

Coeur d'Alene

CITY COUNCIL MEETING

March 21, 2006

MEMBERS OF THE CITY COUNCIL:
Sandi Bloem, Mayor
Councilmen Edinger, Goodlander, McEvers, Reid, Hassell, Kennedy

CONSENT CALENDAR

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL
MARCH 7, 2006**

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 Hall March 7, 2006 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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

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

INVOCATION was led by Dr. Ron Hunter, Church of the Nazarene.

MOMENT OF SILENCE: Council President Ron Edinger asked for a moment of silence and prayer for the family of former City Councilman Harry Fields who passed away this week.

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

PRESENTATION – RIVERSTONE PARK AND POND: Mike Tillford from Riverstone Development presented an overview of the proposed park and pond that will be constructed within their development. Mr. Tillford distributed photos of the Central Premix Site prior to the proposed improvements. He believes that their proposed design will eliminate this brown field and transform it into an attractive environmentally sound park and pond site featuring a 60' water fountain. He noted that the developer has agreed to maintain the park area for three years and maintain the fountain pumps as well as the pond liner system in perpetuity. Mr. Tillford reported that it is planned to have this project completed by Fall, 2006. It is estimated that the park and the pond will cost about \$3.3 million.

PUBLIC COMMENTS:

COMPLAINTS OF A CRIME: Mike Barber, PO Box 1425, Coeur d'Alene, ID 83814, complained that crimes against him have gone unaddressed by the City.

CONSENT CALENDAR: Motion by Reid, seconded Edinger by to approve the Consent Calendar as presented.

1. Approval of minutes for January 17, 2006.
2. Setting the Public Works Committee and General Services Committee meeting for February 13, 2006 at 4:00 p.m.
3. SS-1-06 – Final Plat approval for Nelson Lots in Bratton Garden Tracts – 2-lot short plat.
4. S-1-06 – Final Plat approval for Ironwood Medical Condominium.
5. Approval of beer/wine licenses for Red Arrow Wines at 1901 Sherman Avenue and The Pendulum at 401 N. 2nd Street.

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

PATRIOT ACT: Councilman Reid announced that the U.S. Senate approved the U.S. Patriot Act, and included in this act is an anti-meth bill which requires that pseudoephedrine products be locked up and also provides funding for treatment, drug courts and drug hot spot grants. She commended the Federal Government for their work as well as the State Senate.

DEER PROBLEM: Councilman Reid reported that she had received a letter from John Jaklich complaining about the deer problem in Cd'A. She believes that the deer now constitute a health problem. As a result of the increased population of the deer in our city, cougars have also been sighted in the city limits. She would like staff to work with the Idaho Fish and Game to address this issue.

MOTION: Motion by Reid, seconded by Goodlander to have staff contact Fish and Game to discuss the problem of deer in the city limits.

DISCUSSION: Councilman Edinger noted that he believes that the reason deer are coming into town is development on the hillsides where they have their natural habitat. Councilman McEvers believes it is sad that we have to have growth overcome nature. Councilman Reid noted that the deer population is now twenty times greater than when Columbus landed in the U.S. She noted that she does not want to see them eliminated but at least thinned out.

Motion carried.

GRADING AND BLASTING ORDINANCES: Councilman Kennedy reported that citizens have discussed a need for a grading ordinance and a need for a blasting ordinance.

MOTION: Motion by Kennedy seconded by Edinger to direct staff to research the grading and blasting ordinances and report back to the Public Works Committee what options are available regarding regulating grading and blasting within the city limits. Motion carried.

APPOINTMENTS – URBAN FORESTRY COMMITTEE AND DESIGN REVIEW COMMITTEE: Motion by Edinger seconded by McEvers to appoint Bruce Martinek to the Urban Forestry Committee and reappoint Scott Rasor and George Ives to the Design Review Committee. Motion carried.

RESOLUTION 06-015

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF COEUR D’ALENE FIRE DEPARTMENT DEPUTY CHIEFS.

Motion by Edinger, seconded by Hassell to adopt Resolution 06-015.

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

PUBLIC HEARING – O-1-06 – AMENDING MINIMUM STREET FRONTAGE REQUIREMENTS FOR LOTS ON CUL-DE-SACS AND KNUCKLES: Mayor Bloem read the rules of order for this legislative public hearing. John Stamsos, Associate Planner, gave the staff report.

Mr. Stamsos reported that tonight’s public hearing is to determine whether the City should amend the Municipal Code establishing a minimum street frontage requirement for lots on cul-de-sacs and knuckles of 26-feet at the curb line and a minimum lot width of 40-feet at the front setback line of said lot.

Mr. Stamsos explained that in many cases, where a subdivision is designed with cul-de-sacs or knuckles, in order to lay out the lots in an orderly and efficient manner some lots have to be laid out with less than the minimum street frontage in order to work. The practice of the Planning Commission has been to approve these less than standard street frontages with deviation from standards. By amending the code, it would provide for adequate access to these lots and allow for better layout of lots on cul-de-sacs and knuckles.

DISCUSSION: Councilman Hassell asked that if the Council reduced the standard, wouldn’t that create smaller lots for houses to be constructed on. John Stamsos responded that there were only 25 deviations for cul-de-sacs last year which is a small number compared to all the subdivisions created last year. Councilman Goodlander asked how many cul-de-sacs were approved without deviations that fit within our standard guidelines. John Stamsos responded 25% of the cul-de-sacs created were approved with deviations. Councilman Goodlander agreed with Councilman Hassell regarding the concern of lowering the city standard. Mayor Bloem asked if this reduction of frontage would affect the number of lots able to be created. John Stamsos responded that lot sizes would remain the same. Councilman Reid asked if this amendment would change the size of the cul-de-sac. John noted that this amendment only affects the

frontage of the lot and not the overall size of the lot. Councilman McEvers asked if this amendment came from staff. John responded that this amendment originated with staff and the Planning Commission suggested the 40' width. Councilman McEvers asked if this amendment would encourage cul-de-sacs and knuckles. John commented that he does not know if it would encourage or discourage cul-de-sacs. Mr. Stamos elaborated that the reason the Planning Commission felt that these lots needed at least 40' width is to accommodate the construction of homes and adequate driveways on the cul-de-sac. Councilman Edinger noted that the city had tried to get away from cul-de-sacs due to snow removal, etc. and hopes that this does not encourage cul-de-sacs. John reported that fewer cul-de-sacs have been requested over the past few years. Councilman Goodlander asked Deputy Administrator Jon Ingalls what effect a 26'-wide cul-de-sac has on snow plowing. Jon Ingalls responded that since the snow is now stacked in the middle, snow plowing is not as big of an issue as it used to be. Additionally he agreed that the number of cul-de-sacs has decreased.

PUBLIC COMMENTS: Mayor Bloem called for public comments with none being received.

ORDINANCE NO. 3428
COUNCIL BILL NO. 06-1007

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 17.06.120 TO ESTABLISH MINIMUM STREET FRONTAGE REQUIREMENTS FOR CUL-DE-SAC AND KNUCKLE LOTS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF

Motion by Reid, seconded by McEvers to pass the first reading of Council Bill No. 06-1007.

DISCUSSION: Councilman McEvers asked City Engineer Gordon Dobler for his input on this issue. Mr. Dobler explained that the proposed amendment is not offering anything new and that this has been done for several years as deviations. As for lot sizes it is very improbable that the number of lots on a cul-de-sac would increase with this amendment. Councilman Hassell added that he believes if we reduce the standard by right, this would become the new de-facto standard for all most cul-de-sacs in the future, thereby causing potential problems in the future. Mr. Dobler stated his belief that the City does have the authority to manage the number and size of cul-de-sacs.

ROLL CALL: Edinger, Aye; Hassell, No; Goodlander, No; Kennedy, Aye; McEvers, Aye; Reid, Aye. Motion carried.

Motion by Reid, seconded by McEvers to suspend the rules and to adopt Council Bill No. 06-1007 by its having had one reading by title only.

ROLL CALL: Edinger, Aye; Hassell, No; Goodlander, No; Kennedy, Aye; McEvers, Aye; Reid, Aye. Motion carried.

EXECUTIVE SESSION: Motion by Reid, seconded by Kennedy to enter into Executive Session as provided by Idaho Code 67-2345, SUBSECTION C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property, which is not owned by a public agency.

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

The Council entered into Executive Session at 7:00 p.m. Those present were the Mayor, City Council, City Administrator, Deputy City Administrator and City Attorney. Matters discussed were those of labor negotiations.

No action was taken and the Council returned to regular session as 7:18 p.m.

NEW LIBRARY PROJECT AND COUNTY BOATHOUSE: The Council discussed a possible Library project and potential sites for the County's Boathouse. No action was taken.

RETURN TO EXECUTIVE SESSION: Motion by Goodlander, seconded by Kennedy to return to Executive Session under I.C. 67-2345 SUBSECTION F: To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probably litigation.

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

The session resumed at 8:19 p.m. Those present were the Mayor, City Council, City Administrator, Deputy City Administrator and City Attorney. Matters discussed were those of litigation.

No action was taken and the Council returned to regular session as 9:08 p.m.

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

The meeting adjourned at 9:08 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, CMC
City Clerk

RESOLUTION NO. 06-016

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVAL OF EXTENSION OF SUBDIVISION IMPROVEMENT AGREEMENT AND LETTER OF CREDIT FOR BELLERIVE SUBDIVISION; APPROVAL OF A SUB-LEASE EXTENSION WITH THE UNIVERSITY OF IDAHO; AND SD-11 AND APPROVAL OF CHANGE ORDER NO. 3 FOR THE WWTP PHASE 4B CONSTRUCTION.

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

- 1) Approval of Extension of Subdivision Improvement Agreement and Letter of Credit for Bellerive Subdivision;
- 2) Approval of a Sub-Lease Extension with the University of Idaho;
- 3) Approval of Change Order No. 3 for the WWTP Phase 4B Construction;

AND;

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

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

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

DATED this 21st day of March, 2006.

Sandi Bloem, Mayor

ATTEST

Susan K. Weathers, City Clerk

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

ROLL CALL:

COUNCIL MEMBER REID Voted _____

COUNCIL MEMBER GOODLANDER Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER HASSELL Voted _____

COUNCIL MEMBER KENNEDY Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

CITY COUNCIL

STAFF REPORT

DATE: March 21, 2006
FROM: Christopher H. Bates, Project Manager
SUBJECT: **Bellerive Subdivision, Extension of Subdivision Agreement Completion Date and Security Expiration Date**

DECISION POINT

Staff is requesting the City Council to extend the date of completion of the subdivision agreement for the Bellerive subdivision (formerly known as Riverwalk), and, approve the revised expiration date on the Letter of Credit that was furnished to guarantee the installation of the improvements.

HISTORY

1. September 2005, final plat approval, subdivision agreement and security installed for the Riverwalk subdivision w/ a date of completion of December 31, 2005.
2. March 2006, plat name is changed to Bellerive, and the required improvements that were bonded for have yet to be completed.

FINANCIAL ANALYSIS

There is no cost to the city. The City would be within their contract rights to attach the furnished Letter of Credit (\$589,752.00) and proceed with the completion of the improvements if it chose to do so. Extension of the completion deadline will require that the LOC be extended to one year from the new date of completion. The date of expiration for the revised LOC will be September 30, 2007.

PERFORMANCE ANALYSIS

The developer (Black Rock Development, Inc.) is making progress at completing the required improvements, therefore, extension of the timeframe for the completion to the 30th of September 2006 should allow them sufficient time to finish the work.

RECOMMENDATION

Approve the revised agreement and letter of credit.

AGREEMENT TO PERFORM SUBDIVISION WORK

THIS AGREEMENT made this ____ day of March, 2006 between BLACK ROCK , Development, Inc., with George Schillinger as Vice-president, whose address is PO Box 3070, Coeur d'Alene, ID 83814, hereinafter referred to as the "**Developer**," and the **City of Coeur d'Alene**, a municipal corporation and political subdivision of the state of Idaho, hereinafter referred to as the "**City**,"

WHEREAS, the City has approved, subject to completion of the required improvements, the Bellerive subdivision, a residential/commercial development with thirty four (34) lots, situated in the portions of Sections 10, 11 and 14, Township 50 North, Range 4 West, B.M., Kootenai County, Idaho, and has agreed that the final plat may be recorded; NOW, THEREFORE,

IT IS AGREED AS FOLLOWS:

The Developer agrees to complete the following improvements: curb removal and reinstallation, asphalt paving and appurtenances, storm drain system (swales, drywells & curb drops w/ aprons), water system and appurtenances (installation and reconstruction), fire hydrants and fire service (installation and reconstruction), sanitary sewer system and appurtenances (installation and reconstruction), sanitary sewer lift station, sidewalk and appurtenances (including pedestrian ramps), and street signage, as required under Title 16 of the Coeur d'Alene Municipal Code, on or before the 30th day of September, 2006. Said improvements are more particularly described on the subdivision improvement plans entitled "Riverwalk Planned Unit Development Plans", dated August, 2005, and stamped by Robert B. Wright, PE, # 8205, on file in the City Engineer's office and incorporated herein by reference.

The Developer, prior to recording the plat, shall deliver to the City, a Letter of Credit or other form of security that is acceptable to the City Attorney, in the amount of Five Hundred Eighty Nine Thousand Seven Hundred Fifty Two and 00/100 Dollars **(\$589,752.00)** securing the obligation of the Developer to complete the subdivision improvements referred to herein. The term of the security shall extend at least one year beyond the time within which the improvements are to be completed as provided herein, and a copy of such security is marked Exhibit "A" attached hereto and by reference made a part hereof. The security shall provide that upon failure of the Developer to complete the improvements within the time herein provided, the City may demand the funds represented by the security and use the proceeds thereof to complete or have the improvements completed. In the event the City completes the improvements as a result of the Developer's default, the Developer shall be responsible for any costs that exceed the posted security for the public improvements.

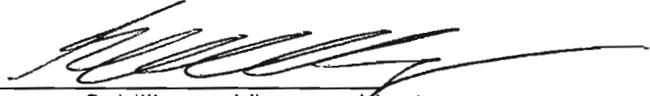
The Parties further agree that the City has utilized substantial staff time to prepare the agreement that will benefit the Developer. The Parties further agree the City should be reimbursed a reasonable fee for its costs to prepare such agreement. The Parties further agree that such fee should be in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

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

CITY OF COEUR D'ALENE

BLACK ROCK DEVELOPMENT, INC.

Sandi Bloem, Mayor



George Schillinger, Vice-president

ATTEST:

Susan K. Weathers, City Clerk

Date: March 13, 2006

Amendment to Credit No.
NZS552413
Amendment Number: 1

Applicant:
NW Properties, LLC
P.O. Box 3070
Coeur D' Alene, ID 83816

Beneficiary:
City of Coeur D' Alene
710 E. Mullan Avenue
Coeur D' Alene, ID 83814

This amendment is to be considered as part of the above credit and must be attached thereto.

The above-mentioned credit is amended as follows:

The date of expiry is amended to: September 30, 2007.

The following additional condition has been added:

The below signed and dated demand(s) statement appears on our Letter of Credit dated 08/31/05 has been deleted in its entirety.

"The undersigned, an authorized representative of the City of Coeur D' Alene (the "City") hereby demands US\$ [insert amount of drawing] under Wells Fargo Bank, N.A. Letter of Credit No. NZS552413 and certifies that the amount demanded is due to the City pursuant to that certain Agreement to Perform Subdivision Work dated [insert date] between Black Rock Development, Inc. and the City in connection with the Riverwalk subdivision, a residential/commercial development with thirty four (34) lots, situated in portions of Sections 10, 11 and 14, Township 50 North, Range 4 West, B.M. Kootenai County, Idaho."

The above stated statement has been replaced by the following:

"The undersigned, an authorized representative of the City of Coeur D' Alene (the "City") hereby demands US\$ [insert amount of drawing] under Wells Fargo Bank, N.A. Letter of Credit No. NZS552413 and certifies that the amount demanded is due to the City pursuant to that certain Agreement to Perform Subdivision Work dated [insert date] between Black Rock Development, Inc. and the City in connection with the Bellerive subdivision, a residential/commercial development with thirty four (34) lots, situated in portions of Sections 10, 11 and 14, Township 50 North, Range 4 West, B.M. Kootenai County, Idaho."

All other terms unchanged.



EISA OJHA (Authorized Signature)
ASSISTANT VICE PRESIDENT

Please contact Rajneet Singh by telephone at (415) 396-3617 or by fax at (415) 296-8905 or our helpline at 1-800-798-2815 option 1 regarding any inquiries.

The Wells Fargo logo consists of the words "WELLS" and "FARGO" stacked vertically in a white, bold, sans-serif font, centered within a solid black square.

TRADE SERVICES DIVISION, NORTHERN CALIFORNIA
ONE FRONT STREET, 21ST FLOOR
SAN FRANCISCO, CALIFORNIA 94111
Contact Phone: 1(800) 798-2815 (Option 1)
Email : sftrade@wellsfargo.com

IRREVOCABLE LETTER OF CREDIT

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

Letter of Credit No. NZS552413

Date: August 31, 2005

Ladies and Gentlemen:

At the request and for the account of NW Properties, LLC, P.O. Box 3070, Coeur d'Alene, ID 83816, we hereby establish our Irrevocable Letter of Credit in your favor in the amount of Five Hundred Eighty Nine Thousand Seven Hundred Fifty Two United States Dollars (US\$589,752.00) available with us at our above office by sight payment of your signed and dated demand(s) worded as follows with the instructions in brackets therein complied with:

"The undersigned, an authorized representative of the City of Coeur d'Alene (the "City") hereby demands US\$[insert amount of drawing] under Wells Fargo Bank, N.A. Letter of Credit No. NZS552413 and certifies that the amount demanded is due to the City pursuant to that certain Agreement to Perform Subdivision Work dated [insert date] between Black Rock Development, Inc. and the City in connection with the Riverwalk subdivision, a residential/commercial development with thirty four (34) lots, situated in portions of Sections 10, 11 and 14, Township 50 North, Range 4 West, B.M., Kootenai County, Idaho."

Partial and multiple drawings are permitted under this Letter of Credit.

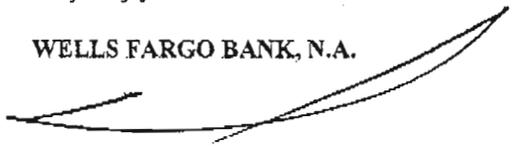
If any instructions accompanying a drawing under this Letter of Credit request that payment is to be made by transfer to an account with us or at another bank, we and/or such other bank may rely on an account number specified in such instructions even if the number identifies a person or entity different from the intended payee.

This Letter of Credit expires at our above office on December 31, 2006.

This Letter of Credit is subject to the Uniform Customs and Practice For Documentary Credits (1993 Revision), International Chamber of Commerce Publication No. 500, and engages us in accordance therewith.

Very truly yours

WELLS FARGO BANK, N.A.

BY: 

(AUTHORIZED SIGNATURE)

BRIAN T. O'CONNELL
VICE PRESIDENT

GENERAL SERVICES COMMITTEE

DATE: MARCH 13, 2006

FROM: WENDY GABRIEL, CITY ADMINISTRATOR

SUBJECT: UNIVERSITY OF IDAHO REQUEST TO EXTEND SUB-LEASE

DECISION POINT:

Whether the City Council will approve the extension of an existing sub-lease agreement between the University of Idaho and Kootenai County?

HISTORY:

The University of Idaho entered into a five-year lease agreement with the City of Coeur d'Alene on May 13, 2002 (hereafter referred to as "Master Lease"). Pursuant to the Master Lease, the University is authorized to occupy City property known as Harbor Center and to sub-lease portions of the property with the City's approval. The University currently subleases 2,362 square feet to Kootenai County. The sub-lease expires on October 31, 2006, and the University would like to extend the term of the sub-lease on a month-to-month basis not to exceed May 31, 2007, consistent with the University's term with the City. (Attachment "A")

FINANCIAL ANALYSIS:

Although the City will not see any rent proceeds from this arrangement, the University will require \$2268/month from Kootenai County. The University's ability to generate revenue allows it to offset costs associated with the maintenance and operation of Harbor Center and to support educational opportunities.

PERFORMANCE ANALYSIS:

It is reasonable to authorize the sub-lease extension consistent with the terms of the Master Lease. The University and the City will soon be exploring other partnerships regarding the use of Harbor Center, and extension of the sub-lease will not interfere with nor hinder that process.

RECOMMENDATION:

Staff recommends that the City Council authorize the sub-lease extension between the University of Idaho and Kootenai County as requested.

