673.68

LIDNo	AssessNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
64	C-K167-00-1502-0	CHANDLER, HENRY LOU 721 W LAKESHORE DR COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1502 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$857,238.00	0.0101	5.47	\$300.00	\$1,641.18
		ID 83814						
65	C-K167-00-1503-0	MUELBACH, EDWIN E 601 E FRONT AVE, SUITE 1503 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1503 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$541,510.00	0.0098	5.31	\$300.00	\$1,592.44
		ID 83814						
66	C-K167-00-1504-0	THE STICKNEY FAMILY TRUST 601 E FRONT AVE, SUITE 1203 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1504 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$433,901.00	0.0079	4.28	\$300.00	\$1,283.70
		ID 83814						
67	C-K167-00-1601-0	LAHNER, RONALD B 601 E FRONT AVE, SUITE 1601 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1601 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$665,010.00	0.0103	5.58	\$300.00	\$1,673.68
		ID 83814						
68	C-K167-00-1602-0	GOGGIN, JERRY 601 E FRONT AVE, SUITE 1602 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1602 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$796,776.00	0.0101	5.47	\$300.00	\$1,641.18
		ID 83814						
69	C-K167-00-1603-0	CROSSLAND FAMILY REVOCABLE TRUST 7790 AIRPORT RD PASO ROBLES	PARKSIDE CONDOS, UNIT 1603 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$717,090.00	0.0098	5.31	\$300.00	\$1,592.44
		CA 93446						
70	C-K167-00-1604-0	MARTIN KRUPITSKY LIVING TRUST 4850 GREENCHAIN LOOP #1 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1604 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$499,777.00	0.0079	4.28	\$300.00	\$1,283.70
		ID 83814						
71	C-K167-00-1701-0	BURKHARDT, DOUGLAS G 601 E FRONT AVE, SUITE 1701 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1701 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$706,894.00	0.0103	5.58	\$300.00	\$1,673.68
		ID 83814						

LIDNo	AssessNo	Owner/Address	Legal Description	Property Value	Acroage	Front Foot	Assmt Per FF	Total Assmt
72	C-K167-00-1702-0	THE LARRY PAUL CHARITABLE FOUNDATION 201 OHIO ST TERRE HAUTE IN 47807	PARKSIDE CONDOS, UNIT 1702 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$898,290.00	0.0101	5.47	\$300.00	\$1,641.18
73	C-K167-00-1703-0	WESLEY A SCHMIDT & MARY LYNN SCHMIDT TRUST 10419 E TRENT AVE SPOKANE WA 99206	PARKSIDE CONDOS, UNIT 1703 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$757,191.00	0.0098	5.31	\$300.00	\$1,592.44
74	C-K167-00-1704-0	UPEGUI-GOMEZ, JAIME 601 E FRONT AVE, SUITE 1704 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 1704 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$439,384.00	0.0079	4.28	\$300.00	\$1,283.70
75	C-K167-00-1801-0	FOREST, JACK 601 E FRONT AVE, SUITE 1801 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 1801 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$1,359,810.00	0.0199	10.78	\$300.00	\$3,233.62
76	C-K167-00-1802-0	SAILER, MARY L PO BOX 366 DIVIDE CO 80814	PARKSIDE CONDOS, UNIT 1802 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$1,266,900.00	0.0174	9.42	\$300.00	\$2,827.39
77	C-K167-00-1901-0	BLACKWELL REAL ESTATE LLC 40 N I H 35 PA1 AUSTIN TX 78701	PARKSIDE CONDOS, UNIT 1901 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$1,287,206.00	0.0166	8.99	\$300.00	\$2,697.39
78	C-K167-00-1902-0	GILBREATH FAMILY TRUST 601 E FRONT AVE, SUITE 1902 COEUR D'ALENE ID 83814	PARKSIDE CONDOS, UNIT 1902 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$1,210,325.00	0.0167	9.05	\$300.00	\$2,713.64
79	C-K167-00-1903-0	THE ROWE FAMILY TRUST 6881 N LA PLACE TUCSON AZ 85750	PARKSIDE CONDOS, UNIT 1903 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$1,257,616.00	0.0162	8.77	\$300.00	\$2,632.39

LIDNo	AssosNo	Owner/Address	Legal Description	Property Value	Acreage	Front Foot	Assmt Per FF	Total Assmt
80	C-K167-00-1904-0	ARTHUR & NANCY FLAGAN REVOCABLE INTER VIVOS 601 E FRONT AVE, SUITE 1904 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 1904 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$467,617.00	0.0079	4.28	\$300.00	\$1,283.70
		ID 83814						
81	C-K167-00-2000-0	BILL AND LYNN DENNIS FAMILY TRUST 601 E FRONT AVE, SUITE 2000 COEUR D'ALENE	PARKSIDE CONDOS, UNIT 2000 & UNDIV INT IN COMMON AREA URD LAKE DISTRICT 1997	\$491,144.00	0.0079	4.28	\$300.00	\$1,283.70
		ID 83814						
Totals:				\$113,498,563.00	\$10.17	2,817.00		\$845,100.00

MEMORANDUM

DATE: APRIL 1, 2015
FROM: RENATA MCLEOD, MUNICIPAL SERVICES DIRECTOR
RE: APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
2015 ANNUAL ACTION PLAN.

DECISION POINT:

- Approval of the Community Development Block Grant (CDBG) Plan Year 2015 Action Plan in the amount of \$291,050.

HISTORY: The City of Coeur d'Alene receives a direct allocation of HUD Community Development Block Grant (CDBG) funds. Each year the City is required to complete an annual action plan in accordance with the adopted citizen participation plan. The Action Plan document is intended to be an outline regarding how the City proposes to spend the CDBG funds, as well as, fulfill the program reporting requirements. A 30-day public comment period was held between March 2, 2015 and April 7, 2015. A public workshop was held March 26, 2015, with one citizen attending whose interest was the area homeless and how the City could use CDBG funds to help them. A second public workshop was held March 27, 2015, with five citizens attending. No additional public comments were received.

FINANCIAL: The Plan Year 2015 allocation is \$291,050. The following is a breakdown of the proposed budget for your information.

Funding amount	Line Item
\$43,510.00	Sidewalk Accessibility/Repairs
\$70,000 (\$20,000 reserved for emergency water and sewer line breaks and code enforcement)	Emergency Minor Home Repairs
\$119,330.00	Community Grants
\$58,210.00	Administration (PAC Contract, Advertising, brochures, training, Consolidated Plan Update)
\$291,050	

DECISION POINT: Approval of the Community Development Block Grant (CDBG) Plan Year 2015 Action Plan estimated in the amount of \$291,050.