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

September 20, 2022

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room on September 20, 2022, at 6:00 p.m., there being present the following members:

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

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

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

MOUNT HINK PRESENTATION: Phil Boyd, President, Welch Comer Engineers noted that the Mt. Hink site is located in the northeast corner of the Atlas project site. Mt. Hink is comprised of a mixture of both suitable materials (i.e., materials that can be used on site for structural purposes/topsoil) and unsuitable materials (i.e., materials that can be used for certain landscaping uses but can’t be used for structural purposes/topsoil). The entire Mt. Hink site (above ground and below ground) is estimated to contain approximately 640,000 cubic yards of both suitable and unsuitable materials. Mr. Boyd noted that in 2018 ignite cda (Agency) presented a financial feasibility report, yet due to the uncertainty of what was there they were not able to complete a plan. On June 17, 2020, the City of Coeur d’Alene (City) transferred the Mt. Hink property asset to the Agency along with the majority of the former Atlas Mill site property. Throughout 2020, the above ground area of Mt. Hink grew in size as materials from other portions of the project site were stockpiled to create room for development, which was the primary focus of the Agency at the time. In 2021, development areas within the project site began to sell providing financial resources that could be utilized to address Mt. Hink. Also in 2021, former Mayor Steve Widmyer began working with Idaho Transportation Department (ITD) on a vision to possibly create a new multiuse development on ITD’s Ramsey Road property that would include both recreational uses as well as structural/building uses. On February 10, 2022, the City, Agency, & ITD entered into a Memorandum of Understanding (MOU) that permitted the Agency to relocate the unsuitable Mt. Hink materials to the ITD pit. Relocation of the unsuitable materials began in March 2022, and continues to date. The Agency entered into a contract with LaRiviere, Inc. to transfer the unsuitable Mt. Hink materials to the ITD site. The current cost of the Mt. Hink haul contract is just over $8 million. Given the large investment of reclaiming the Mt. Hink area, the Agency is considering potential development...
uses on the Mt. Hink site that would be value adding to the community. Uses under consideration at this time include: residential; mix-use: commercial/residential; mix-use: grocery store/commercial/residential. They have not completed the Master Plan for the area as they continue to review the soil materials and what would be unsuitable. Townhome and single-family products are predicted to bring in the most revenue. Mr. Boyd reviewed the pro forma numbers summarizing that there is a very small margin of profit predicted, approximately $500,000, but this area alone would be in a deficit of $1,700,000 based on the $2.2 Million purchase price, which is why it will be important to move forward with development of the site.

Councilmember McEvers asked for clarification regarding the pit locations and the proposed development with Mr. Boyd explaining the development covers pits 2, 3, and 4. Councilmember Gookin asked if the cost to remove the dirt was included in the development cost, with Mr. Boyd confirming it was. Mr. Boyd clarified the River Urban Renewal District has tax increment that makes it worthwhile. Councilmember Gookin noted that Council was told it was going to be a passive park area and now it is being developed and thinks the Council should be involved in the modification of the plan and expressed concern about the economy.

Councilmember Wood noted that she has been involved in the committee work and asked for an overview of the development areas sold and that the pro forma was a long term pay back at approximately 8-9 years. Councilmember Wood also noted that she was glad to hear the dirt is still going into the ITD pit and felt that it would be good for a ball field. Mr. Boyd noted that area 14 and 15 are currently out for Request For Proposal’s (RFP’s) and area 5a and the big area above will go out in the spring. He noted that the total acreage of public waterfront equals approximately 12 acres. Mayor Hammond asked for clarification on the buildability of the Mt. Hink site, with Mr. Boyd confirming that they will end up with suitable material and compact it to the point of buildability. Mayor Hammond noted the area east of the pit is noted as possible workforce housing and asked if any of the Mt. Hink area could be set forth as affordable. Mr. Boyd noted that he has not run a pro forma on that option. However, affordability would come in the land value or in the development arena and was not held out as an affordable area.