AMENDMENT TO SUBLEASE

This Sublease Amendment (Amendment) is made by and between the Regents of the University of Idaho (Lessor), and Kootenai County, a governmental subdivision of the State of Idaho (Lessee). This Amendment shall revise the Sublease (attached as Exhibit 1) of November 1, 2002, and shall become effective upon the date signed by the Lessor.

Now, THEREFORE, in consideration of the mutual promises contained herein, Lessor and Lessee agree as follows:

A. Section 1.5 and 3.1 of the Sublease are hereby amended to permit Lessee, at the end of the Term provided in said sections (October 31, 2006), to continue its occupancy of Premises on a month to month basis upon the terms and conditions set forth in the Sublease and this Amendment for a period not to exceed May 31, 2007. This month to month occupancy after the Term may continue until such time as either party notifies in writing the other party of its intent to terminate this Amendment's month to month term. Such notice of termination shall be provided at least thirty days prior to the notifying party's intended termination date of the month to month term. This Amendment does not modify or change the Term of the original sublease.

B. Section 1.6 of the Sublease is hereby amended to provide that the Base Rent during each month from February 2006 through October 2006 shall be in the amount of Two Thousand Two Hundred Sixty-eight Dollars (\$2268.00). In the event the Sublease is extended on a month to month basis as provided above, Base Rent shall remain Two Thousand Two Hundred Sixty-eight Dollars (\$2268.00).

C. All other provisions of the Lease are unchanged and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the date(s) set forth below.

LESSEE

LESSOR

By: _____

Nancy Dunn, Vice-President
Finance & Administration

Its: _____

Date

Date

Attest: _____

**PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: March 13, 2006
FROM: David E. Shults, Capital Program Manager *DES*
SUBJECT: Change Order #3 to Agreement with Contractors Northwest for WWTP Phase 4B

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DECISION POINT:

The City Council is requested to approve Change Order #3, for an increased cost of \$106,274 to the City's agreement with Contractors Northwest, Inc. for a total construction contract amount of \$11,117,956.

HISTORY:

Ten months of progress have been made toward construction of the twenty-month Phase 4B project. Most of the difficult site work and below ground piping relocations are completed, construction of the belowground utilidor and massive wet well and building foundations are nearly complete. And installation and commissioning of the centrifuge is nearly complete. The project has encountered an assortment of additional conflicts that have been addressed and resolved by a team effort between the contractor, HDR Engineering, and City staff. Proposed Change Order #3 addresses these issues, and is described in the attached letter that describes each of the separate change items to the construction contractor's work.

FINANCIAL ANALYSIS:

Early Effluent Pumping Improvements	108,000	
Phase 4B Design	\$1,090,000	
Construction Engineering, Inspection, Startup	1,429,000	
Initial Construction Bid	10,949,000	
Previously approved Change Orders #1 & #2	62,682	
Proposed Change Order #3	106,274	
Centrifuge Prepurchase	324,000	
Utility Relocation and Additional Power Feed	178,000	
<u>Admin Expenses</u>	<u>100,000</u>	
Total Phase 4B	14,346,956	
Project estimate at bid time, including 5% contingency	14,827,000	
Budget	2005/2006 City Budget (Year 5 of 6)	7,800,000
Funding	Wastewater cash reserves and loan from Idaho DEQ payable at 3.75% interest over 20 years	

DISCUSSION:

Change Order #3 includes a total of 23 changes. Nine items are associated with resolution of belowground piping issues. Three items will improve the appearance and irrigation of the landscaped berm next to Harbor Center. Three items are necessary to complete the design for necessary electrical connections. Two items modify the design of the foundation walls. One item changes the design of the two skylights to allow removal in one piece by a crane. Three items provide credits to the project for reduced work in supply of the entrance gate, the flexible connectors for odor control ducts, and the stop gates for various channels in the headworks building. And two items are associated with improvements and delays regarding the refurbishment of the coatings on primary clarifier #2. Wastewater staff and the City's consulting engineer negotiated the proposed changes and costs with CNI to allow the project to advance without undue delay. The change order adds 20 calendar days for completion of the entire project due to delay associated with the City's difficulty in turning a completely dewatered clarifier over to the contractor for coating refurbishment.

The change orders presented are considered to be normal for this type of construction, and the project is well within budget. The total change order percentage to date, expressed as a comparison to the original construction bid amount, is 1.5 %.

DECISION POINT/RECOMMENDATION:

The City Council is requested to approve Change Order #3, for an increased cost of \$106,274 to the City's agreement with Contractors Northwest, Inc. for a total construction contract amount of \$11,117,956.

Attachment

des1166

08042...24390/5.2.10/C.O. #3

RECEIVED**MAR 08 2006**

March 7, 2006

WASTEWATER

Mr. Dave Shults, Capital Program Manager
City of Coeur d'Alene Wastewater Division
710 E. Mullan Ave.
Coeur d'Alene, Idaho 83814

**RE: City of Coeur d'Alene Wastewater Treatment Plant
Phase 4B Upgrade and Expansion Project
Change Order No. 3**

Dear Dave:

Please find attached, for your review and approval, the recommended Change Order No. 3 for the above referenced project. This Change Order incorporates the following proposed change items, including Project Change Orders (PCOs) and Change Proposal Requests (CPRs).

PCO F (CPR 4 & 31) - Landscape Modifications at North End. During landscaping work on the north end of the site, a number of questions arose regarding the new irrigation system tie-in with the existing irrigation system, grading issues associated with the installation and extension of the block retaining wall 15 feet to the west, installation of a retaining wall to be built around a Maple tree's base, and the extension of the block retaining wall to match actual grade conditions. This change item resulted in an additional cost to the project of \$8,336. This additional cost includes additional labor and materials costs associated with sprinkler modifications completed in May, 2005, added block wall at the east end and west end of the north retaining wall, and added block wall at the existing Maple tree that was saved during construction. The result was a better site grading concept, improved irrigation at the north end of the site, and protection of a large Maple tree in the landscaping area.

PCO J - Removable Skylight. During the submittal process, the City of Coeur d'Alene requested that the sky lights at the Solids Building be modified as single-piece removable units. This would enable the skylights to be more easily removed by a crane when it is positioned to remove the centrifuge or belt filter press out of the skylight openings. The new skylights will be installed on a structural support frame and supported from the existing curbs on the building roof. This change item resulted in an additional cost of \$9,605 to the project and resulted in a more safe, efficient and effective mechanism for removal of the skylights at the Solids Handling Building.

PCO K (CPR 15) - Replace 2W & 3W Water Lines. During excavation activities on-site in the vicinity of the primary clarifiers, severely corroded #2W and #3W pipelines were encountered. Several of the pipes were leaking. Due to the fact that other pipeline work was ongoing in the area, and replacement could be more cost effective in the long run versus repairs, the City decided to replace corroded portions of the #2W & #3W waterlines. The metallic pipelines were replaced with polypropylene pipe to avoid future problems with the pipelines installed under new asphalt. This change item resulted in an additional cost to the project of \$13,090. The costs associated with this change included excavation and exposing of approximately 300 feet of 1 IN and 2 IN water piping, installation of new pipe fittings, piping and isolation valves, and installation of tracer wires for future identification of the pipelines during site excavation activities.

PCO R (CPR 29) - Remove and replace 1 ½" Gas Line in the North Utilidor Area. During installation of the new Utilidor, it was decided that the existing metallic 1 ½" gas line in the vicinity should be re-routed and replaced. The pipeline was extended all the way to the existing gas meter, in lieu of only to the place where it was required to be removed for construction as shown on the plans. In addition to excavation of the additional pipeline trench, this change item also included installation of the new piping materials that was to be originally installed by Avista Corporation under a separate arrangement with the City.

Avista Corporation later determined that they would not complete the pipe installation within the treatment plant site as originally planned by the Contract. To do this work, it was requested that the Contractor complete the additional piping and trenching under a time and materials basis. This change item resulted in an additional cost of \$4,979 to the project. The result of this change item was installation of a new gas pipeline replacing a corroded steel pipeline and completion of work that was originally included in the scope of work for Avista Corporation. The City has removed the pipeline installation from the scope of work for Avista Corporation.

PCO S (CPR30) – Clarifier Exterior Sealant. The existing Primary Clarifier No. 2 was treated with Xypex waterproof coating to seal cracks in the existing concrete structure. Upon completion of the Xypex coating effort, it was evident that the coating appearance did not match the exterior coating of nearby Primary Clarifier No. 1. In order to provide a more aesthetic final product, the contractor proposed to add a clear sealant agent with color tinting to provide for a clean and uniform grey surface to match the other clarifier. This change resulted in an additional cost of \$2,213 to the project.

PCO T (CPR13A) – 2 IN Irrigation Line Filtration. The north end landscaping areas were originally designed with a drip-type irrigation system to water the plantings in the area. The original design planned for the use of river water for supply to the drip system and other irrigation facilities. After reviewing this concept with the landscape contractor, it was determined that there was the potential for fouling of the drip system that would cause additional system maintenance. An in-line irrigation water filter was installed in the system to address the concern for fouling due to the use of the river water source.

After operating the filter system with the existing river water pumping system, it was determined that the filter would not function at the location installed and was removed again from service. This was a result of lack of as-built details on the existing piping installation. This change item added a cost of \$1,879 to the project and addresses the removal of the irrigation filter and re-connection of the irrigation system piping. Some additional investigation and re-installation of the filter system will be required when the irrigation system is finalized this spring.

PCO U – Temporary Feed to Centrifuge. During investigation of the electrical power feeds to the new centrifuge in the Solids building, it was determined that the new centrifuge would require temporary power to meet the contract time schedule. This temporary power feed was not included as part of the original project design. This change item provides for installation of a 200 amp circuit breaker installed in an existing motor control center in the Solids Handling Building to provide power for the new equipment. Upon installation of the new motor control equipment in the solids handling building, this power feed breaker will remain as a spare unit. This change item added \$2,873 to the project.

PCO X – Bike Path Steel Bollards. This change item includes the addition of two 4 IN diameter x 6 Ft long steel safety bollards and safety chains at the entrance of the future bike path at the Northeast corner of the north perimeter landscape berm. The barrier is needed to restrict access to the berm and dike until future development of a paved bike path. This work was not included as part of the original project design and was determined to be added value to the bike path facilities in the area. This change item resulted in an addition of \$1,040 to the project.

PCO Y – Fiberglass Stop Gate Changes. During the shop drawing review process for the fiberglass stop gates in the Influent Pumping Station, the City personnel determined that three gates could be eliminated from the project as a cost savings measure. In addition to removal of the three gates, the City also requested the Contractor add extension handles on the remaining gates to make them easier to remove and install. This change item resulted in a credit to the project of <\$1,458>.

PCO Z – Entrance Gate Modification. During the shop drawing process for the plant entrance gate, the fencing subcontractor approached the City with a cost savings measure that would replace the fabricated steel entrance gate with a lighter aluminum gate system. The alternative gate configuration would be constructed in a manner to architecturally match the original gate design, yet would be lighter weight and allow installation of a cantilevered gate operation design. The lighter gate will be easier to operate and maintain. This project change resulted in a cost savings to the project of <\$1,942>.

PCO AA - Solids Building Pipe Bypass Piping. During the initial startup planning for the Solids Building centrifuge installation, it was determined that a bypass pipeline was necessary for the belt filter press, grit handling and centrifuge drain flows to flow directly to the Influent Pumping Building. The flows from these drains were originally to be combined with the Fort Grounds sanitary sewer mainline where it enters the site. During

the initial phases of the construction sequence, the Fort Grounds flows need to be pumped by a temporary pumping system. By re-routing the Solids Building drains, the pumping service required by the temporary pumping station was minimized to place less risk on the bypass pumping of the Fort Grounds sanitary main.

By installing the bypass arrangement, the City was also able to minimize impacts to the plant operations and plant personnel by enabling the plant to continue to collect correct influent sampling readings. The change item resulted in an additional cost of \$4,932 to the project. The change item included installation of approximately 100 feet of 6 IN drain line, and temporary extension of the drain via gravity to the existing Influent Pumping Station. Since the pipe was going to be routed along the ground, the Contractor was directed to provide a heat trace and pipe insulation for the line to prevent freezing.

PCO BB - Field Order No. 7 Concrete Reinforcement Addition. The design of reinforcing steel described on sheet S109, section D on the south wall of the Influent Pumping Station, was changed to improve constructability for the actual field conditions at the perimeter wall of the building. This was a structural modification to the original design that was identified during the field inspection and resulted in an additional cost of \$925 to the project.

PCO CC - Excavation of Eroded #3W Piping and Replacement. A water leak developed on the existing #3W piping located on the north side of the north/south Utilidor segment. After determining the leak was not a result of construction activities, the City plant personnel requested assistance from the Contractor to provide a piece of equipment to excavate down and locate the leak. City personnel then made repairs to the leak. This change item resulted in an additional cost of \$1,021 to the project and resulted in an efficient repair for the existing plant pipeline.

PCO DD (CPR 32) - Centrate Line Change. During the installation of the new 4 IN centrate pipeline discharging to the existing old digester complex, City crews identified that the designed connection was not at the preferred location. In addition to rearrangement of the pipe work, an additional isolation plug valve was requested by the City to improve operations flexibility and system maintenance access. This change item resulted in an additional cost of \$3,963 to the project and improved operations and maintenance access for the 4 IN centrate force main pipeline.

PCO EE (CPR 42) - Foul Air Penetrations. During the field layout for the Influent Pumping Station wetwell, a need for additional foul air ventilation ports at the wetwells was discovered. It was determined that core drilling four 12 IN diameter openings in the wetwell walls would be less expensive than installing wall sleeves. The Contractor proposed core drilling the wall so as not to delay their concrete placement schedule. This change item resulted in a cost to the project of \$2,995 and added needed air ventilation ports in each of the two wetwell chambers. Ventilation of the chambers will ensure corrosive and explosive gasses will not accumulate in the wetwells.

PCO GG - Foul Air Flex Connections. The contractor, and their foul air duct supplier, Spunstrand/PSI, recommended a cost savings measure for the Foul Air FRP ducting flexible connections. The Contractor suggested utilizing the same flexible duct connection already in use at locations at the plant in lieu of the specified flanged flexible connections. The benefits of the simpler proposed connectors outweighed those of the higher cost pre-fabricated flanged flexible connections originally specified. HDR and the City agreed to the cost savings measure that resulted in a cost credit of <\$13,808> to the project.

PCO II- Heat Tape At Centrate Panel. Heat tracing is required for the centrate force main at the location where the force main enters the existing old digester complex. The power source for the heat tape was not shown on the design drawings. Extra work was involved in installation of an electrical circuit for powering the heat tracing. This change item included approximately 50 feet of conduit, power wiring and a circuit breaker to be added to the centrate pumping panel. The change item resulted in an additional cost of \$912 to the project.

PCO JJ - Increase Conduit Size for Site Electrical Ducts. A discrepancy in the electrical plans and electrical schedule was identified during layout of the electrical duct banks at the south end of the project site. Sheet E13 showed conduits 0750 / 7556A to be 1 ½ IN, and on Sheet E753, Note 3 indicated to reuse existing conduit for the Centrifuge Panel in the Solids Building. To provide the electrical service necessary, a 2 IN conduit was installed. In addition to the conduit addition, core drilling of the Solids Building wall for the increase in conduit size was needed. This change item resulted in an additional cost of \$1,136 to the project.

PCO KK (CPR 47) - Relocate Plumbing and Electrical in Solids Building. During installation of the new centrifuge solids feed pumps (P-7851 and P-7852) in the basement of the Solids Building, several piping and electrical conduit conflicts were identified where the new solids feed piping needed to be routed. This required extra work from the Contractor to enable installation of the new piping in the identified routes. The work involved re-locating several small diameter plumbing lines and a START/STOP electrical switch for an existing pump in the vicinity. The change item, that allowed installation of the new sludge feed piping, resulted in an additional cost of \$3,810 to the project.

PCO NN - Demolish and Cap 36 IN Storm Drain. Design drawings were not sufficiently clear to allow the contractor to know what to do with a section of 36 IN Storm Drain pipeline that was required to be demolished just east of the Storm Water Pump Station. The Contractor provided additional work to finish full demolition of the pipe and to cap the abandoned opening in the pumping station wall. The change item resulted in a cost of \$2,996 to the project.

PCO OO- Relocate THS 6 IN Drain Line. The existing 6 IN THS pipeline was found during construction to be in the way of construction of the Utilidor, and not where the design showed it to be. It must remain in service during construction. The Contractor

re-located the pipeline to the north of the Utilidor as necessary. This change item resulted in an additional project cost of \$2,316.

PCO PP (CPR 48) – Repair 36 IN Storm Drain Leak. During the excavation for the N/S Utilidor installation, it was discovered that the existing 36 IN Storm Drain line was leaking at the joint just upstream of the connection to the Storm Drain Pumping Station. After determining that the leakage was not a result of the construction activities in the area, the Contractor was requested to make the necessary repairs to stop the leakage. This change item involved additional excavation to fully expose the pipeline joint and placement of a joint sealant and 12 IN concrete collar at the joint. The change item resulted in repair of the leaking storm drain at an additional cost of \$1,811 to the project.

PCO RR- Primary Clarifier #2 Coating Delay and Weather Protection. The Contractor requested compensation and a time extension for completing of the project as a result of delay by the City in turning over the completely drained tank for coating refurbishment work to begin. Much difficulty was experienced in shutting off the process water due to the lack of a system shutoff valve. The City crews and the Contractor tried many ways of plugging and damming the small amount of water that continued to enter the basin. Initially, the Contractor claimed that the City was totally responsible for turning over the drained clarifier as many as 50 calendar-days later than requested, and asked for full compensation for the costs associated with providing a tent to allow the work to continue when cold, wet weather began.

The Contractor and their coating subcontractor contended that their bid was based on work being done without a tent during the summer months, and that all additional costs associated with a late start in the coating work should be the City's responsibility. The City and HDR contended that, if not for inefficient scheduling and equipment breakdowns, the coating contractor had plenty of time to accomplish the work before cold weather tenting and heating became necessary. To further complicate the situation, the original painting subcontractor discontinued work on the project, and delays occurred in obtaining a new subcontractor to complete the work. After lengthy negotiations and compromises, an agreement was reached between project personnel that would share the responsibilities for delay and tenting.

This change item addresses the compromised settlement reached, where the City would agree to pay for 1/3 of the extended field supervision costs associated with 14 calendar days of additional field supervision time, and 1/3 of the costs associated with the tenting and heating of Primary Clarifier No. 2. The settlement amount resulted in a cost increase to the project of \$52,650 for this issue.

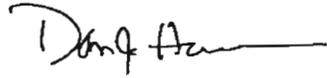
Change In Contract Time. As part of the settlement of the Primary Clarifier No. 2 delay and weather protection issue summarized above, the City would agree to extend the Contract Time by Twenty (20) Calendar-days.

Mr. Dave Shults
Change Order No. 3
Page 7

I trust that the above provides sufficient summary of the change items associated with Change Order No.3. Please contact me immediately if you require additional explanation or information.

Sincerely;

HDR ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Dan J. Harmon", with a long horizontal flourish extending to the right.

Dan J. Harmon, P.E
Project Engineer

c. Bob Boucher, HDR
Chris Kelly, HDR

CHANGE ORDER NO. 3

OWNER: City of Coeur d'Alene, ID

DATE: March 7, 2006

CONTRACTOR: Contractors Northwest, Inc.

HDR NO. 08042-038-103/.24390

PROJECT: City of Coeur d'Alene Wastewater Treatment Plant
Phase 4B Upgrade and Expansion

CONTRACT DATE: May 19, 2005 NTP

It is agreed to modify the Contract referred to above as follows:

Provide all labor and materials necessary for installation of the work outlined in CNI's PCO Items F, J, K, R, AA, BB, CC, DD, EE, GG, II, JJ, KK, NN, OO, PP and RR and associated CPRs. The cost summary of this Contract modification is as follows:

<u>PCO</u>	<u>Description</u>	<u>Cost</u>
F (CPR 4 & 31)	LANDSCAPE MODS AT NORTH BERM	\$8,336.00
J	REMOVABLE SKYLIGHT	9,605.00
K (CPR 15)	REPLACE 2W & 3W WATER LINES	13,090.00
R (CPR 29)	R & R 1 1/2" GAS LINE, NORTH UTILIDOR	4,979.00
S (CPR 30)	CLARIFIER #2 XYCRYLAC APPLICATION	2,213.00
T (CPR13A)	2" POTABLE WATER LINE CONNECTION	1,879.00
U	TEMPORARY FEED TO CENTRIFUGE	2,873.00
X	BIKE PATH STEEL BOLLARDS	1,040.00
Y	FIBERGLASS STOP GATE CHANGES	(1,458.00)
Z	GATE CONFIGURATION	(1,942.00)
AA	SOLIDS BUILDING PIPE BYPASS	4,932.00
BB	FIELD ORDER 7, REBAR CHANGE	925.00
CC	EXCAVATION OF ERODED 3"2W	1,021.00
DD (CPR 32)	CENTRATE LINE CHANGE	3,963.00
EE (CPR 42)	FOUL AIR PENETRATIONS-WETWELL	2,995.00
GG	FOUL AIR FLEX CONNECTIONS	(13,808.00)
II	HEAT TAP AT CENTRATE PANEL	912.00
JJ	INCREASE CONDUIT SIZE	1,136.00
KK (CPR 47)	RELOCATE PIPE PLUMBING, SOLIDS BLDG	3,810.00
NN	DEMO & CAP 36" STORM DRAIN	2,996.00
OO	RELOCATE THK 6" DRAIN LINE	2,316.00
PP (CPR 48)	FIX 36" STORM DRAIN LEAK	1,811.00
<u>RR</u>	<u>CLARIFIER DELAY AND WEATHER PROTECTION</u>	<u>52,650.00</u>
Change Order No. 3	Total Amount	\$106,274.00

PART 1 - CHANGE ORDER SUMMARY

Original Contract Price:	\$10,949,000
Contract Price prior to this Change Order	\$11,011,682
Net Increase/Decrease of this Change Order	<u>\$ 106,274</u>
 Revised Contract Price With All Approved Change Orders	 \$11,117,956

CHANGE ORDER SUMMARY (CONT.)

Contract Time:

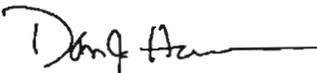
	Bid Item No. 2 Substantial Completion	All Other Work Substantial Completion	Final Completion of All Work
Contract Time Prior to this Change Order	347 Calendar Days	516 Calendar Days	600 Calendar Days
Net increase of this Change Order	0 Calendar Days ⁽¹⁾	20 Calendar Days ⁽¹⁾	20 Calendar Days ⁽¹⁾
Revised Contract Time With All Approved Change Orders	347 Calendar Days	536 Calendar Days	620 Calendar Days

(1) Time adjustment associated with extended time for schedule impacts and extra work included in PCO #RR, associated with the added work for isolation of the Primary Clarifier launder from process flows. The added time for isolation and turn-over of Primary Clarifier No. 2 to the Contractor for their construction activities resulted in additional weather protection and work effort to enable the coatings system application in the clarifier to continue. The amount of this Change Order constitutes the negotiated full compensation to the Contractor for all direct, indirect, delay impacts and all other cost and damages whether known or unknown, arising from or relating to the subject matter of this Change Order and extra work as noted in PCO #RR. Except as modified by this Change Order, the basic Contract shall remain in full force and effect.

PART 2 - CHANGE ORDER APPROVAL

This Change Order, when executed by the parties to the Contract, amends the Contract and, as so amended, all terms and conditions of the Contract remain unchanged and in full force and effect. Payment and any time extension provided in this Change Order are full and complete compensation to the Contractor for the change(s) to the work, deleted work, modified work, direct or indirect impact on the Contractor's schedule, and for any equitable adjustment or time extension existing at the time of the execution of this Change Order to which the Contractor may be entitled, pursuant to the Contract between the Owner and Contractor or any other basis whatsoever. The changes included in this Change Order are to be accomplished in accordance with the terms, stipulations and conditions of the original contract as though included therein.

Accepted for Contractor By: _____ Date: _____, 2006

Approved for HDR Engineering By:  Inc. Date: March 1, 2006

Approved for Owner By: _____ Date: _____, 2006

Distribution: Owner, Contractor, Office, Field, Other

PUBLIC WORKS COMMITTEE

STAFF REPORT

DATE: March 13, 2006
FROM: Gordon Dobler, Growth Services Director
SUBJECT: Approval of Standard Drawings

DECISION POINT

Staff is requesting approval of various standard drawings which have been recently revised.

HISTORY

As part of our effort to create an ADA compliance plan we have identified the need to add several different types of curb ramps and driveways to our standards. In addition, the water meter drawings need to be updated to accommodate the new radio read meters. We have also developed a standard for a swale drain that will improve the drainage characteristics of swales.

FINANCIAL ANALYSIS

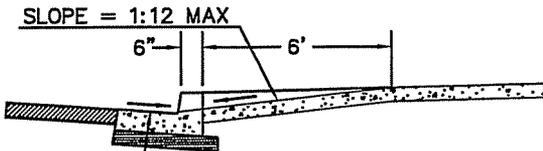
There is no cost associated with adopting the standards. There may be a small cost differential to property owners and developers in implementing the new standards.

PERFORMANCE ANALYSIS

The new standards will allow a variety of curb ramps. This will result in better accessibility. The meter box standards will accommodate the new meters, and the swale drains will improve the permeability of swales in new construction and in retrofit situations.

RECOMMENDATION

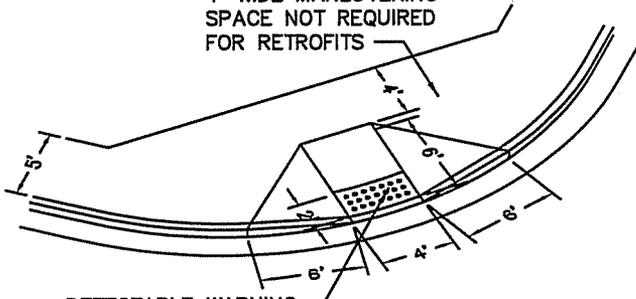
Staff recommends that the Committee direct staff to prepare a resolution approving the attached drawings.



SLOPE = 1:20 (5%) MAX
1" MAX DROP FROM
GUTTER LIP TO FLOWLINE

SECTION VIEW

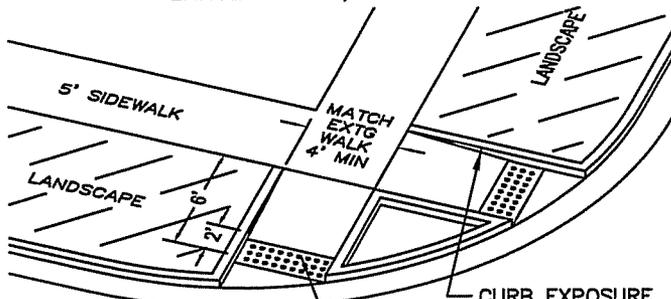
4' WIDE MANEUVERING
SPACE NOT REQUIRED
FOR RETROFITS



DETECTABLE WARNING
PATTERN - SEE DETAIL

TYPE 'A'

LARGE RADIUS, SINGLE RAMP

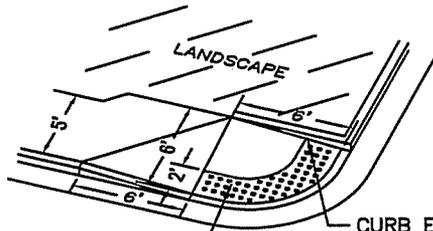


DETECTABLE WARNING
PATTERN - SEE DETAIL

CURB EXPOSURE
TAPERS FROM
6" AT STREET TO
0" AT SIDEWALK

TYPE 'C'

LARGE RADIUS, DOUBLE RAMP,
DETACHED SIDEWALK

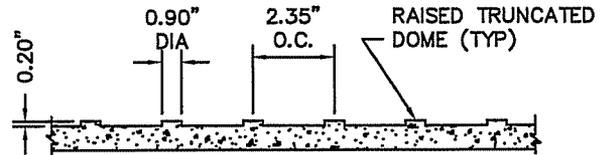


DETECTABLE WARNING
PATTERN - SEE DETAIL

CURB EXPOSURE
TAPERS FROM
6" AT STREET TO
0" AT SIDEWALK

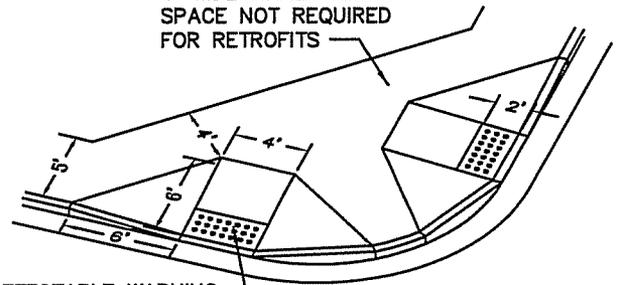
TYPE 'E'

SMALL RADIUS, SINGLE RAMP,
SIDEWALK ONE DIRECTION



DETECTABLE WARNING PATTERN
"ARMOUR TILE" OR APPROVED EQUAL

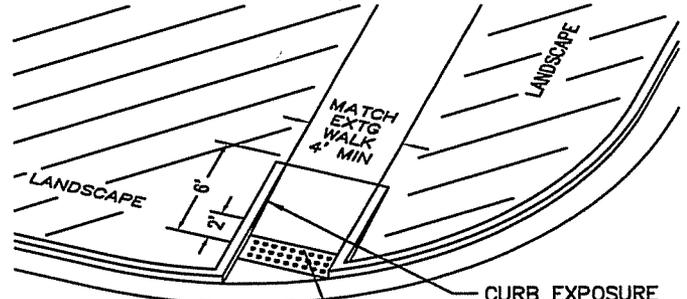
4' WIDE MANEUVERING
SPACE NOT REQUIRED
FOR RETROFITS



DETECTABLE WARNING
PATTERN - SEE DETAIL

TYPE 'B'

LARGE RADIUS, DOUBLE RAMP



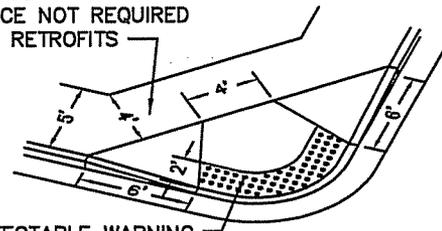
DETECTABLE WARNING
PATTERN - SEE DETAIL

CURB EXPOSURE
TAPERS FROM
6" AT STREET TO
0" AT SIDEWALK

TYPE 'D'

ALL RADIUS, SINGLE RAMP,
DETACHED SIDEWALK

4' WIDE MANEUVERING
SPACE NOT REQUIRED
FOR RETROFITS



DETECTABLE WARNING
PATTERN - SEE DETAIL

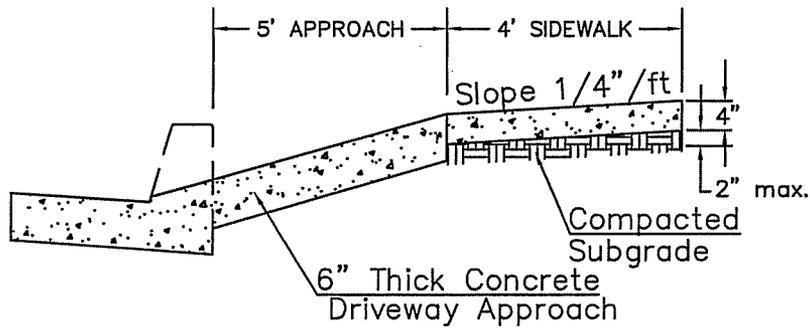
TYPE 'F'

SMALL RADIUS, SINGLE RAMP,
SIDEWALK BOTH DIRECTIONS

NOTES:

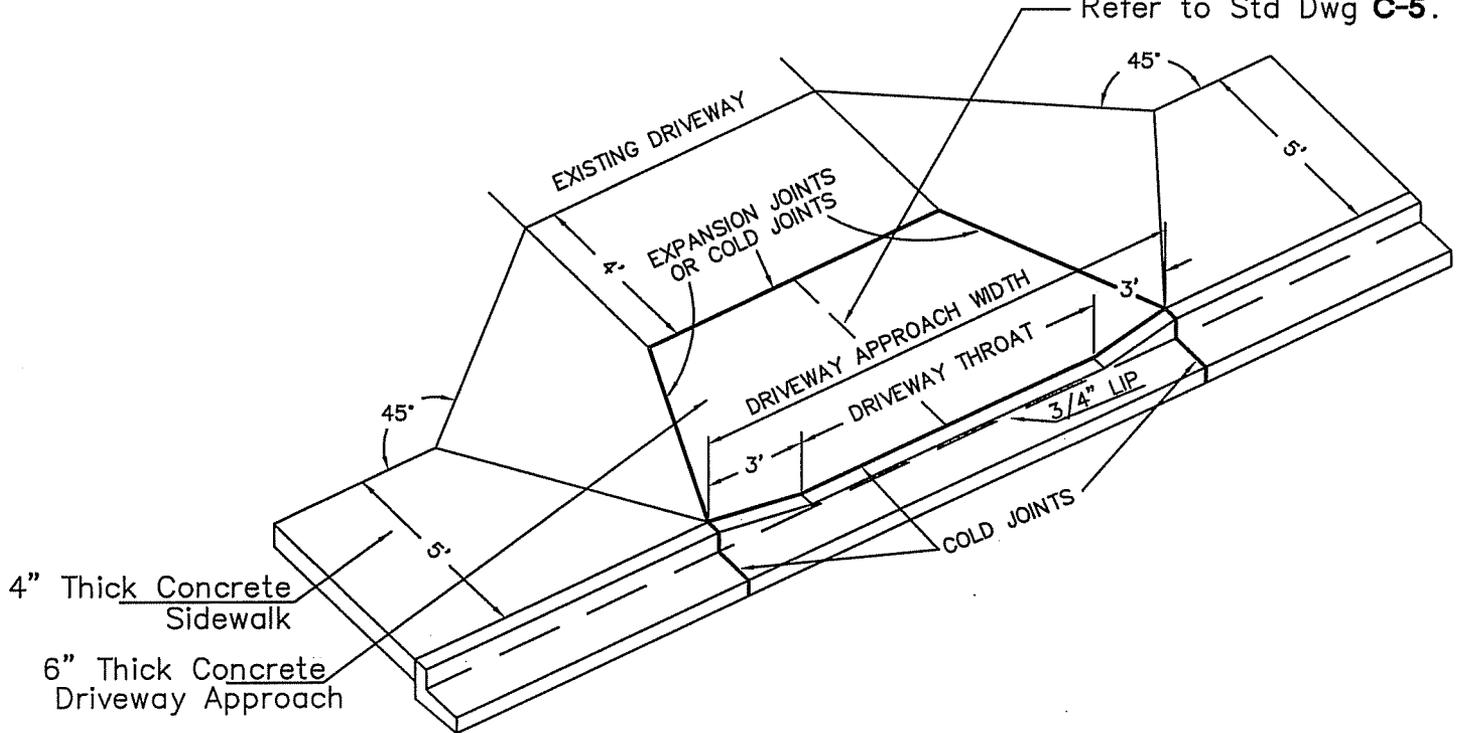
1. RAMP SHALL NOT CONFLICT WITH EXISTING CATCH BASINS OR DROP INLETS.
2. DIMENSIONS SHOWN ASSUME 6" CURB HEIGHT.
3. ALL RAMP SLOPES SHALL BE 1:12 MAXIMUM.

REVISION	APPROVED	DATE	CITY OF COEUR d'ALENE STANDARD DRAWING	APPROVED BY:		
				PEDESTRIAN RAMP	CITY ENGINEER, PE 7432	DATE:
					DWG NO.	C-12



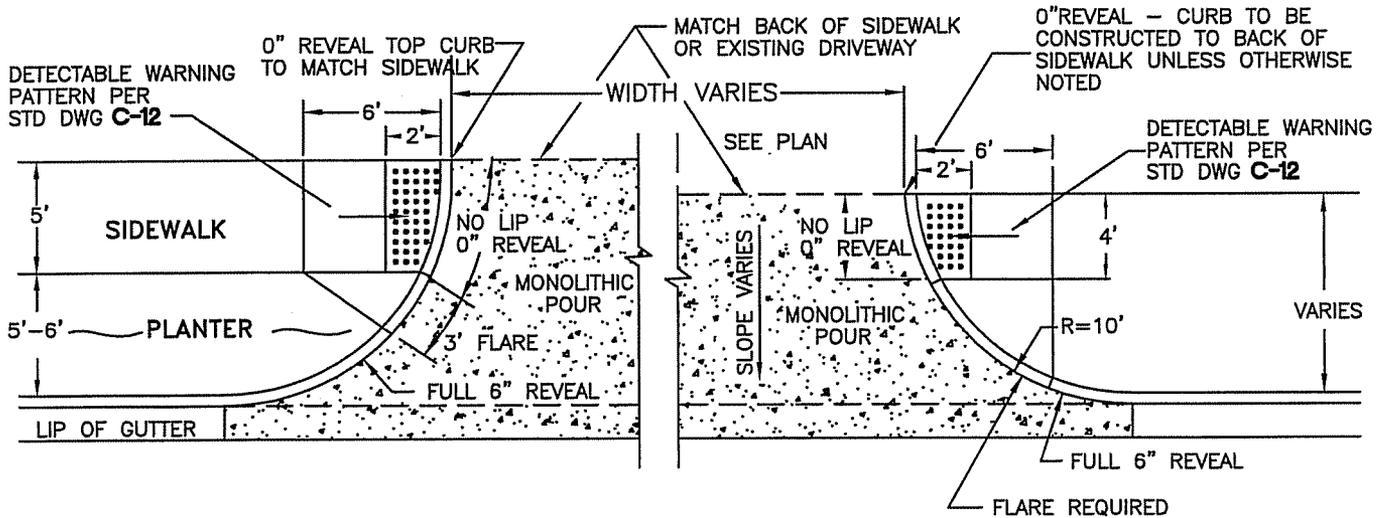
APPROACH SECTION

Weakened Plane Joint Required when Driveway Width Exceeds 24 Feet Refer to Std Dwg **C-5**.

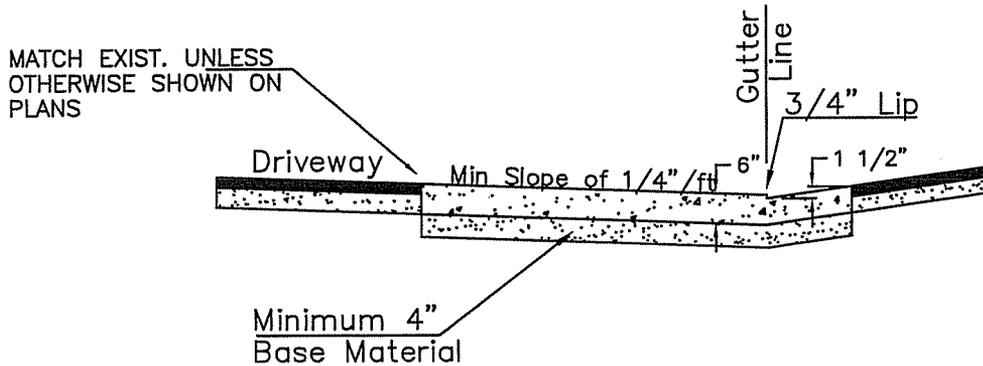


1. Residential approach width – 16' Min. – 36' Max.
2. Commercial approach width – 18' Min. – 40' Max.
3. See Std. Dwg. **C-11** for Driveway Locations.
4. Concrete shall be a minimum 28 day compressive strength of 3000 PSI.

REVISION	APPROVED	DATE	CITY OF COEUR d'ALENE STANDARD DRAWING	APPROVED BY:
			STANDARD DRIVEWAY APPROACH w/o PARK STRIP	CITY ENGINEER, PE 7432
				DWG NO. C-6A
				DATE:



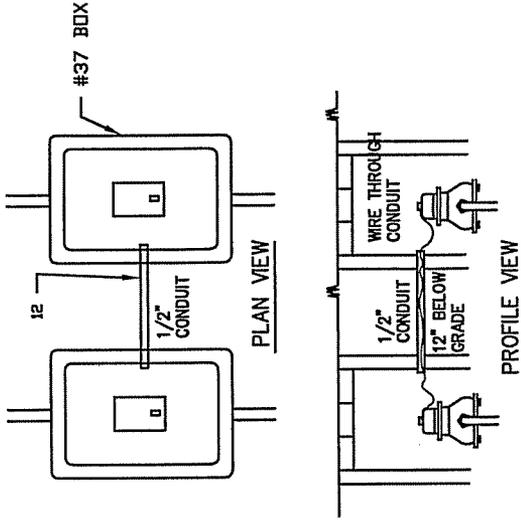
PLAN
RADIUS APPROACH
 NOT TO SCALE



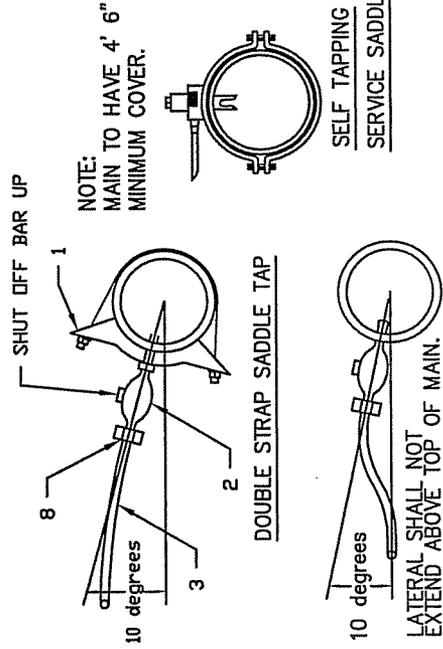
- NOTES:
1. Pedestrian ramps shall be installed as required by City of Cd'A.
 2. Radius shall be a minimum of 10 feet.
 3. Concrete shall have a 28 day compressive strength of 3000 PSI.