Councilmember Miller believes this was supposed to be an opportunity to give feedback of the Mt. Hink area. She noted that she would like to keep conversations going regarding the potential of affordability and options to preserve housing inventory and having it mixed and not set aside. Councilmember English noted that in the beginning the Agency received pressure to sell waterfront property, but the City Council made deliberate decisions to preserve it, so the development needs to pay for that cost. He noted the Council approved the costs to truck the materials elsewhere, is part of the evolving process, and housing stock is needed. He clarified that they are still looking at options and will welcome input, and agreed that the market is an unknown. Councilmember Wood stated two (2) years ago the Council turned the entire property over to the Agency and it is within their purview for final decision making and questioned the option about a fire station on that property. Mr. Boyd clarified that the former fire chief noted that the challenge is going westbound from that location, so there may be a needed roundabout or signal at that location to accommodate a station. Councilmember Gookin noted that solutions for housing workers is admirable but when Council passed the plan it was vague and now has no control unless they elect to modify the plan. Councilmember English concurred that the Agency has control of the property, there is a process of appointing the board, there are a couple councilmembers on the board, and reiterated that they are an independent body. Mayor Hammond thanked Mr. Boyd for the report.
MAYOR AND COUNCIL COMMENTS:

Mayor Hammond announced the opportunity for High School students within School District 271 to serve on a City Committee, Commission, or Board. Applications are due by September 30, 2022. Applications can be found on the city website at: https://www.cdaicl.org/263/departments/municipal/volunteer-opportunities.

Mayor Hammond requested confirmation of the appointments of Stephen McCrea to the Library Board, and Councilmember Dan English to the ignite cda Board.

MOTION: Motion by McEvers, seconded by Evans, to appoint Stephen McCrea to the Library Board, and Councilmember Dan English to the ignite cda Board. Motion carried with Gookin voting no.

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

1. Approval of Council Minutes for the September 6, 2022, Council Meeting.
2. Approval of General Services/Public Works Committee Minutes for the September 12, 2022, Meeting.
4. Approval of Bills as Submitted.
6. Approval of Final Plat for SS-22-11c, Riverstone Condominium
7. As Recommended by the City Engineer.
8. Approval of Resolution No. 22-043 – A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FOLLOWING: GRANT OF UTILITY EASEMENT FOR WATER LINE BY CELESTINO FUENTES AND RAJEANNE LESSARD; AND GRANT OF SEWER LINE EASEMENT BY COEUR D’ALENE MEMORIAL GARDENS.

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

PUBLIC COMMENTS:

Mary Merrill, Coeur d’Alene, requested Council preserve the current zoning of Oak Crest Manufactured Home Park, which is currently MH-8. She noted that there is no current zone change request but would like to have a commitment to maintain the zoning to protect workforce housing.

Nick Goodwin, Hayden, stated that he is the president of Lake City Employees Association (LCEA) for the City of Coeur d’Alene, noting LCEA represents the largest group of employees. He thanked the Mayor and Council for their service and knows they have hard decisions to make in regards to the negotiation of contracts. He expressed concern that some decisions made tonight might affect all City employees and asked the Council to consider the entire City family
and asked for fairness. The LCEA does not have a contract due this year, but will next year and they will seek what is reasonable and fair to the public.

Justin O’Connell, Coeur d’Alene, expressed concern that Mt. Hink was created from private industry and is now its removal is being paid for by the public.

Kara Claridge, Coeur d’Alene, noted that she has been attending Library Board meetings for over a year and hoped she could serve on the board. She believes that library trustees should protect children. Kids today have social media and I-Phones and parents need to provide their protection. She read from a document entitled Current Communism Goals that was read into the congressional record in 1963. She does not believe it is extreme to want to protect the development of children and rejects the philosophy that love is to tolerate. She provided a blessing over the Council.

Richard Price, Coeur d’Alene, thanked the Mayor and Council for showing up even if they disagree. He noted that he supports Resolution 22-044; however, he thinks that the City should consider the morale and fairness to support the existing police. He would like the City to consider other methods of funding such as Arts Commission funds. He also noted that when there are events that cause large expenses to the City the event sponsor should reimburse the City for those costs. He requested the Council delay the approval of the resolution for a couple weeks to consider fairness to existing officers.