REVISION	APPROVED	DATE	CITY OF COEUR d'ALENE STANDARD DRAWING	APPROVED BY:	
				URBAN APPROACH	CITY ENGINEER, PE 7432
			DWG NO.		C-9

REQUIRED FOR DUAL SETTING
METER BOX RADIO READ 1/2" CONDUIT



APPROVED TAPPING METHODS



DIRECT TAP

CITY OF COEUR D'ALENE WATER DEPT.
STANDARD DRAWING

1" METER WITH COPPER SETTING

C:\WATERDEPT\CDRAW\01E.DWG

MARCH 1, 2005

MINIMUM 6" MAXIMUM 12" FROM BACK
OF CURB OR SIDEWALK

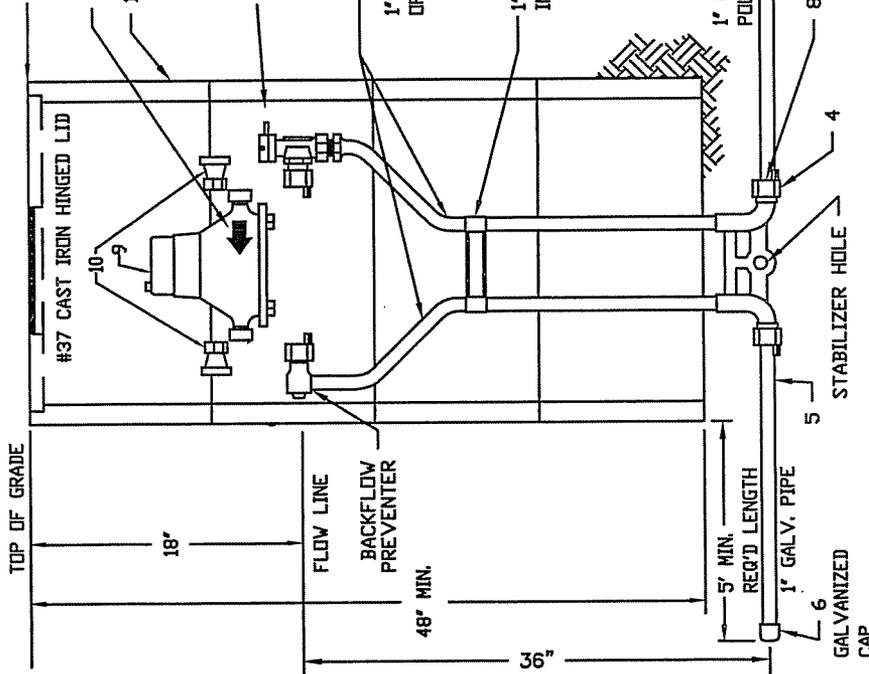
METER ARROW POINT TO CUSTOMER

ANGLE STOP MUST HAVE
SUFFICIENT CLEARANCE

1" MULLER COPPER METER SETTER
OR APPROVED EQUAL

1" COPPER SETTER ABOVE 15"
IN HEIGHT MUST HAVE A TIE BAR.

1" REQ'D LENGTH 1" IP SIZE
POLYETHYLENE PIPE CLASS 200



APPROVED TAPPING METHOD AND PARTS

ITEM NO.	NO. REQ'D.	DESCRIPTION
1	1	1" DOUBLE STRAP SERVICE SADDLE OR SELF TAPPING SADDLE
2	1	1" x 1" POLY PACK JOINT BRONZE CORPORATION COCK
3	1	1" x REQ. LENGTH - USE PIPE SIZE, 200 PSI POLYETHYLENE SERVICE LINE
4	1	1" IPS x 1" POLY PACK JOINT ADAPTER
5	1	1" x REQ. LENGTH - USE GALVANIZED IRON PIPE BACK SIDE
6	1	1" GALVANIZED CAP
7	1	1" COPPER SETTER
8	2	1" POLY INSERTS
9	1	3/4" SENSUS SR II RADIO READ METER (METER LENGTH=7 1/2")
10	2	#24 ADAPTERS
11	4	#37 BROOKS CONCRETE BOXES OR APPROVED EQUAL
12	1	4 BOXES @ 17"x24" ONE WITH FLOPPY LID. 1/2" CONDUIT

NOTE: STABILIZER BAR MUST BE USED FOR SETTINGS HAVING POLYPIPE ON BOTH FRONT AND BACK SIDES.

NOTE: NO PRIVATE CONNECTIONS OR FITTINGS ALLOWED INSIDE THE METER BOX.

NOTE: POLYPIPE MAY BE USED WHEN CONNECTING TO AN EXISTING SERVICE.

NOTE: ALL MATERIAL TO CONFORM TO NSF-61 STANDARDS. LEAD FREE BRASS OR EQUAL

REVISION	APPROVED	DATE

CITY OF COEUR d'ALENE STANDARD DRAWING

3/4" AND 1" STANDARD PIT SETTING

APPROVED BY:	DATE:
CITY ENGINEER, PE 7432	
DWG NO.	W-1

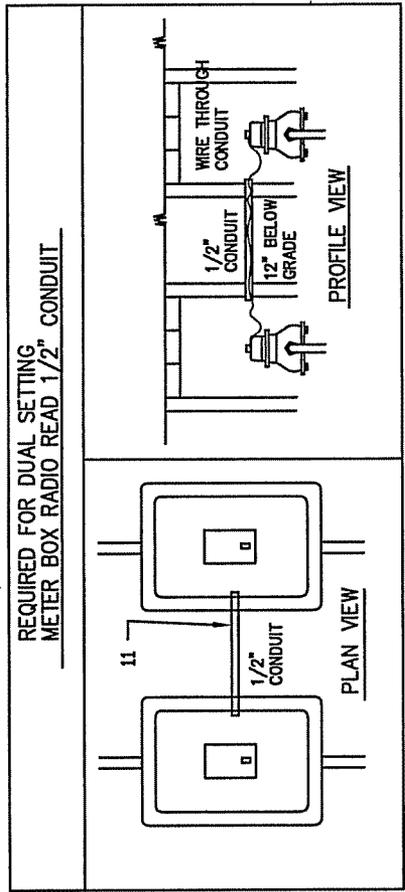
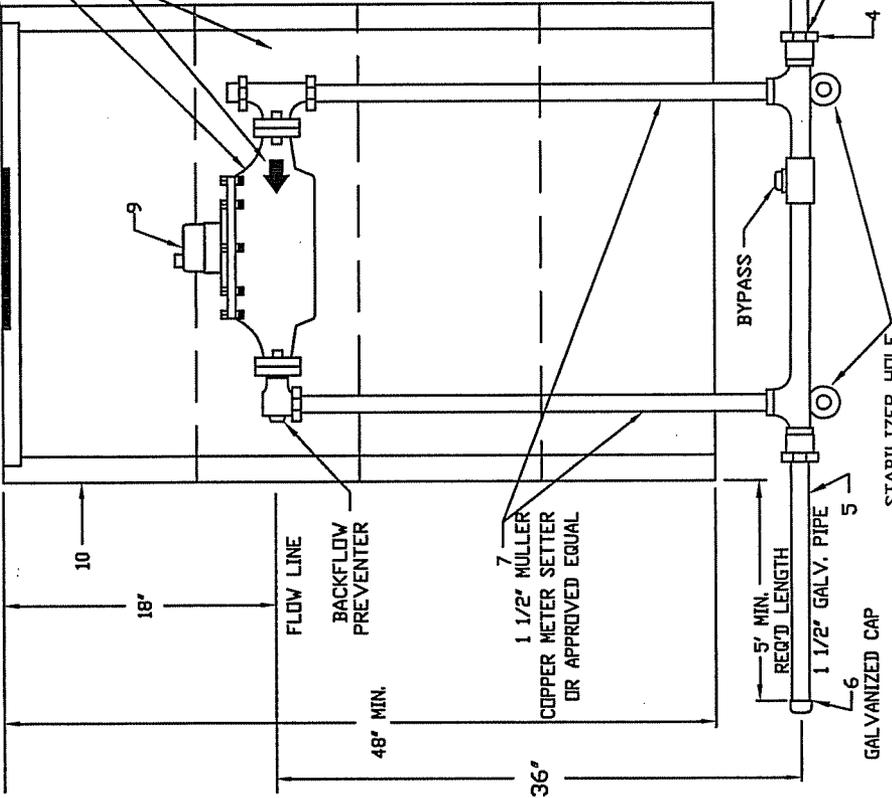
MINIMUM 6" MAXIMUM 12" FROM BACK OF CURB OR SIDEWALK

SENSUS TURBO METER CAN BE USED, SENSUS STRAINER REQUIRED

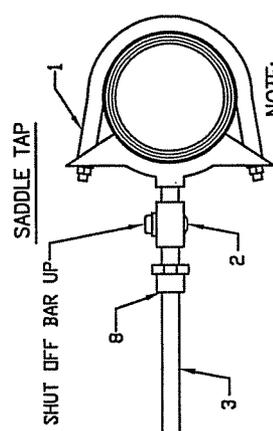
ANGLE STOP MUST HAVE SUFFICIENT CLEARANCE

METER ARROW POINT TO CUSTOMER

#65 CAST IRON HINGED LID



APPROVED TAPPING METHOD:



NOTE: MAIN TO HAVE 4' 6" MINIMUM COVER.

ITEM NO.	NO. REQ'D.	DESCRIPTION
1	1	1 1/2" DOUBLE STRAP SERVICE SADDLE
2	1	IPS x 1 1/2" POLY PACK JOINT BRONZE CORPORATION COCK.
3	1	1 1/2" x REQ. LENGTH - USE PIPE SIZE, 200 PSI POLYETHYLENE SERVICE LINE
4	1	1 1/2" IPS x 1 1/2" POLY PACK JOINT ADAPTER
5	1	1 1/2" x REQ. LENGTH - USE GALVANIZED IRON PIPE BACK SIDE
6	1	1 1/2" GALVANIZED CAP.
7	1	1 1/2" COPPER SETTER
8	2	1 1/2" POLY INSERTS
9	1	1 1/2" SENSUS W-160 RADIO READ METER (METER LENGTH=13")
10	4	#65 BROOKS CONCRETE BOXES OR APPROVED EQUAL.
11	1	4 BOXES @ 22" x 32". ONE WITH FLOPPY LID. 1 1/2" CONDUIT

APPROVED TAPPING METHOD AND PARTS

NOTE: TURBO SENSUS METER CAN BE USED. IF USED, SENSUS STRAINER REQUIRED.

NOTE: ALL MATERIAL TO CONFIRM TO NSF-61 STANDARDS. LEAD FREE BRASS OR EQUAL.

NOTE: DOMESTIC SETTING USE DISK METER ONLY.

NOTE: IRRIGATION SETTING, CAN BE DISK METER OR TURBO METER.

NOTE: BYPASS NOT NEEDED FOR IRRIGATION SETTING

CITY OF COEUR D'ALENE WATER DEPT.
STANDARD DRAWING
1 1/2" COPPER PIT SETTING

FILESPEC - \CDAW02A.A.DWG

MARCH 1, 2005

1 1/2" COPPER PIT SETTING WITH METER BYPASS. (FOR DOMESTIC SERVICES ONLY)

REVISION	APPROVED	DATE

CITY OF COEUR d'ALENE STANDARD DRAWING

1 1/2" STANDARD PIT SETTING

APPROVED BY:	DATE:
CITY ENGINEER, PE 7432	
DWG NO.	W-14

MINIMUM 6", MAXIMUM 12"
FROM BACK OF CURB OR SIDEWALK.

SENSUS TURBO METER CAN BE USED. SENSUS STRAINER REQUIRED

ANGLE STOP MUST HAVE
SUFFICIENT CLEARANCE

METER ARROW POINT TO CUSTOMER

REQUIRED FOR DUAL SETTING
METER BOX RADIO READ 1/2" CONDUIT

#65 CAST IRON HINGED LID

TOP OF GRADE

18"

48" MIN.

FLOW LINE

BACKFLOW
PREVENTER

2" MULLER COPPER
METER SETTER
OR APPROVED EQUAL

36"

5' MIN.
REQ'D LENGTH

2" GALV. PIPE

GALVANIZED CAP

STABILIZER HOLES

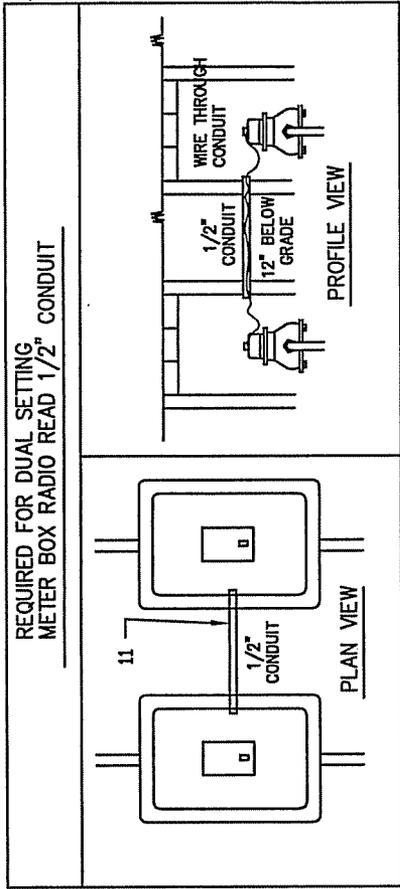
2' REQ'D LENGTH 2" IP SIZE
POLYETHYLENE PIPE CLASS 200

SHUT OFF BAR UP

SADDLE TAP

NOTE:
MAIN TO HAVE 4' 6"
MINIMUM COVER.

APPROVED TAPPING METHOD:



APPROVED TAPPING METHOD AND PARTS

ITEM NO.	NO. REQ'D.	DESCRIPTION
1	1	2" DOUBLE STRAP SERVICE SADDLE
2	1	IPS x 2" POLY PACK JOINT BRONZE CORPORATION COCK.
3	1	2" x REQ. LENGTH - USE PIPE SIZE, 200 PSI POLYETHYLENE SERVICE LINE
4	1	2" IPS x 2" POLY PACK JOINT ADAPTER
5	1	2" x REQ. LENGTH - USE GALVANIZED IRON PIPE BACK SIDE
6	1	2" GALVANIZED CAP.
7	1	2" COPPER SETTER
8	2	2" POLY INSERTS
9	1	2" SENSUS W-160 RADIO READ METER (METER LENGTH=17")
10	4	#65 BROOKS CONCRETE BOXES OR APPROVED EQUAL.
11	1	4 BOXES @ 22" x 32". ONE WITH FLOPPY LID. 1/2" CONDUIT

- NOTE: TURBO SENSUS METER CAN BE USED. IF USED, SENSUS STRAINER REQUIRED.
- NOTE: ALL MATERIAL TO CONFORM TO NSF-61 STANDARDS. LEAD FREE BRASS OR EQUAL.
- **NOTE: DOMESTIC SETTING USE DISK METER ONLY **
- NOTE: IRRIGATION SETTING. CAN BE DISK METER OR TURBO METER.
- NOTE: BYPASS NOT NEEDED FOR IRRIGATION SETTING

CITY OF COEUR D'ALENE WATER DEPT.
STANDARD DRAWING

2" COPPER PIT SETTING

FILESPEC - \CDAV02AAAA.DWG

MARCH 1, 2005

2" COPPER PIT SETTING WITH METER BYPASS. (FOR DOMESTIC SERVICES ONLY)

REVISION	APPROVED	DATE

CITY OF COEUR d'ALENE STANDARD DRAWING

2" STANDARD PIT SETTING

APPROVED BY:	
CITY ENGINEER, PE 7432	DATE:
DWG NO.	W-15

1. All work shall conform to the requirements of Section 600 of the "Idaho Standards for Public Works Construction" (ISPWC) and the City of Coeur d'Alene Standard Drawings and Specifications. In the case of conflict, City of Coeur d'Alene Standards shall prevail.
2. Location and elevation of existing facilities should be confirmed by field measurements and excavation exploration by the contractor, prior to beginning of new work.
3. Stormwater Division does not respond to "One-Call" notification. They must be called separately for locates on Storm Drain.
4. The contractor must secure approval from the City of Coeur d'Alene Engineering Inspector prior to backfill over Storm Drain mainline.
5. The City of Coeur d'Alene Engineering Inspector shall be notified at least forty-eight (48) hours prior to commencing work on Storm Drains.
6. All public Storm Drain lines shall be videotaped and submitted to the City of Coeur d'Alene Stormwater Division offices for review and approval prior to paving. Please allow forty-eight (48) hours for review.
7. All manholes, drywells, and catch basins shall be inspected twice by the City of Coeur d'Alene Engineering Inspector - prior to backfill and prior to acceptance of improvements. Call 769-2285 for inspection scheduling.

REVISION	APPROVED	DATE	CITY OF COEUR d'ALENE STANDARD DRAWING	APPROVED BY:	
			<i>STORM SYSTEM NOTES</i>		
				CITY ENGINEER, PE 7432	DATE:
				DWG NO.	M-29

9. Prior to placing of asphaltic concrete, the following shall be completed:

- A. Provide compaction test results for base material to the City's Engineering Inspector.
- B. Obtain authorization from the City Inspector to proceed with Asphalt paving. The City Inspector shall be notified at least forty-eight (48) hours prior to placement of Asphalt paving.
- C. Obtain approval of all underground utilities which will lie under the pavement.

10. Placement of Asphaltic Concrete shall be observed by a representative of the Engineer of work.

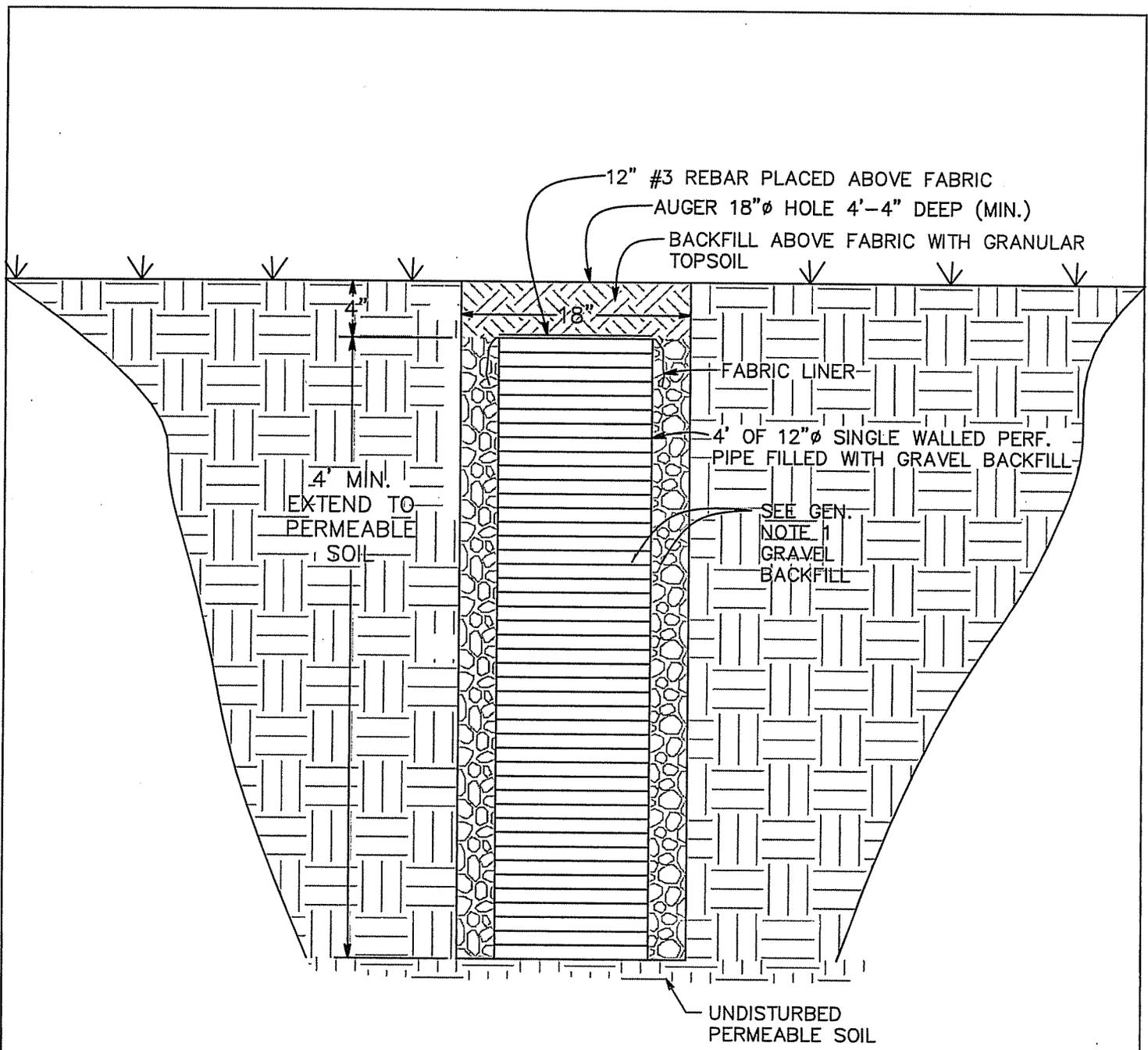
11. Asphaltic Concrete shall be compacted to at least 92% of the maximum theoretical density – AASHTO T209-94.

12. Prior to approval by the City, the pavement shall be water tested for proper drainage and approved by the City Inspector.

13. The City Engineer may require the pavement sections shown on the plans to be verified by the "R" value tests taken from the exposed subgrade.

14. The City Engineer may require coring of the asphalt pavement to verify pavement thickness or density.

REVISION	APPROVED	DATE	CITY OF COEUR d'ALENE STANDARD DRAWING	APPROVED BY:	
			<i>PAVEMENT NOTES</i> <i>PAGE 2</i>	_____	
				CITY ENGINEER, PE 7432	DATE: _____
				DWG NO.	M-22A



GENERAL NOTES

1. SPECIAL BACKFILL MATERIAL FOR WELLS SHALL CONSIST OF WASHED GRAVEL GRADED FROM 1" TO 3" WITH A MAXIMUM OF 5% PASSING THE U.S. No. 200 SCREEN, AS MEASURED BY WEIGHT.
2. SPACE HOLES 10' APART O.C., 10' FROM DRIVEWAYS AND CURB CUTS

REVISION	APPROVED	DATE	CITY OF COEUR d'ALENE STANDARD DRAWING	APPROVED BY:		
				SWALE DRAIN PIPE	CITY ENGINEER, PE 7432	DATE:
					DWG NO.	SD-11

RESOLUTION NO. 06-019

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO APPROVING REVISED STANDARD DRAWINGS FOR PUBLIC WORKS CONSTRUCTION.

WHEREAS, the City Council adopted a policy establishing Standard Drawings pursuant to Resolution No. 99-086 on May 18th 1999, as amended by Resolution No. 02-009 on November 26th, 2001; and as amended by Resolution No. 04-102 on November 16th, 2004; and

WHEREAS, the City Engineer has proposed revisions to the Standard Drawings listed as C-12, C-6A, c-9, W-1, W-14, W-15, M-29, M-22A, and SD-11; and

WHEREAS, the Public Works Committee has reviewed the proposed revisions to the Standard Drawings at their March 13, 2006 meeting and has recommended that the City of Coeur d'Alene adopt the revised Standard Drawings for public works construction, a copy of which is attached as Exhibit "1". A full version of the Standard Drawings is on file in the office of the City Clerk; and,

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof that such revised Standard Drawings for public works construction be adopted; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the revised Standard Drawings for public works construction be and is hereby adopted.

DATED this 21st day of March, 2006.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk

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

ROLL CALL:

COUNCIL MEMBER EDINGER Voted _____

COUNCIL MEMBER HASSELL Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER KENNEDY Voted _____

COUNCIL MEMBER GOODLANDER Voted _____

COUNCIL MEMBER REID Voted _____

_____ was absent. Motion _____.

CITY COUNCIL

STAFF REPORT

DATE: March 21, 2006
FROM: Christopher H. Bates, Project Manager
SUBJECT: **Grant of Right-of-Way for a Portion of Randle Avenue**

DECISION POINT

Staff is requesting the City Council to accept a grant deed for the dedication of right-of-way for Randle Avenue. The r/w was previously given to the City in the form of an easement.

HISTORY

July 1968, John and Geraldine Robideaux gave the r/w for Randle Avenue at 6th Street (behind the original Tidyman's store) to the City in the form of an easement. The understanding at the time was that the dedication deeded the land to the City, and it is now encompassed by the constructed Randle Avenue. Kootenai County has determined that this parcel was never "granted" as r/w, but as an easement, and is in the process of preparing a "tax deed" for the parcel for payment of back taxes.

FINANCIAL ANALYSIS

There is no cost to the city.

PERFORMANCE ANALYSIS

The noted property has been considered dedicated r/w since 1968 when it was given to the City. Randle Avenue is constructed over the noted parcel and has been utilized as street r/w since that time. The acceptance of the grant deed by the City should remove the "easement" connotation from the parcel and clarify the situation with the Kootenai County Treasurer and Assessor.

RECOMMENDATION

Accept the dedication of the Grant Deed and direct staff to proceed with the recordation of the document.

GRANT DEED
FOR RIGHT-OF-WAY PURPOSES

KNOW ALL MEN BY THESE PRESENTS, that H. Geraldine Robideaux, a widow, whose address is 301 N. 1st Street, Unit 520, Coeur d'Alene, Idaho 83814, GRANTOR, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, paid by the City of Coeur d'Alene, Kootenai County, State of Idaho, receipt of which is acknowledged does hereby grant, quitclaim and convey unto the CITY OF COEUR D'ALENE, Kootenai County, State of Idaho, a municipal corporation, the GRANTEE, whose address is 710 Mullan Avenue, Coeur d'Alene, Idaho 83814-3958, its successors and assigns, the following described property in Kootenai County, to wit:

See attached "Exhibit A" incorporated herein.

TO HAVE AND TO HOLD such property for public right-of-way purposes and incidents thereto, the GRANTOR does hereby dedicate her interest in said strip of land for public use. Said Grant to be appurtenant to and shall run with the land and be binding on the heirs and assigns of the GRANTOR.

IN WITNESS WHEREOF, the GRANTOR has caused this instrument to be executed this 7nd day of March, 2006.

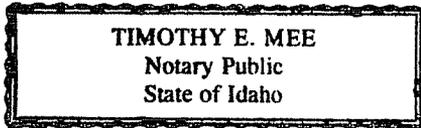
H. Geraldine Robideaux

H. Geraldine Robideaux, GRANTOR

STATE OF IDAHO)
) SS
COUNTY OF KOOTENAI)

On this 2nd day of March, 2006, before me a Notary Public, personally appeared H. Geraldine Robideaux, known or identified to me to be the individual who executed the foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed.

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 the State of: Idaho
Residing at: Kootenai County
My Commission Expires: 1/31/12

EXHIBIT "A"

The South twenty feet (20') of a tract of land in Lots 10 and 11 of the Coeur d'Alene Military Hay Reserve, located in Section 12, Township 50 North, Range 4 West, Boise Meridian, described as beginning at a point on the South line of Best Avenue, 25 feet South and 268.03 feet West from the North ¼ corner of said Section 12; thence, South 347.84 feet to a point in the North line of Mountain View Addition to Coeur d'Alene; thence, North 89° 58' West along the North line of said Mountain View Addition 327.0 feet; thence, North 347.84 feet to a point in the South line of Best Avenue; thence, South 89°58' East along the South line of Best Avenue 327 feet to the point of beginning, Kootenai County, Idaho.

Reference for this description is the previously recorded GRANT OF RIGHT-OF-WAY, Kootenai County Recordation # 534039, recorded Book 223, Page 273 of Deeds, dated 22nd day of July, 1968 by John A. and H. Geraldine Robideaux.

serve

N
Y
C

GOVT LOT II AVE

185.03 W

260.03 W

101

127

200

49

48

317.84

317.84

317.84

RANDLE

EZ 158-345

3 2
4 5 6 7

301
214

127

206

deeded 223-273

AVE AD

RANDLE

5 1

4 VIEW 4

4

4 3 2 1

6

3

3

2

8 7
D42

2 1

6 TH ST

2 1

5 6 D 7 6 8

RAH

AVE

BORAH

SCHOOL

145-396

7 TH

Deeded

Deeded
166-254

50

Deeds Record 223

591089

GRANT OF RIGHT-OF-WAY

COMPARED
BOOK 223 PAGE 273

KNOW ALL MEN BY THESE PRESENTS, that JOHN A. ROBIDEAUX and H. GERALDINE ROBIDEAUX, husband and wife, legal owners, the Grantors, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, paid by the CITY OF COEUR D'ALENE, Kootenai County, State of Idaho, the receipt of which is hereby acknowledged, do hereby give, grant and quit claim unto the said CITY OF COEUR D'ALENE, a municipal corporation, Kootenai County, State of Idaho, the Grantee, an easement of right-of-way for the construction, improvement, operation, and maintenance of a public street, upon and across the following described property, to-wit:

The South 20 feet of a tract of land in Lots 10 and 11 of the Coeur d'Alene Military Kay Reserve, located in Section 12, Township 50 North, Range 4 W.B.M., described as beginning at a point on the South line of Best Avenue 25 feet South and 268.03 feet West from the North $\frac{1}{4}$ corner of said Section 12; thence South 347.84 feet to a point in the North line of Mountain View Addition to Coeur d'Alene, thence North 89°58' West along the North line of said Mountain View Addition 327 feet; thence North 347.84 feet to a point in the South line of Best Avenue; thence South 69°58' East along the South line of Best Avenue 327 feet to the point of beginning, Kootenai County, Idaho.

TO HAVE AND TO HOLD the said easement of right-of-way for public street purposes, so long as the same shall be used, operated and maintained as such; and the Grantors hereby dedicate their respective interest in said strip of land to public use for such purposes.

The grantors herein expressly limit the grant and quit claim of this easement of right-of-way to their respective interest in that parcel of land across which the above described strip of land lies.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 29th day of July, 1968.

John A. Robideaux
H. Geraldine Robideaux
Grantors

64230

2

BOOK 280 PAGE 437

619752

WARRANTY DEED

JOHN A. ROBIDEAUX and H. GERALDINE ROBIDEAUX, husband and wife, "Grantors", in consideration of the receipt of One (\$1.00) Dollar and other valuable considerations from JULIUS E. SCHMIDT and MARY SCHMIDT, husband and wife, "Grantees", hereby grant, sell, bargain, convey and confirm unto the Grantees:

A tract of land in Lots 10 and 11 of the Coeur d'Alene Military Hay Reserve, located in Section 12, Township 50 North, Range 4 W.B.M., Kootenai County, State of Idaho, described as commencing at a point on the South line of Best Avenue, 25 feet South and 540.03 feet West from the North 1/4 corner of said Section 12; thence

South, 70.00 feet to the true point of beginning; thence North, 89°58' West 55.00 feet; thence South, 125.00 feet to a point; thence South 89°58' East, 55.00 feet; thence North, 125 feet to the point of beginning.

TO HAVE AND TO HOLD unto the Grantees forever; the Grantors covenanting to have and to hereby convey absolute, unencumbered fee simple title to the whole and every part of the said premises except taxes for 1973 and subsequent years, which the Grantees assume and agree to pay, and except for easements of view and of record; and to forever warrant and defend the Grantees in the quiet and peaceful possession of the whole and every part of the granted premises against all lawful claims whatsoever, the rights and obligations hereunder extending to the heirs, representatives, successors and/or assigns of the respective parties.

*Remitted to State of Idaho
for recording
1/15/74*

To: General Services and City Council
From: Kathy Lewis, Deputy City Clerk
Date: March 08, 2006
re: Mobile Food Concession Permit for Shave Ice on Sidewalk

Decision Point: The General Service Committee and City Council are requested to decide whether or not a mobile food concession permit should be issued for the location of mid block Sherman between Fourth and Fifth between the Sports Cellar and Sweet Peas to Tim Gilreath doing business as TMG, Inc.

History: Tim Gilreath is requesting the issuance of a mobile food concession permit to be used on the sidewalk on the south side of Sherman between Fourth Street and Fifth Street between the Sports Cellar and Sweet Peas. The cart meets the City Code size as it is 20" x 48" and would be located 28' from the building leaving access room of eleven (11) feet three inches to the curb with no other obstructions. The cart would sell chips, shave ice, and sodas. The cart would include the required fire extinguisher. Mr. Gilreath has signed an affidavit that he has workers compensation insurance, and he would also be required to furnish liability insurance prior to operation. He would like to commence operating on May 1, 2006. He would also be required to furnish a Panhandle Health certificate or letter of approval. He has obtained the signatures of all contiguous property owners as required by the Municipal Code. He is obtaining his power from a private outlet on the side of the building. He will utilize an umbrella that meets the height restriction of no more than 8 feet. A picture of the professionally designed proposed cart is included, as well as a site plan. The permit would be renewed monthly at the end of each month.

Financial Analysis: The City will collect the permit fee of \$25.00 for the month of May, and the permit fee of \$50.00 per month for the months of June through September. According to Mr. Gilreath, his power will come from a private source on the wall near Sweet Peas, so there would be no cost incurred by the City other than possible enforcement issues.

Quality of Life Analysis: The operation of a concession has been done in the past. Most recent vendors have chosen to use private property which exempts them from the City permit process. The neighboring businesses are in support of this venture. The main concern would be garbage disposal, sidewalk cleanliness, and litter. This location does not conflict with the fountain of Wishes project. If granted, other vendors may wish to also pursue this type of business. If additional vendors added, a concern may be sidewalk congestion with outdoor eating tables, A Frame signs, and the Fountain of Wishes project. Sidewalk congestion is an ongoing concern from the public.

Decision Point/ Recommendation : Should the City Council approve a Mobile Food Concession Permit for Tim Gilreath doing business as TMG Inc. for a shave ice, chip, and soda cart located between the Sports Cellar and Sweet Peas on the south side of Sherman Avenue between Fourth and Fifth Streets beginning May 1, 2006?

Next Council 3/13 by 5:00
Douge eastwood
769-2251



CITY OF COEUR D'ALENE

MUNICIPAL SERVICES -CITY HALL, 710
EAST MULLAN
COEUR D'ALENE, IDAHO 83816-3964
208/769-2229 Fax 769-2237

Date rec. 3/8/06
Amt Pd \$ 25.00
Rec. No. 175105
Permit No. _____
Date issued _____

Application for **MOBILE FOOD CONCESSION**

Applicant Name TMG Inc. Tim Gilreath Date of Application 3/1/06

Applicant Physical Address _____

Mailing Address 1211 St. Maries Ave Coeur d'Alene ID 83814

City, State, Zip Coeur d'Alene ID 83814

Telephone (208) 605-9339 Cell (208) 661-2751 E-Mail timg731@hotmail Fax none

Name of Business _____

Health Permit No. _____ (Number must be permanently affixed to cart)

Specific description of cart/unit (include all dimensions)

Please describe the type of item(s) sold
Shave ice in 8 ounce cup, Canned Soda, Single serving packaged chips,
Single serving and packaged Frozen-treats.

Location where unit will be operating: Note-Units are NOT allowed in City Park, Veteran's Park, or Independence Point during the effective dates of bid contracts-these areas are reserved for bid applicants only. down town Coeur d'Alene at corner of 4th and Sherman
on sidewalk between Sweet Pea and Sports Cellar.

By signing this application, I hereby acknowledge that I am aware of the regulations and standards set out in the City of Coeur d'Alene Municipal Code 5.18 for the governing of my operation, and will abide by same.

Signature of Applicant [Signature]

Sworn to me this 8th day of March 2006

[Signature] Deputy
City Clerk

HOLD HARMLESS AGREEMENT

TMG Incorporated, in

consideration for a Mobile Food Concession permit at

corner of ~~at~~ between Sports Center and Sweet Pea.

hereby agrees to save and hold the City of Coeur d'Alene

harmless from all claims for property damage, bodily, or

personal injury, death, or other loss or damage resulting from

the actions or omissions of

TMG Incorporated

or Tim Gilveath, his agents,

employees or assigns, in the performance of this contract, or

in the operation, maintenance, or use of a mobile food

concession on City property or public right-of-way in Coeur d'Alene, Idaho.

TMG Inc.
Company

By 

City of Coeur d'Alene-Municipal Services
710 East Mullan
Coeur d'Alene, ID 83814

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Kootenai)

COMES NOW Tim Gilreath, authorized agent for TMG Incorporated, who being duly sworn, deposes and says:

THAT he/she is the authorized agent of TMG Incorporated, a food concession company doing business as Shave Ice.

THAT TMG Incorporated will have, does not have any persons in its employ requiring workmens compensation coverage under the laws of Idaho, or that your affiant and his principal will obtain and maintain workmens compensation coverage on their employees as required by Idaho law.

[Signature]

SUBSCRIBED AND SWORN to before me this eighth day of March, 2006.



Kathleen Lewis
Notary Public for Idaho
Residing at Coeur d'Alene
COMMISSION EXPIRES: Kootenai County Idaho
1/22/2011

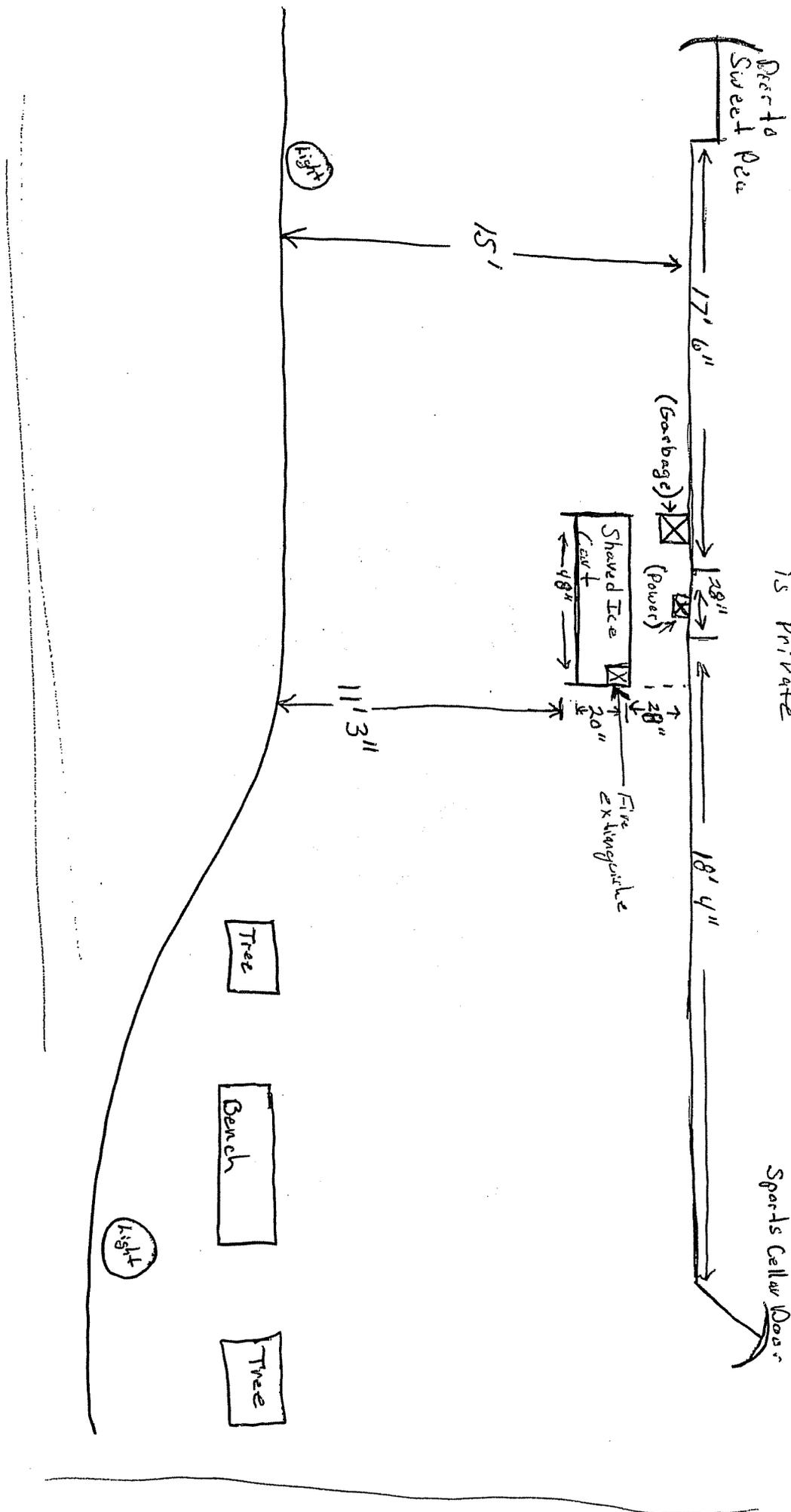
Joahamew
Sweet

Sweet

* Power outlet
is Private

Sports
Cellar

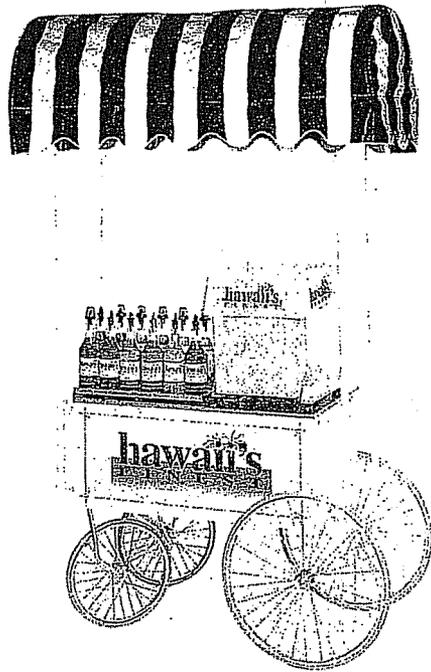
Sports Cellar Door



Sherman AVE

4th St.