PRESENTATION REGARDING THE OCTOBER 4, 2022, UTILITY HEARING

STAFF REPORT: City Engineer Chris Bosley explained that the City will be holding a public hearing at the October 4, 2022, Council meeting to meet a grant requirement. Under the Local Highway Safety Improvement Program (LHSIP), the City was awarded $560,593 through the Local Highway Technical Assistance Council (LHTAC) to provide safety improvements. The grant will fund pedestrian safety improvements and ADA compliance at several needed locations throughout the City. The Idaho Transportation Department requires the City to hold a utility hearing or obtain utility hearing waivers from all utilities. In recent years, not all utility companies have been willing to sign a utility hearing waiver, making utility hearings a requirement. Utilities that are permitted within the right-of-way under a franchise utility agreement will be required to move their facilities at no cost to the City. Costs for other affected utilities to be adjusted and/or relocated, such as water meters and storm grates, which are expected to be minor, will be included in the project. He noted that Avista and the Water Department are two (2) utilities that will need to be moved. All utilities have been notified of the hearing as they did not sign the waivers. He noted that Council will have two (2) possible actions to take either to require utilities to move or table the item.

DISCUSSION: Councilmember Wood asked Mr. Bosley to confirm with the Police Department regarding locations of concern. Councilmember English asked about the Riverstone area and the locations being so close, with Mr. Bosley noting that if there was an injury at the intersection it would qualify within the grant guidelines. Councilmember McEvers asked if the locations had stop signs, with Mr. Bosley noting that some do and that the Rapid Flashing Beacons will be on the through streets.
COUNCIL BILL NO. 22-1012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO, IMMEDIATELY TERMINATING THE REVENUE ALLOCATION AREA FOR THE LAKE DISTRICT PROJECT AREA; REQUIRING DISTRIBUTION OF ANY SURPLUS DETERMINED TO EXIST PURSUANT TO SECTION 50-2909, IDAHO CODE; AUTHORIZING THE CITY CLERK OR THE COEUR D'ALENE URBAN RENEWAL AGENCY D/B/A IGNITE CDA, TO FILE THE ORDINANCE, TOGETHER WITH THE BOUNDARY MAP, WITH THE OFFICE OF THE COUNTY RECORDER, THE COUNTY ASSESSOR, AND THE IDAHO STATE TAX COMMISSION AS PROVIDED IN SECTION 63-215, IDAHO CODE; PROVIDING THAT A COPY OF THIS ORDINANCE SHALL BE GIVEN TO EACH OF THE TAXING ENTITIES AFFECTED BY SAID REVENUE ALLOCATION AREA; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

STAFF REPORT: City Attorney Randy Adams explained that in order to complete the termination of the Lake District Revenue Allocation Area ("Lake District RAA"), the City Council is required to adopt an ordinance terminating the revenue allocation area no later than December 31, 2022, pursuant to Idaho Code § 50-2903(5). A substantial portion of the identified improvements and/or projects within the Lake District RAA (also known as the "Project Area") have been completed and the City’s Urban Renewal Agency, ignite cda, passed Resolution 2022-02 terminating the Project Area on June 15, 2022. Ignite cda expects all obligations and all expenses from the remaining projects and/or improvements to be completed under the Lake District Plan to be incurred and satisfied by the end of ignite cda’s current fiscal year, September 30, 2022. Ignite cda further states that it will have sufficient funds on deposit for the payment of all final bonds, obligations, project costs, and administrative fees. April 1, 2023, will be the final accounting and funds turned over to the County.

DISCUSSION: Councilmember English questioned wording regarding direct delinquent fees to other districts through the Kootenai County Treasurer given the current dispute. Mr. Adams noted that the City has contacted the County Treasurer and Commissioners regarding the delinquent fees, interest, and penalties and have not reached a resolution of the issue yet. Councilmember Gookin questioned the wording in the resolution regarding properties being disposed of, and wanted verification that these are all the properties, with Mr. Tony Berns noting the only property they will be keeping is within area 14 within the Atlas project. He noted that they are in negotiations with the developer and they hope for a mixed-use development and for it to be complete by spring. Councilmember Wood noted that this is a big deal and that the citizens should note the accomplishments over the term of the Lake District. Mr. Berns noted that they have created a video of the successes and will be broadcasting it on the City’s TV channel. Councilmember McEvers noted that he was here when the Lake District was created 24 years ago, a lot of great things have happened, and he thinks it was a good 24 years.

MOTION: Motion by McEvers, seconded by Miller, to dispense with the rule and read Council Bill No. 22-1012 once by title only.
ROLL CALL: Miller Aye; McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye. Motion carried.

MOTION: Motion by McEvers, seconded by Miller, to adopt Council Bill 22-1012.

DISCUSSION: Councilmember Gookin stated that he has been criticizing urban renewal for a long time and there were laws passed from preventing other urban renewals from doing certain things ever again based on prior use. It was intended to revitalize blighted land using tax increment and he questioned the benefit. In other states they have created jobs and with our affordable housing crisis, he believes the City should have been creating jobs over the 24 years. Councilmember Wood stated that she believes the Lake District was successful and it was an unknown tool and if you look at all the projects, they are not mega-mansions, rather funds were used for parks, the Library, and benefits to schools. She concurred that lessons have been learned along the way and they have fixed best practices. Mayor Hammond noted there is more to urban renewal than job creation, such as improving the taxable area within the City. He noted that a lot of the improved areas were vacant land and/or empty mill/lumber sites. The developed sites pay and contribute to the tax base which helps everyone.

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

RESOLUTION NO. 22-044

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A LATERAL OFFICER HIRING AND INCENTIVE PROGRAM FOR THE POLICE DEPARTMENT.

STAFF REPORT: Police Chief Lee White explained that the Police Department has experienced a high number of vacant positions over the last year. He noted that they currently have 10 openings. He noted that they have had officers leave the agency for higher-paying law enforcement jobs, several applicants self-remove from the hiring process, and many more do not apply for the agency due to financial reasons. Chief White explained that the program will be open to up to eight (8) lateral officers who have at least two (2) years of experience as a sworn peace officer with a state, county, or municipal law enforcement agency, who currently hold at least a basic certificate from the State’s certifying agency (P.O.S.T.), and who are currently employed as a law enforcement officer or who have left such employment in good standing within the last two (2) years. Upon hire, a $5,000 payment would be made in the first regularly scheduled paycheck, and $5,000 would be paid once employed for one (1) year. All payments would be in gross wages and subject to applicable withholdings. The Police Department budgeted $80,000 for this pilot program in FY 22-23, and stated they would provide feedback to Council in 6-months.

DISCUSSION: Councilmember McEvers asked about Mr. Price’s comments regarding fairness to current officers, with Chief White responding they had to figure out where to draw the line, and there isn’t enough money to look backwards. Councilmember Gookin asked about the payback requirement and wondered what other departments do, and if the City can hold the
money for three (3) years and then pay the employee. Chief White noted that the funds would be needed for moving expenses and that they looked at Seattle’s payback program. The initial payment is written off and if they leave within the 1-year period they don’t receive the second payment. Councilmember English noted that three (3) years seems long for the reality of the workforce, so he felt that they could cut the term to two years, and then have the payback be prorated over time so they pay less back. Councilmember Wood noted that they are competing with surrounding agencies and would like to suggest that it is looked at on a case-by-case basis by the City Administrator and Police Chief to allow options. Chief White noted that there may be circumstances that someone wants to leave the industry, or has family issues, and would like to not require a repayment. Councilmember Miller wanted clarification that this program is just for lateral officers for actual expenses, with Chief White clarifying that it would be a direct payment of $10,000.00, with no proof of expenses, as he believes it will help, but would not cover all expenses for relocation.

MOTION: Motion by Gookin, seconded by Wood, to approve Resolution No. 22-044, Approving an incentive program for the Police Department.