Shave Ice Wagon



width 20"
Length 48"
Height 7'

Permission For Concession Agreement

We do hereby give TMG incorporated our permission to operate

And maintain a mobile food concession cart on our property in accordance with any and all city and county requirements. The dates of operation being from May 1st 2006 until September 30th of 2006. All permits and licenses will be obtained by TMG incorporated and will be the responsibility of TMG incorporated alone.

Building owner (s)

Name	Business	Date
<u>[Signature]</u>	<u>COREE CRIMP</u>	<u>DINGLEY BUILDING 2-27-06</u>
<u>[Signature]</u>	<u>Diagles</u>	<u>2-27-06</u>

Business Owner (s)

Business name and address SPORTS CELLAR
402 SHERMAN.

Business owner (s) name and signature
[Signature] COREE CRIMP Date 2-27-06
Date _____

Business Owner (s)

Business name and address Sweetpea Home Interiors
404 Sherman

Business owner (s) name and signature
[Signature] Ashley Musick Date 2/27/06
Date _____

Business Owner (s)

Business name and address Johannes & Co
406 Sherman

Business Owner (s) name and signature
[Signature] Sandi Bloem Date 2/27/06
Date _____

DATE: MARCH 15, 2006
TO: MAYOR AND CITY COUNCIL
FROM: PLANNING DEPARTMENT
RE: SETTING OF PUBLIC HEARING DATE: APRIL 18, 2006

Mayor Bloem,

The Planning Department has forwarded the following item to the City Council for scheduling of a public hearing. In keeping with state law and Council policy, the Council will set the date of the public hearing upon receipt of recommendation.

<u>ITEM NO.</u>	<u>REQUEST</u>	<u>COMMISSION ACTION</u>	<u>COMMENT</u>
A-1-06	Proposed zoning in conjunction with annexation from County Agricultural to R-8 (Residential at 8 units/acre) Applicant: Tim Mueller Location: Adjacent to the Landings at Waterford between Atlas & Huettner Roads	Recommended Approval	Quasi-Judicial

In order to satisfy the mandatory 15-day notice requirement, the next recommended hearing date will be **April 18, 2006.**

JS:ss

ANNOUNCEMENTS

Memo to Council

DATE: 3/15/06

RE: Appointments to Boards/Commissions/Committees

The following appointment is presented for your consideration for the March 21st Council Meeting:

THOMAS GEORGE Parking Commission

A copy of the data sheet is in front of your mailboxes.

Sincerely,

Amy Ferguson
Executive Assistant

cc: Susan Weathers, Municipal Services Director

OTHER COMMITTEE MINUTES
(Requiring Council Action)

**GENERAL SERVICES COMMITTEE
MINUTES**

Monday, March 13, 2006
4:00 p.m., Council Chambers

MEMBERS PRESENT

Deanna Goodlander, Chairman
Ron Edinger
A.J. "Al" Hassell, III

STAFF MEMBERS PRESENT

Mike Gridley, City Attorney
Jon Ingalls, Deputy City Administrator
Kathy Lewis, Deputy City Clerk

CITIZENS PRESENT

Jeremy Boggess
Tim Gilreath, TMG, Inc.

**Item 1. Sidewalk Mobile Food Vendor Permit/TMG, Inc.
(Consent Calendar)**

Kathy Lewis presented a request from Tim Gilreath for a Mobile Food Concession Permit for shave ice, chip and soda cart located between the Sports Cellar and Sweet Peas on the south side of Sherman Avenue between Fourth and Fifth Streets beginning May 1, 2006. Kathy explained that the cart meets the City code size as it is 20"x48" and would be located 28" from the building, leaving access room of 11 feet 3 inches to the curb with no other obstructions. The City will collect the permit fee of \$25.00 from the month of May and the permit fee of \$50.00 per month for the months of June through September.

MOTION: THE COMMITTEE is recommending that the City Council approve a mobile food concession permit for TMG, Inc.

**Item 2. Sublease Extension/University of Idaho.
(Consent Resolution No. 06-016)**

Jon Ingalls is requesting authorization to extend the sub-lease between the University of Idaho and Kootenai County. Jon reported that the University of Idaho entered into a five-year lease agreement with the City of Coeur d'Alene on May 13, 2002. Pursuant to the Master Lease, the University is authorized to sub-lease portions of the property. The University currently sub-leases 2,362 square feet to the Kootenai County extension office. The sub-lease expires on October 31, 2006, and the University would like to extend the term of the sub-lease on a month-to-month basis not to exceed May 31, 2007, consistent with the University's term with the City. Jon added that the University and the City will soon be exploring other partnerships regarding the use of Harbor Center, and extension of the sub-lease will not interfere with nor hinder that process.

MOTION: THE COMMITTEE is recommending that the City Council adopt Resolution No. 06-016 authorizing the sub-lease extension between the University of Idaho and Kootenai County as requested.

**Item 3. Rescinding MOU/School District 271 for Persons Field.
(Resolution No. 06-000)**

Jon Ingalls is recommending the City Council repeal the MOU with the School District entered into on April 19, 2005. Jon reported that pursuant to Resolution No. 05-031, the City of Coeur d'Alene and School District 271 entered into an MOU whereby the parties agreed to evaluate the development of Persons Field for the relocation of Lakes Middle School and to evaluate considerations for an equitable agreement including the possibility of a land exchange. The terms of the MOU have been fulfilled. An evaluation has taken place with a decision to no longer pursue this opportunity.

MOTION: THE COMMITTEE is recommending that the City Council adopt Resolution No. 06-000 repealing the MOU with the School District entered into on April 19, 2005.

The meeting adjourned at 4:07 p.m.

Respectfully submitted,

DEANNA GOODLANDER, Chairman

Juanita Van Cleave
Recording Secretary

GENERAL SERVICES COMMITTEE

DATE: MARCH 13, 2006

FROM: WENDY GABRIEL, CITY ADMINISTRATOR

SUBJECT: REPEAL OF MOU WITH SCHOOL DISTRICT 271

DECISION POINT:

Whether the Memorandum of Understanding (MOU) between the City and School District 271 entered into on April 19, 2005 should be repealed?

HISTORY:

Pursuant to Resolution No. 05-031, the City of Coeur d'Alene and School District 271 entered into an MOU whereby the parties agreed to evaluate the development of Persons Field for the relocation of Lakes Middle School and to evaluate considerations for an equitable agreement including the possibility of a land exchange. The terms of the MOU have been fulfilled. An evaluation has taken place with a decision to no longer pursue this opportunity.

PERFORMANCE ANALYSIS:

Some citizens have requested that a formal repeal of the MOU occur. Since the parties no longer desire to pursue the relocation of Lakes Middle School at Persons Field, there is no disadvantage in repealing the MOU, and such action will create a better comfort level for some citizens living near the area.

RECOMMENDATION:

Staff recommends that the City Council repeal the MOU with the School District entered into on April 19, 2005.

RESOLUTION NO. 06-017

A RESOLUTION OF THE CITY OF COEUR D' ALENE, KOOTENAI COUNTY, IDAHO REPEALING A MEMORANDUM OF UNDERSTANDING, WITH THE TRUSTEES OF SCHOOL DISTRICT 271.

WHEREAS, pursuant to Resolution No. 05-031 adopted the 19th day of April, 2005, the City of Coeur d'Alene and the trustees of School District 271 agreed to evaluate the development of Persons Field for the relocation of Lakes Middle School and to evaluate considerations for an equitable agreement including the possibility of a land exchange.

WHEREAS, the terms of the Memorandum of Understanding have been fulfilled. An evaluation has taken place with a decision to no longer pursue the opportunity; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to repeal the Memorandum of Understanding with the trustees of School District 271; and; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the City repeal the Memorandum of Understanding.

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized to repeal such Memorandum of Understanding on behalf of the City.

DATED this 19th day of April, 2005.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk

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

ROLL CALL:

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER GOODLANDER Voted _____

COUNCIL MEMBER HASSELL Voted _____

COUNCIL MEMBER WOLFINGER Voted _____

COUNCIL MEMBER REID Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

March 13, 2006
PUBLIC WORKS COMMITTEE
MINUTES

COMMITTEE MEMBERS PRESENT

Council Member Dixie Reid, Committee Chairman
Council Member Woody McEvers
Council Member Mike Kennedy

STAFF PRESENT

Sid Fredrickson, WW Superintendent
Jim Markley, Water Superintendent
Dave Shults, Capital Program Manager
Gordon Dobler, Engineering Svcs Director

CITIZENS PRESENT

Carol Sebastian, KEA, Item #5
Barry Rosenberg, KEA, Item #5

Item 1 Ordinance Requiring Installation of Curb Ramps

Gordon Dobler, Growth Services Director, presented a request for approval of an ordinance amending City Code to require the installation of curb ramps. Mr. Dobler stated that as part of the City's recent development of an ADA compliance plan, staff has identified the need to amend our code to require installation of curb ramps, and the ADA requires that when facilities are altered they be brought into compliance. Mr. Dobler stated that the requirement to install curb ramps will increase the cost to building permit applicants. The ordinance will also allow the City to require individual property owners to install curb ramps when they repair existing sidewalk or install new sidewalk. Mr. Dobler stated that there are exceptions in the code for those areas that currently don't have sidewalks or have topography issues. A project totaling more than \$15,000 will trigger the repair or replacement of sidewalks.

MOTION: RECOMMEND Council approval of COUNCIL BILL No. 06-1005 amending City Code to require installation of curb ramps.

**Item 2 Approval of Standard Drawings
Consent Calendar**

Gordon Dobler, Growth Services Director, presented a request for approval of various standard drawings which have been recently revised. Mr. Dobler stated that as part of the City's effort to create an ADA compliance plan, they have identified the need to add several different types of curb ramps and driveways to their standards. In addition, the water meter drawings need to be updated to accommodate the new radio read meters. They have also developed a standard for a swale drain that will improve the drainage characteristics of swales. These new swale standards would apply to new subdivisions with permeability issues, as well as repairs of existing subdivisions with permeability issues.

MOTION: RECOMMEND Council approval of RESOLUTION No. _____ approving recently revised Standard Drawings.

Item 3 Temporary Stop Sign at Kathleen & Atlas Avenue

Gordon Dobler, Growth Services Director, presented a request for approval of temporary stop signs on Atlas Road at Kathleen Avenue. He explained that the intersection experiences a significant amount of traffic volume and congestion during peak times, which increases the possibility of drivers not waiting for appropriate gaps in traffic. Mr. Dobler further explained that the intersection will be signalized this summer; however, the City's CARE officers and several residents have requested a temporary stop sign

be installed on Atlas in order to alleviate the congestion on the side streets during peak hours. Mr. Dobler stated that the stop signs would be installed the week of the Council Meeting on March 21st and would include cross-bars on the stop signs, a sign-board, and a painted stop-bar. In addition, Mr. Dobler stated that the flashing yellow pedestrian crossing lights will be turned on 24/7 the 1st week of the installation to increase driver awareness. Councilman Reid suggested publicizing the installation of the stop signal and running an announcement on the CDA-TV readerboard.

MOTION: RECOMMEND Council approval of the installation of temporary stop signs on Atlas Road at Kathleen Avenue.

Item 4 WWTP Phase 4B Construction Change Order #3
Consent Calendar

David Shults, Capital Program Manager, and Sid Fredrickson, Wastewater Superintendent, presented a request for approval of Change Order #3, for an increased cost of \$106,274 to the City's agreement with Contractors Northwest, Inc., for a total construction contract amount of \$11,117,956. Mr. Shults stated that Change Order #3 addresses an assortment of issues, including nine items associated with the resolution of belowground piping issues, three items that will improve the appearance and irrigation of the landscaped berm next to Harbor Center, three items that are necessary to complete the design for necessary electrical connections, two items modifying the design of the foundation walls, one item changing the design of the two skylights to allow removal in one piece by a crane, three items providing credits to the project for reduced work in supply of the entrance gate, the flexible connectors for odor control ducts and the stop gates for various channels in the headworks building, and two items associated with improvements and delays regarding the refurbishment of the coatings on primary clarifier #2. Mr. Shults commented that the change order items presented are considered to be normal for this type of construction, and the project is well within budget. The total change order percentage to date, expressed as a comparison to the original construction bid amount, is 1.5%.

Councilman McEvers questioned whether the project designers would be responsible for payment of change orders associated with design errors. Mr. Shults explained that some of the City's project designers have in the past reimbursed change order costs associated with gross errors that resulted in rework by contractors. Normally, as is the case with the proposed change order, the design errors are omissions that have been detected during construction, and don't involve rework or waste of project funds. The designer typically provides the missing information or design, the contractor builds the added work, and the additional cost to the project is considered to be added value that would have increased the contractor's initial lump sum bid if the work had been included in the initial design. Such design issues on the treatment plant upgrade projects are associated with the difficulty of identifying and understanding all of the hidden aspects of a working treatment plant, and then using a limited design budget to clearly show the intended work on the project plans and specifications. A complex project such as Phase 4B will have many issues that are identified and resolved while the work is ongoing.

MOTION: RECOMMEND Council approval of RESOLUTION No. _____, approving Change Order #3 in the amount of \$106,274.00 to the City's agreement with Contractors Northwest, Inc. for a total construction contract amount of \$11,117,956.

Item 5 Water Conservation Program

Jim Markley, Water Superintendent, presented a request for approval of the Water Department's rebate and water calendar programs. Mr. Markley explained that the Water Department has been working with the Kootenai Environmental Alliance (KEA) to get an active conservation program underway. He explained the rebate program, which would encourage people to install devices that will help prevent

over-watering. KEA will also be working with the local stores that sell the products and encourage them to run specials and provide publicity for the program. The city would give a “credit” of up to 75% of the cost of the conservation devices (with a maximum of \$75.00 per customer). The credit would be applied to the customer’s utility bill.

Another program being presented for approval was the “water conservation calendar” program, which would be a competition where children from local schools make pictures demonstrating wise water use. The calendars are then used as a means to heighten awareness of water usage. The calendars would be sold and the money generated would go to KEA to help finance next year’s calendar.

Discussion ensued regarding the \$3,000 that the Water Department proposed to be set aside for the rebate program. Councilman McEvers asked if the amount was sufficient, and Mr. Markley indicated that the amount could be increased if more people participated in the program than were anticipated. Mr. Markley explained that the savings from the use of the conservation devices is measurable and can be determined by pulling the account records.

Carol Sebastian of KEA further explained the calendar program, and stated that letters and posters would be sent to every school and library and that volunteers would go into the classrooms as requested to assist the teachers and children. The goal of the calendar program is to get children talking and thinking about water conservation.

Councilman Reid asked Mr. Markley to arrange to give a presentation regarding water conservation at the next Council Meeting on March 21st.

MOTION: RECOMMEND Council approval of the Water Department’s rebate and water calendar programs.

The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Amy C. Ferguson
Public Works Committee Liaison

PUBLIC WORKS COMMITTEE

STAFF REPORT

DATE: March 13, 2006
FROM: Gordon Dobler, Growth Services Director
SUBJECT: Amending City code to require installations of Curb ramps

DECISION POINT

Staff is requesting Committee approval of the proposed ordinance amending City code to require installation of curb ramps.

HISTORY

As part of our recent development of an ADA compliance plan staff has identified the need to amend our code to require installation of curb ramps. ADA requires that when facilities are altered, they be brought into compliance. Curb ramps are required where there is sidewalk.

FINANCIAL ANALYSIS

The requirement to install curb ramps will increase cost to building permit applicants. The estimated cost to install a curb ramp ranges from \$1000 to \$1500.

PERFORMANCE ANALYSIS

We are in the process of adopting a transition plan that addresses bringing our facilities into compliance with ADA. A key part of this plan is installation of curb ramps and repair of existing sidewalk. Our code already addresses removal and repair of sidewalk. This ordinance will allow the City to require individual property owners to install curb ramps when the repair existing sidewalk or install new sidewalk.

RECOMMENDATION

Staff recommends that the Committee forward the attached ordinance to Council with a recommendation to approve.

D R A F T

COUNCIL BILL NO. 06-1005
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 12.28.180 AND 12.28.200 REQUIRING INSTALLATION OF CURB RAMPS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after recommendation by the City Engineer, 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 12.28.180, is hereby amended to read as follows:*

12.28.180: NEW CONSTRUCTION OR IMPROVEMENTS; SPECIFICATIONS GENERALLY; PERMIT:

- A. Hereafter, when building structures are constructed on, or moved to, or alteration is made to any building on, lots within the City where there are no curbs, the persons constructing or causing to be constructed on, or moving, or causing to be moved such structures to, or altering or causing alterations to be made to existing structures on such lots shall, during the construction, moving, or alteration construct street curbs. If the street grade is less than thirty one-hundredths of one percent (0.30%), curbs and gutters shall be constructed, except in areas where in the judgment of the City Engineer they are not practicable because of construction problems. Such curbing, or curbs and gutters shall be constructed and installed along the front of the lot. If such lot is a corner lot, or has double frontage, such curbing, or curbs and gutters, shall be constructed along the front of the lot and extended along a radius to the side street and installed along the side street to the rear lot line. In addition, when curbing is required, corner lots shall be required to install curb ramps complying with City standards and ADA guidelines, when there is existing sidewalk or when sidewalk will be installed with the project. Curbs, or curbs and gutters, shall be constructed to conform to the plans and specifications on file in the office of the City Engineer. No curbing, curbs and gutters, or curb cuts in existing curbing, shall be constructed without a permit issued by the office of the City Engineer and all such work shall be inspected by the City Engineer, or his duly authorized agent. Such construction shall conform to the grades established by the City Engineer.

D R A F T

SECTION 2. *That Coeur d'Alene Municipal Code Section 12.28.200, is hereby amended to read as follows:*

12.28.200: SIDEWALKS, CURBING, CURBS AND GUTTERS; REPLACEMENT:

In areas where sidewalks, curbing, ~~or~~ curbs and gutters, or curb ramps are in place at the time new construction, or improvement is started, and the existing sidewalks, curbing, ~~or~~ curbs and gutters, or curb ramps are in need of repair or replacement, such work shall be performed prior to the completion of the new construction or improvement. In areas where alignment is poor, or in the case of sidewalks where the change in level is more than one-half inch (1/2") ~~there is one-half inch (1/2") or more elevation change along abutting edges,~~ replacement shall be required. Where the change in level is less than or equal to one-half inch (1/2") and more than one-quarter inch (1/4"), the edge shall be beveled to a slope not more than 2:1 (horizontal to vertical). Where existing curb ramps do not comply with ADA guidelines, they shall be required to be brought into compliance. Where there is existing curb and sidewalk and no curb ramps, curb ramps shall be installed in accordance with City standards and ADA guidelines. In areas where existing driveway cuts do not fit the new construction or improvement, driveway cuts shall be removed and replaced with new curbing, or curbs and gutters. In areas where new driveway cuts are required, curbing, or curbs and gutters, shall be removed and replaced with driveway cuts. All cuts must first be approved by the City Engineer.