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

LEGISLATIVE PUBLIC HEARING: FISCAL YEAR 2021-2022 ANNUAL APPROPRIATIONS ORDINANCE AMENDMENT FOR FISCAL YEAR BEGINNING OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022

STAFF REPORT: Comptroller Vonnie Jensen explained that the City Council annually amends the original appropriations ordinance for unanticipated expenditures. Idaho code allows the City Council at any time during the current fiscal year to amend the appropriations ordinance to reflect the receipt of revenues and/or the expenditure of funds that were unanticipated when the ordinance was adopted. The City each year adopts an amendment or amendments to the appropriation’s ordinance. The budget amendment shows increases in expenditures due to carryovers of projects, state and federal grants received, drug forfeiture funds, funding received in FY 2020-21 from the American Rescue Plan Act, funding from ignite cda and miscellaneous additional items. Additional revenues of $862,348 have been received in the General Fund to cover the increased expenses for the fiscal year, and $776,951 is coming from designated fund balance. The majority of the designated fund balance is being amended for overlay funds carried over from the previous fiscal year and drug forfeiture funds used for the purchase of an armored vehicle, causing the need to amend the Fiscal Year 2021-22 Budget by a total of $3,207,899.

DISCUSSION: Councilmember Gookin asked if the City does amendments to revenues as well, with Ms. Jensen noting that revenues are not included in the ordinance but have been provided previously. She noted specifically increased revenue by electric utility franchise fees, building permits, federal grants, state liquor tax, sales tax, donation from ignite cda, designated fund balance, and a transfer from impact fees that balances out. Councilmember Wood asked if there is a better way to anticipate the unanticipated revenue, with Ms. Jensen explaining that they look at trends and are always conservative, but depend on state estimates. Councilmember McEvers asked if the franchise fees increased with the addition of TDS, with Ms. Jensen responding that
there may be some from new growth, but believes it is mostly the same customers switching
between providers.

PUBLIC COMMENT: Mayor Hammond called for public comments, with none being heard.
closed public comment.

MOTION: Motion by McEvers, seconded by Evans, to dispense with the rule and read Council
Bill No. 22-1013 once by title only.

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

MOTION: Motion by McEvers, seconded by Evans, to adopt Council Bill 22-1013.

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

COUNCIL BILL NO. 22-1013

AN ORDINANCE AMENDING ORDINANCE 3691, THE ANNUAL
APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1,
2021 APPROPRIATING THE SUM OF $109,700,500 $112,908,399, WHICH SUM
INCLUDES ADDITIONAL MONIES RECEIVED BY THE CITY OF COEUR D'ALENE IN
THE SUM OF $3,207,899; REPEALING ALL ORDINANCES AND PARTS OF
ORDINANCES IN CONFLICT HEREWITH; PROVIDE FOR THE PUBLICATION OF A
SUMMARY OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

Section 1: That Section 1 of Ordinance 3691, Ordinance of the City of Coeur d'Alene, be and the
same is hereby amended to read as follows:

That the sum of $109,700,500 $112,908,399, be and the same is hereby appropriated to defray
the necessary expenses and liabilities of the City of Coeur d'Alene, Kootenai County, Idaho, for
the fiscal year beginning October 1, 2021.
Section 2: That Section 2 of Ordinance 3691; Ordinances of the City of Coeur d'Alene be and the same is hereby amended to read as follows:

That the objects and purposes for which such appropriations are made are as follows:

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<tr>
<th>GENERAL FUND EXPENDITURES:</th>
<th>FY 2021-22 BUDGET</th>
<th>FY 2021-22 AMENDED BUDGET</th>
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ENTERPRISE FUND EXPENDITURES:

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<td><strong>$53,424,907</strong></td>
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FIDUCIARY FUNDS:                         $3,276,235     $3,276,235

CAPITAL PROJECTS FUNDS: 1,400,000     1,800,000

DEBT SERVICE FUNDS:   878,408         878,408

**GRAND TOTAL OF ALL EXPENDITURES:** $109,700,500     $112,908,399

Section 3: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4: This ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation published within the City of Coeur d'Alene and the official newspaper thereof.

EXECUTIVE SESSION: MOTION: Motion by Gookin, seconded by McEvers, to enter into Executive Session pursuant to Idaho Code 74-206 (j) to consider labor contract matters authorized under section 74-206A (1)(a) and (b).

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

The City Council entered Executive Session at 7:35 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney. Council returned to regular session at 8:38 p.m.

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

The meeting adjourned at 8:38 p.m.

ATTEST:

[Signature]
Renata McLeod, City Clerk