SECTION 3. *That Coeur d'Alene Municipal Code Section 12.28.210, is hereby amended to read as follows:*

12.28.210: SIDEWALKS; REQUIREMENTS FOR NEW CONSTRUCTION AND IMPROVEMENT:

- A. Sidewalk Construction Required: Hereafter when building structures are constructed on or moved to or alterations are made to existing structures on lots within the City where there are no sidewalks, the persons constructing, or causing such construction, or moving, or causing to be moved such structures, or altering or causing to be altered such existing structures on the lots, shall, during the construction, moving or alteration of structures, construct sidewalks and curb ramps as described in Sections [12.28.220](#) and [12.28.230](#) of this Chapter.
- B. Subdivision Improvements: Hereinafter, but subject to the provisions of subsection C5 of this Section regarding hillside subdivisions, sidewalks and curb ramps will be required to be constructed as subdivision improvements.

D R A F T

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. 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 6. 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 7. 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.

APPROVED, ADOPTED and SIGNED this day of , 2006.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk

D R A F T

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Amending 12.28.180, 12.28.200 & 12.28.210 - Requiring Installation Of Curb Ramps

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 12.28.180 AND 12.28.200 REQUIRING INSTALLATION OF CURB RAMPS;; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Susan K. Weathers, City Clerk

D R A F T

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 12.28.180 , 12.28.200 & 12.28.210 - Requiring Installation Of Curb Ramps, 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 day of , 2006.

Warren J. Wilson, Deputy City Attorney

PUBLIC WORKS COMMITTEE

STAFF REPORT

DATE: March 13, 2006
FROM: Gordon Dobler, Growth Services Director
SUBJECT: Temporary Stop sign at Kathleen & Atlas

DECISION POINT

Staff is requesting approval of temporary stop signs on Atlas Rd at Kathleen Avenue

HISTORY

Kathleen Ave was re-aligned in 2004 when the Holy Family School was constructed. The reason for the re-alignment was so that Kathleen Avenue would line up with Greenwich St. That intersection experiences a significant amount of traffic volume and congestion during peak times. Wait times for cars crossing Atlas during peak times can be significant, increasing the possibility of drivers not waiting for appropriate gaps in traffic. This intersection will be signalized this summer, however, our CARE officers and several residents have requested a temporary stop sign be installed on Atlas in order to alleviate the congestion on the side streets during peak hours. In addition, this is a school crossing used by students in the Northshire subdivision who attend Woodland Middle school. There is currently a push button activated pedestrian signal at this intersection.

FINANCIAL ANALYSIS

There would be no significant cost to install a temporary stop sign.

PERFORMANCE ANALYSIS

A review of the accident records indicates that there has been an average of three accidents per year in 2004 and 2005. This is not considered a high accident location. However, given the congestion, school crossing, and impending installation of a traffic signal, installation of a temporary stop sign on Atlas would most likely improve the functionality of the intersection during peak hours. It would result in longer queues on Atlas during peak hours, however this will be a temporary condition until the signal is installed in early summer.

RECOMMENDATION

Staff recommends that Council approve the installation of a temporary stop sign on Atlas Rd at Kathleen Ave.

**PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: March 13, 2006
FROM: Jim Markley, Water Superintendent
SUBJECT: Water Conservation Program

=====

ACTION REQUIRED: Staff requests Committee approval of the rebate program and the water calendar participation.

PURPOSE OF PROJECT: The purpose of the program is to encourage water conservation and awareness among our customers.

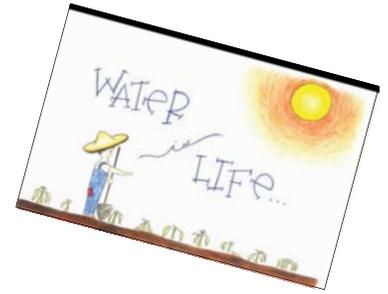
DISCUSSION: We have been working with the Kootenai Environmental Alliance to get an active conservation program underway. At this time the conservation program has three major elements. The first one is the Water Department's funding of the "smart" sprinkler system for the Parks Department. This has been presented and approved by the committee at a prior meeting. The next element is a rebate program. We are planning on providing a rebate to encourage people to install devices that will help prevent over-watering. A draft of the flyer (attached) lists the conditions of the rebate. KEA has had a volunteer create the flyer which is closely modeled on one used in a successful program in the Tualatin Water District in Oregon. KEA will also be working with the local stores (Lowe's, Home Depot, CdA Sprinkler, etc.) that sell these sensors encouraging them to run specials and otherwise provide publicity for the program. The concept is that we will give a credit of up to 75% of the cost (maximum of \$75 per customer) of devices that help people not over-water. The third element is participation in a "water conservation calendar" program. The program is a competition where art kids from local schools make pictures demonstrating wise water use. The calendars are then used as a means to heighten awareness of water usage. The calendars will be sold and the money generated will be used to help finance next year's calendar. A draft flyer (attached) further describes the program.

FISCAL ANALYSIS: This year's budget has \$20,000 in it for conservation. \$10,000 has been earmarked for the Parks "smart sprinkler". We have set aside \$3,000 for the rebate program and \$1,000 for the calendar. The rest of the budget is being held so we can take advantage of opportunities as they arise. We are actively looking for a good conservation video to run on the City's TV channel. Depending on the success of the various parts of the conservation program we may reallocate money where it seems it will do the most good.

RECOMMENDATION: Staff requests the Committee review the program, make suggestions, and endorse the final product.



1st Annual KEA Water Conservation Calendar Contest



Know a student artist between kindergarten and 12th grade? If so, have them enter our 1st annual water conservation calendar contest! Have your students draw a picture relating to this year's theme, "Water Wise —Protecting the Source." maybe your students have ideas about how to save water outdoors, indoors, gardening and lawns —creativity is what counts. Thirty seven posters, at least two from each grade from those submitted County-wide, will be chosen to be used in the creation of our annual calendar.

Winning entries will receive a savings bond:
Cover: \$75 and \$500 art supplies for their school
1st: \$75, 2nd: \$50, and 3rd: \$25

Participating schools will receive calendars that can be used as a fundraiser for their art classes or a special project for the students.

Do the students need inspiration? Book a date for one of volunteers to come to your class with a water conservation presentation.

For more information, forms or classroom presentations contact:
Carol Sebastian
carol@kealliance.org
208-667-9093

Calendar Contest Official Rules

- The contest is open to students grades K-12 who are currently enrolled in a school in districts #271 (CdA), 272 (Lakeland), and 273 (Post Falls) and home-schooled children who live within these District's boundaries.
- Only original artwork will be accepted. The 37 winning entries will be included in our Year 2007 Water Conservation Calendar distributed by KEA.
- Artwork must be prepared within the boundaries of an 8 1/2" x 11" paper and landscape positioned.
- The poster must be created with marking pens, colored pencils, acrylic or poster paint, watercolors, or crayons. Words should be printed large, and kept to a minimum. Posters generated from computers are not acceptable.
- Winning entries become the property of KEA and may be used in other promotions without further permission or compensation to the artists.
- Each entry must include an entry and release form.

NOTE: By entering the contest, the entrant accepts and agrees to the above rules and the decision of the judges, which shall be final.

ALL ENTRIES MUST BE IN OUR OFFICE BY FRIDAY MAY 12, 5 pm

Mail or bring your entries to
408 Sherman Avenue, #301
Coeur d'Alene, ID 83814



Calendar Theme

Water Wise –Protecting the Source

Is the theme for the 2006 Poster contest. Winning entries will be featured in the 2007 water conservation calendar with the same theme.

Why This Theme?

Water is our most valuable resource and we all use water, lots of it, in many ways.

We use water for drinking, bathing, cooking and cleaning. We also use our water for swimming, fishing, boating, and gardening, but we all must remember to use water wisely because it is a limited resource!

Now is the time to get everyone involved in water conservation because the future of our water supply is in our hands. Take time to think about the ways you use water



every day and think how you could use less.

When you use less water you are helping to protect our source of water.

The contest offers students the opportunity to illustrate their water conservation ideas incorporating a slogan that depicts the theme.

The theme *Water Wise – Protecting the Source* gives budding artists the chance to illustrate the importance of using water wisely, putting water conservation practices in a calendar that can be appreciated each day of each month all year long.



Be "Water Wise"

"Water Wise –Protecting the Source"

Is the theme of the Water Conservation Calendar Poster contest.

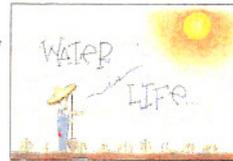
The 2006 Poster contest will focus on the value and importance of protecting our sole source of drinking water –the Rathdrum-Spokane Aquifer.

Highlighting student drawings that combine both art and science in a calendar is a unique way to educate our communities about the environmental and economic benefits of using water efficiently.

Promoting a water conservation ethic makes sense. We can all understand the environmental and economic benefits when we realize that our water is a valuable resource and that reducing our consumption will not only lower our water bill, but help minimize our city water departments need to upgrade and expand our water systems.

Children's art is a powerful way to get this message across.

We invite all art and science teachers to become involved with their students with this important look at our water resource, and how good stewardship of our water affects our future.



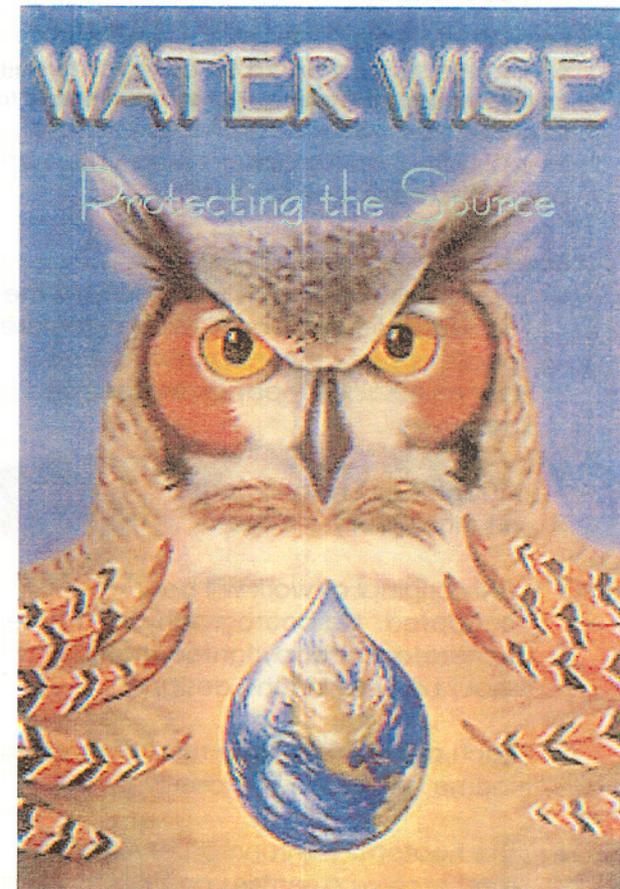
For more information please call
208-667-9093

or email
carol@kealliance.org



*Kootenai
Environmental
Alliance*

Poster Contest For 2007 Water Conservation Calendar



Contest Rules

Theme: Water Wise –Protecting the Source

Contest Deadline: 5 pm, Friday May 12, 2006

Eligibility: The competition is open to students in grades K-12 who are currently enrolled in school districts 271, 272, and 273 and home-schooled children who live within these district boundaries.

Entry Guidelines: Entries must be submitted with an Entry Form and a Release Form (**entries submitted without these forms will not be considered for an award**). The student's name, grade level, school name, and teacher's name must appear on the back of each entry.

Rules:

- Designs may be done using paint, water-colors, crayons, colored markers, colored pencils, or any other appropriate medium on 8.5 x 11" paper, landscaped positioned.
- Students must work on posters individually.
- Only original artwork will be accepted. No photography, computer generated, or copyrighted material should be used in the design.
- Each artwork/message must illustrate the theme conveyed in a positive way.
- The Kootenai Environmental Alliance must receive all entries no later than 5 pm on May 12, 2006. Winning designs will remain the property of KEA and may be used in other promotions without further permission or compensation to the artist.



Contest Awards

Thirty seven designs will be selected for publication in the 2007 Water Conservation Calendar. Award winning students will receive cash prizes. In addition to a first place prize, the winning cover design will received five hundred dollars for art supplies for his/her school.

Thirteen first Place winners will be selected. One is featured on the calendar's cover, the other twelve along with twelve second and third place winners will represent the months of the year (a 1st, 2nd and 3rd place winner for each month).

An Awards Ceremony will be held to honor the winning students in April to observe Water Awareness month. Date, time and location of the awards ceremony will be announced.

Cover

\$75 U. S. Saving Bond
Certificate of Excellence
\$500 art supplies for school

First Place

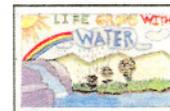
\$75 U.S. Savings Bond
Certificate of Excellence

Second Place

\$50 U. S. Savings Bond
Certificate of Excellence

Third Place

\$25 U. S. Savings Bond
Certificate of Excellence



Contest Judging

Deadline: May 12, 2006 5pm

The entries will be judged May 15-17.

Entries will be judged on 1) water conservation theme message, 2) neatness, 3) creativity, 4) originality, 5) visual effectiveness. The winning entries and their teachers will be notified by telephone. All teachers that participated in the contest will be notified by email or fax.

Mail or drop off entries with entry forms and release forms to:

Kootenai Environmental Alliance
408 Sherman Avenue, Ste. 301
Coeur d'Alene, ID 83814

For additional information about the Water Conservation Calendar Poster Contest call:

208-667-9093

or via e-mail at

kea@kealliance.org

Sponsors

Aquifer (\$2,501—\$5,000)

Lakes (\$1001 -\$2,500)
Coeur d'Alene Water Department

Rivers (\$501-\$1000)

Streams (\$251 -\$500)

Creeks (up to \$250)

City of Coeur d'Alene Water Department
Residential Landscape Rebate
Application

REQUIRED CUSTOMER INFORMATION

First and Last Name

Address

City, State, Zip

Phone Number

Water Department Account Number

I certify the information I have provided is true and correct, and I have purchased the goods and services for use at the location indicated. I grant permission to City of Coeur d'Alene Water Department, with notification, to enter upon the property to inspect the installation of residential landscape rebate credit devices to ensure program requirements are met.

Signature

Date

RAIN SENSOR/SWITCH

Maximum one-time rebate credit per residential customer: \$75

The rebate will be in the form of a credit to your utility account.

PLEASE MAIL THIS APPLICATION AND PROOF OF PURCHASE TO:



City of Coeur d'Alene
Water Department
3820 N. Ramsey Road
Coeur d'Alene, ID 83815

Rebate Credit Eligibility Requirements

- The rebate credit applicant must be a Coeur d'Alene Water Department residential customer with a water account in good standing.
- Eligible residences must be owner occupied single family dwellings on the Coeur d'Alene Water System.
- The **maximum** one-time rebate credit per residential customer is \$75.
- All applications must include a copy of **proof of purchase** (in the form of a sales receipt or purchase invoice that specifies the product/service and date) **and UPC code**.
- The Department will honor receipts for materials and/or services dated April 1, 2006 and after.
- Pre-existing products and services **are not** eligible.
- Prior to approval, an on-site inspection may be required by City of Coeur d'Alene Water Department.
- The total rebate credit per item cannot exceed 75% of the receipt amount.
- The application must be received with 6 months of purchase.

Rebate Credits are given on a first-come first-serve basis until all rebate credit funds are distributed.

FOR MORE INFORMATION, CONTACT:

CITY OF COEUR D'ALENE WATER DEPARTMENT
3820 N. Ramsey Road
Coeur d'Alene, ID 83815
(208) 769-2210



*Kootenai
Environmental
Alliance*

408 Sherman Avenue
Suite 301
Coeur d'Alene, ID
83814
(208) 667-9093

City of
Coeur d'Alene
Water
Department
Residential
Landscape
Conservation
Rebate Credit



▶ *The City of Coeur d'Alene Water Department and the Kootenai Environmental Alliance working together for*

**Using Water Wisely
Makes Sense, Saves Dollars!**

▶ RESIDENTIAL LANDSCAPE REBATE CREDIT

Water is a precious resource! Did you know that outdoor water use, mostly lawn and garden watering, can **triple or quadruple** in the summer? Over-watering is the #1 cause of wasted water in the summer and a leading cause of plant disease and insect problems. The purpose of this landscape rebate credit program is to educate residents on ways to use water wisely, and at the same time, improve the appearance of their landscapes.



THREE EASY STEPS TO A WATER EFFICIENT LANDSCAPE

STEP ONE: Using water wisely is important. Proper irrigation can help you save water.

Use Soil Preparations/Soil Amendments

Soil preparation is the foundation to a beautiful, healthy and water efficient landscape. Loosening the soil by rototilling or spading and adding soil amendments will keep the soil at its best for a healthier landscape.

Regularly Maintain Your Irrigation System

Inspect your irrigation system several times throughout the watering season. Turn your irrigation system on and look for misaligned spray heads, broken spray heads and leaks. Make the necessary repairs and adjustments as soon as possible.

Maintain a Regular Watering Schedule

One inch (1") of water per week is all you need for a healthy lawn. Three quarters of an inch (3/4") of water per week is all you need for healthy shrub beds. When the temperature is 85° or higher for an extended period of time, your lawn may need additional water (typically 1 1/2" per week). Water early in the morning or late at night to avoid water evaporation. Remember that shade or partial shade

STEP TWO: Discover additional ways to use water efficiently in the landscape.



Upgrade Your Irrigation Controller

The key to watering efficiently is to obtain a controller that handles diverse landscape and weather situations and to program according to your plants' water needs. Consider the capacity for independent programs, the capacity for multiple watering cycles, rain shut-off device capability and a water budget feature which ranges from zero to 200% in 10% increments.

Plant Low Water Use Plants, Native Plants

Planting low water use plants and native plants in your flower garden beds can save you both money and water. Grouping plants with similar water needs will save you even more when applying the right amount of water your plants need.

Install Drip Irrigation

Drip irrigation for your flower beds, shrubs and trees will apply the water where it is needed ... at the root of the plants. Drip irrigation minimizes or eliminates water evaporation, runoff and overspray.

Reduce Turf/Lawn

Replacing lawn that is not useful with beautiful gardens and flower beds is a great way to enhance your landscape and save water.



STEP THREE: The City of Coeur d'Alene Water Department and Kootenai Environmental Alliance (KEA) encourage you to try tools that will assist you to use water wisely in your landscape.

Choose the rebate credit that Works for you:

Rain Sensor/Switch

Stop your automatic irrigation system from watering when rainfall is doing the job. A rain sensor or switch will temporarily disengage your irrigation system until the rain has stopped.

Soil Moisture Sensor

This sensor can eliminate unnecessary watering by monitoring the irrigation schedule. Soil moisture sensors will override the call for water if the sensors indicate enough moisture is already present in the soil.



Hose Bib Timer

Never worry about forgetting to turn the sprinkler off. Hose timers reliably turn off hoses and sprinklers at pre-set times.

THE MAXIMUM ONE-TIME REBATE CREDIT PER CUSTOMER IS

Using Water Wisely
Makes Sense, Saves Dollars!

OTHER BUSINESS

COUNCIL BILL NO. 06-1000
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING A NEW CHAPTER 2.100 ENTITLED "CDATV COMMITTEE", ESTABLISHING THE CDATV COMMITTEE TO OVERSEE THE POLICIES AND PROCEDURES FOR THE OPERATION OF THE CITY OF COEUR D'ALENE CABLE TELEVISION STATION; PROVIDING AN APPEAL BOARD AND FOR APPEALS TO THE CITY COUNCIL; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY.

WHEREAS, CDATV Cable Channel is designated as a government/public education channel for the City of Coeur d'Alene, as provided for in the 1994 Cable Act and the franchise agreement between the City of Coeur d'Alene and Time Warner Television pursuant to Ordinance No. 3161 adopted January 20, 2004;

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 Section 2.100.010, is hereby added to the Coeur d'Alene Municipal Code as follows:*

CDATV COMMITTEE

2.100.010: POLICY:

It is declared to be the policy of the city of Coeur d'Alene to encourage the development of a local government/public education television channel and to join with all persons and institutions concerned with the televising such programs to ensure that the role of CDATV in our community will grow and play an evermore significant part in providing information on local government and public educational to the citizens of Coeur d'Alene.

SECTION 2 *That a new Section 2.100.020, is hereby added to the Coeur d'Alene Municipal Code as follows:*

2.100.020: ESTABLISHED; MEMBERSHIP; TERMS:

- A. There is established a CDATV Committee in the city of Coeur d'Alene, which shall consist of eight (8) members who shall receive no salary.
- B. All appointments to the CDATV Committee shall be made by the mayor with the advice and approval of the council, and members of the Committee may in a like manner, be removed. Two (2) members thereof shall be residents at large; of which one member may

reside outside city limits but must be a resident of Kootenai County; one member shall be a business owner residing within the city limits; one member shall be a City Councilman; one member shall be a high school student, who attends school within the boundary of School District 271; a representative as assigned by North Idaho College; a representative as assigned by the cable franchise; and a representative as assigned by School District 271. The City Clerk, or designee, shall serve as liaison to this committee.

- C. The term of office of each member shall be for a term of three (3) years or until his successor is appointed and qualified, whose term shall run for the duration of the existing term except for the high school student whose term shall be for one year. The terms of office of the members shall be staggered in such a manner so that the terms of three (3) of those members shall expire at the end of one year, the terms of two (2) of those members shall expire two (2) years later, and the terms of the two (2) remaining of those members shall expire at the end of three (3) years except for the high school student. The mayor shall determine at the initial appointment to this Committee the members staggered terms. Thereafter, the term of office for each appointed member shall be three (3) years. Vacancies shall be filled by appointment of the mayor with the consent of the city council.
- D. In addition to the members listed in Subsection A, any outlying City which enters into an agreement with the City of Coeur d'Alene to participate in using CDATV for their government information channel, shall provide one (1) representative from that city to serve on the CDATV Committee for a term of three (3) years and who shall be recommended by their respective city's Mayor and confirmed by their Council.

SECTION 3 *That a new Section 2.100.030, is hereby added to the Coeur d'Alene Municipal Code as follows:*

2.100.030: OFFICERS; MEETINGS:

- A. After appointment of the first membership and every two (2) years thereafter, following the first Board meeting in January, the board shall organize by selecting a chairperson and such other officers as deemed necessary by the board.
- B. The CDATV Committee shall hold meetings as needed, at such time as may be determined by the majority of the committee, its chairperson or the mayor, but in any event shall meet at a minimum on a quarterly basis.
- C. A majority of the then appointed members of the committee shall be necessary to constitute a quorum at any meeting, except as provided in 2.100.050.
- D. The CDATV Committee may adopt their own by-laws, provided no by-laws may conflict with any city policies, regulations, or procedures.
- E. All meetings shall be open to the public.
- F. A written record of its meetings, resolutions, findings and determinations shall be kept, which shall be a public record.

SECTION 4 *That a new Section 2.100.040, is hereby added to the Coeur d'Alene Municipal Code as follows:*

2.100.040: DUTIES; RESPONSIBILITIES:

The duties and responsibilities of the board shall be as follows:

- A. To stimulate and encourage, throughout the city and surrounding area, the televising of information concerning local government and public education;
- B. To make such surveys as may be deemed advisable of public and private institutions engaged within the city in enhancing the programs aired on CDATV, and to make recommendations concerning appropriate methods to encourage participation in, and appreciation of, the programs aired to meet the legitimate needs of persons in the city of Coeur d'Alene;
- C. To take such steps as may be necessary and appropriate to encourage public interest in the value of our city's local television channel and to expand the city's televising resources;
- D. To provide oversight for the city of Coeur d'Alene Government Information/Public Education television channel;
- E. To comply with all city policies, procedures, and regulations.
- F. To hear appeals from any person who has been affected by a decision or order of the city or its designees in the enforcement and administration of the Coeur d'Alene television channel.

SECTION 5 *That a new Section 2.100.050, is hereby added to the Coeur d'Alene Municipal Code as follows:*

2.100.050: CDATV APPEALS; POWERS; APPELLATE PROCEDURE:

01. Any three (3) members of the CDATV Committee may serve, as needed, on the CDATV appeal board and shall conduct the appeals as prescribed in this code.

- A. The CDATV appeal board shall hear appeals pertaining to programming decisions and determinations of the CDATV Program Director.
- B. Decide questions arising over the interpretation and enforcement of this Chapter.
- C. Determine whether the policies and guidelines of the CDATV have been followed.
- D. Make findings of facts based on the information presented at the appeal hearing.

02. Appellate Procedures:

- A. A person wanting to file an appeal of a programming decision or determination of the CDATV Program Director shall make a written request to the city clerk within ten (10) days of the written decision of the Program Director.

- B. The CDATV appeal board shall hear such appeal within thirty (30) days after filing by the appellant.
- C. Should the appellant request a hearing within such ten (10) day period, the appellant shall be notified in writing by the city clerk of the time and place of the hearing.
- D. The CDATV appeal board will make a written decision within ten (10) days of hearing the appeal.
- E. A majority of the CDATV appeal board must agree for any decision by them to be final.

SECTION 6 *That a new Section 2.100.060, is hereby added to the Coeur d'Alene Municipal Code as follows:*

2.100.060: APPEAL OF CDATV COMMITTEE DECISION TO CITY COUNCIL:

- A. Any person aggrieved by a final determination of the CDATV Appeal Board shall have the right of further appeal to the City Council.
- B. An appeal to the City Council must be made within ten (10) days after receiving written notice of the decision by the CDATV Appeal Board.
- C. Filing an appeal to the City Clerk shall meet the requirements set forth in subsections 2.100.050.02
- D. The City Council shall hear all pertinent data and make a binding determination on the parties involved.

SECTION 7 All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8 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 9 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 10 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.

APPROVED, ADOPTED and SIGNED this 21st day of March, 2006.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
ADOPTING A NEW CHAPTER 2.100 ENTITLED "CDATV COMMITTEE"

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING A NEW CHAPTER 2.100 ENTITLED "CDATV COMMITTEE", ESTABLISHING THE CDATV COMMITTEE TO OVERSEE THE POLICIES AND PROCEDURES FOR THE OPERATION OF THE CITY OF COEUR D'ALENE CABLE TELEVISION STATION; PROVIDING AN APPEAL BOARD AND FOR APPEALS TO THE CITY COUNCIL; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Susan K. Weathers, 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. _____, ADOPTING A NEW CHAPTER 2.100 ENTITLED "CDATV COMMITTEE", and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 21st day of March, 2006.

Warren J. Wilson, Deputy City Attorney

CITY COUNCIL STAFF REPORT

DATE: March 21, 2006
FROM: Gordon Dobler, Growth Services Director
SUBJECT: Consultant Labor Services Agreement for Jerry Sweikert

DECISION POINT

The Council is requested to approve a Consultant Labor Services Agreement with Jerry Sweikert for a period of thirty-six (36) months, which includes medical benefits for thirty-six months.

HISTORY

The City's Personnel Rules allow for a Retirement Medical Benefit to be offered to retiring employees who meet the eligibility requirements. The benefit provides for a cost sharing of medical insurance premiums for the employee in return for up to 240 hours of service from the employee. This benefit is viewed as a management tool allowing long-term City employees the opportunity to retire and the City to manage personnel change in a more cost effective manner. The approval is contingent upon required cost savings and the balancing of resources.

Mr. Sweikert has worked for the City of Coeur d'Alene for twenty seven (27) years and is retiring on March 15, 2006. Mr. Sweikert has agreed to provide the 240 hours of service prior to September 1, 2006

FINANCIAL ANALYSIS

This position is currently a Senior Field Inspector and will be replaced with a Public Works inspector which is one grade lower. The cost savings will be about \$11,400 the first year, \$9600 the second year, and \$7700 the third year, for a total savings of about \$28,700. Mr Sweikert will oversee our Overlay program this summer which would otherwise have to be contracted out. They cost of contracting would be in the order of \$18,000 to \$25,000. The City's share of the medical premiums for Mr. Sweikert would be on the order of \$12,000.

PERFORMANCE ANALYSIS

This proposal not only results in financial savings to the City but it also allows us to use an employee with substantial experience and familiarity with our Overlay program. In addition, the relatively short time frame for completing the 240 hours of service avoids tracking and availability issues later on.

RECOMMENDATION

Staff recommends that Council approve a Consultant Labor Services Agreement with Jerry Sweikert for a period of thirty-six (36) months, which includes medical benefits for thirty-six months

RESOLUTION NO. 06-018

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A CONTRACT FOR EMPLOYEE CONSULTING SERVICES, WITH WILLAIM AND MARY SWEIKERT, HUSBAND AND WIFE.

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into a Contract with William and Mary Sweikert for Employee Consulting Services pursuant to the terms and conditions set forth in a contract, a copy of which is attached hereto as Exhibit "1" and by reference made a part hereof; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the City enter into a Contract for Employee Consulting Services, in substantially the form attached hereto as Exhibit "1" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said Contract to the extent the substantive provisions of the Contract remain intact.

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

DATED this 21st day of March, 2006.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk

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

ROLL CALL:

COUNCIL MEMBER GOODLANDER Voted _____

COUNCIL MEMBER KENNEDY Voted _____

COUNCIL MEMBER HASSELL Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER REID Voted _____

COUNCIL MEMBER EDINGER Voted _____

_____ was absent. Motion _____.

CITY COUNCIL STAFF REPORT

DATE: March 15, 2006

FROM: Bette Ammon, Library Director

RE: **Grant from Idaho State Library – joining Cooperative Information Network**

DECISION POINT: To seek Council approval to accept a Library Services and Technology (LSTA) grant administered through the Idaho State Library.

HISTORY: The Library would like to join the Cooperative Information Network (CIN). CIN is a successful partnership of libraries that collaborate in a number of ways, including their shared automation system. CIN has been providing seamless library services to Kootenai and Shoshone County residents since 1983. Alongside, the Coeur d'Alene Public Library has been operating with a standalone catalog (Athena) system with limited functionality. The Library is eager to join our neighbors and provide North Idaho residents with a shared, collaborative system.

FINANCIAL ANALYSIS: The Idaho State Library Board recommended funding this LSTA grant request of \$37,000. A 25% local match is required. \$7500 will be provided by the Friends of the Coeur d'Alene Public Library with the remaining \$5400 from the Library's 2006 budget cost savings.

PERFORMANCE ANALYSIS: The Library asked to join CIN and was accepted (see attached letters). The process includes readying the Library database of some 60,000 records and migrating those records to the CIN database. Resources for Coeur d'Alene residents will immediately expand from 60,000 items to 308,000. When the Washington Idaho Network's (WIN) Universal Borrowing module becomes active later this year (2006), library users will have opportunities to select from 3,449,622 items available at WIN's 89 libraries.

DECISION POINT: Staff requests that the Council accept this grant of \$37,000 to provide excellent library services to Coeur d'Alene residents.

PUBLIC HEARINGS

RESOLUTION NO. 06-020

A RESOLUTION OF THE CITY OF COEUR D'ALENE, OF KOOTENAI COUNTY, IDAHO, HEARING, CONSIDERING AND DISPOSING OF PROTESTS REGARDING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENT DISTRICT NO. 145; CONSIDERING THE ENGINEER'S REPORT THEREFOR; MAKING AMENDMENTS AND FINAL DISPOSITION OF PROTESTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

**CITY OF COEUR D'ALENE
Kootenai County, Idaho**

LOCAL IMPROVEMENT DISTRICT NO. 145

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

WHEREAS, the City of Coeur d'Alene, of 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"), has heretofore duly created Local Improvement District No. 145 ("LID No. 145"), 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, at the direction of the Council, the City's Engineer has created an assessment roll (the "Assessment Roll") apportioning the costs of said improvements among the lots, parcels, and other property located within LID No. 145; and

WHEREAS, after proper publication and mailing of notice to the owners of property within LID No. 145, a hearing was held on March 21, 2006, at which time and place owners of property within LID No. 145 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. 145 will be specially benefited by the doing and making of the improvements within said LID No. 145 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. 145;

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, in writing or verbally, at or prior to 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. 145, as the same are described in the Assessment Roll, will be especially 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 21st day of March, 2006.

CITY OF COEUR D'ALENE
Kootenai County, Idaho

Mayor

ATTEST:

City Clerk

(S E A L)

* * * * *

I, the undersigned, City Clerk of the City of Coeur d'Alene, of 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 March 21, 2006, 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:

AYES, and in favor thereof, Councilmembers:

NAYS, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

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 City on March 21, 2006.

City Clerk

(S E A L)

EXHIBIT "A"

**CITY OF COEUR D'ALENE
Kootenai County, Idaho**

LOCAL IMPROVEMENT DISTRICT NO. 145

The following protests to the Assessment Roll for Local Improvement District No. 145 were presented, in writing or verbally, at or prior to the public hearing held on March 21, 2006:

Name of Protester	Description of Parcel	Reason for Protest

EXHIBIT "B"

**CITY OF COEUR D'ALENE
Kootenai County, Idaho**

LOCAL IMPROVEMENT DISTRICT NO. 145

The following disposition is made concerning the protests to the Assessment Roll for Local Improvement District No. 145 which were presented, in writing or verbally, at or prior to the public hearing held on March 21, 2006:

Name of Protester	Description of Parcel	Disposition of Protest

COUNCIL BILL NO. 06-1009

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, OF KOOTENAI COUNTY, IDAHO, APPROVING AND CONFIRMING THE ASSESSMENT ROLL OF ITS LOCAL IMPROVEMENT DISTRICT NO. 145 FOR THE CONSTRUCTION AND INSTALLATION OF CERTAIN STREET, WATER AND SEWER SYSTEM IMPROVEMENTS WITHIN THE LIMITS OF LOCAL IMPROVEMENT DISTRICT NO. 145; PROVIDING FOR ASSESSMENTS AND FOR THE ISSUANCE OF BONDS OR OTHER DEBT OBLIGATION; CREATING CERTAIN FUNDS AND ACCOUNTS AND PROVIDING FOR CERTAIN COVENANTS WITH REGARD THERETO; 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. 145

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

WHEREAS, the City of Coeur d'Alene, of 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, said City is authorized by Idaho Code, Title 50, Chapter 17, to issue local improvement district bonds for the purpose of paying the cost of improvements and betterments within local improvement districts of the City; and

WHEREAS, the City Council (the "Council") has heretofore duly created Local Improvement District No. 145 ("LID No. 145") for the purpose of making certain improvements to the roadway system of the City and acquiring and installing improvements to the sewer, water and storm water systems of the City with related improvements to benefit properties within the boundaries of LID No. 145; 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. 145; and

WHEREAS, it appears to the Council that each lot, tract, parcel, and other property included within LID No. 145 will be specially benefited by the doing and making of the improvements within said LID No. 145, in an amount at least equal to the specific amount or amounts set opposite each such lot, parcel of land, and other property upon the assessment roll for said LID No. 145 (the "Assessment Roll"), heretofore filed herein and heard before the Council, and that each and all of said assessments are strictly in accordance with the benefits attributable to each lot, parcel of land and other property, and are in amount and apportionment strictly in accordance with Section 50-1707, Idaho Code, and the resolutions and ordinances of the City, and that said Assessment Roll and each and all of the assessments set forth therein are correct and proper in every respect; 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. 145 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 Tuesday, March 21, 2006, pursuant to said notice, at the time and place fixed for said hearing; and

WHEREAS, at said hearings all those persons desiring to be heard were heard and disposition of the protests has been made by a Resolution adopted on said date; 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. 145 for the purpose of making certain roadway, water and sewer improvements, and engineering, surveying, supervision and inspection for design and installation and all legal and other miscellaneous expenses, within the limits of LID No. 145, all of which is provided for under the Resolution of Intent, are hereby in all respects approved and confirmed. 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.

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.

Section 4: ASSESSMENTS ARE LIENS; RECORDATION OF NOTICE

The assessments made by this confirming Ordinance shall be a lien upon the property assessed, from and after the date the Clerk records a notice which shall contain the date of adoption of this confirming Ordinance and a description of the area or boundaries of LID No. 145. The Clerk is hereby directed to make said recording with the Kootenai County Recorder immediately upon the passage of this Ordinance.

Section 5: 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 the Resolution disposing of the protests and this Ordinance confirming the Assessment Roll, or April 21, 2006. The 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. An Affidavit of Mailing 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, shall be paid in full. 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 LID No. 145 Bonds plus one percent (1%). 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 6: COST AND EXPENSES

The total cost and expenses of improvements shall 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 front foot

method of assessment against each of the lots, parcels and properties located within LID No. 145, as described in the Ordinance creating LID No. 145.

Section 7: **INSTALLMENT DOCKET**

The City Treasurer shall, upon passage of this Ordinance, establish a Local Improvement Installment Docket for LID No. 145 as provided in Section 50-1717, Idaho Code.

Section 8: **AUTHORIZATION OF BONDS FOR LOCAL IMPROVEMENT DISTRICT**

The issuance of bonds to defray the cost of improvements made within LID No. 145 is hereby authorized. Said bonds shall be designated "City of Coeur d'Alene Local Improvement District No. 145 Bonds" (the "Bonds"), and shall be more particularly described in an Ordinance to be adopted by the Council, authorizing the issuance and sale of the Bonds. Said Bonds shall be issued in the amount of the cost of the improvements within LID No. 145, less the amount of any assessments paid in within the thirty-day period, and less any grant funds or other funds available to the City for such use.

Section 9: **CREATION OF BOND AND INTEREST FUNDS**

The City Treasurer is hereby authorized and empowered, and it shall be his/her duty, to receive and collect all assessments levied on property within LID No. 145 to pay the cost of said improvements, the installments thereof, the interest thereon, and the penalties accrued, and to pay and disburse such payment to the person or persons lawfully entitled to receive the same, in accordance with the laws of the State of Idaho and all ordinances and resolutions of City.

There is hereto created, and shall be maintained by the City Treasurer, a special fund designated "City of Coeur d'Alene Local Improvement District No. 145 Bond Fund" (the "Bond Fund"), or such other designation conforming to accepted accounting practices. All moneys constituting payment of principal of said unpaid installments of assessments are to be deposited into the Bond Fund, and shall be used and applied for the purpose of paying the principal of and interest on the Bonds herein authorized and for no other purpose whatsoever. The Bond Fund is hereby pledged as security for such payment of principal of and interest on the Bonds.

There is hereby created, and shall be maintained by the City Treasurer, a special fund designated "City of Coeur d'Alene Local Improvement District No. 145 Interest Fund" (the "Interest Fund"), or such other designation conforming to accepted accounting practices. All moneys constituting payment of interest on said unpaid installments of assessments are to be deposited into the Interest Fund, and shall be used and applied for the purpose of paying the interest on the Bonds herein authorized and for no other purpose whatsoever. The Interest Fund is hereby pledged as security for such payment of interest on the Bonds.

Moneys in the Bond Fund and the Interest Fund shall be deposited in such bank or banks as are designated as depositories of public moneys of the City under the laws of the State of

Idaho, or invested in bonds or warrants of the City. Interest received on such funds so deposited or invested shall be placed to the credit of the Fund from which it is earned.

Section 10: GUARANTEE FUND

There has heretofore been created, pursuant to Section 50-1762, Idaho Code, a fund designated the “City of Coeur d’Alene Local Improvement Guarantee Fund” (the “Guarantee Fund”), which shall be maintained by the Treasurer as a special fund separate and apart from any other fund or account of the City. The Guarantee Fund is created for the purpose of guaranteeing, to the extent of such fund, the payment of the principal of and interest on local improvement district bonds and warrants, including local improvement district bonds and warrants hereafter issued for any local improvement district created by the City pursuant to Idaho Code Title 50, Chapter 17. Whenever there shall be insufficient funds to make any payment of principal of or interest on the local improvement district bonds or warrants as the same become due, payment therefore shall be made by warrant drawn against the Guarantee Fund in the manner provided by Section 50-1763, Idaho Code. If funds for the payment of such warrants are not available in the Guarantee Fund, such warrant shall be registered as provided by law and the City shall cause a special tax to be levied and collected therefor as provided in Section 50-1762, Idaho Code. The Guarantee Fund shall thereafter be maintained in the manner provided by Sections 50-1762 through 1769, Idaho Code.

Section 11: APPEAL PROCEDURE

The confirmation of the Assessment Roll for LID No. 145 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 No. 145, 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 12: RATIFICATION OF PROCEEDINGS

All proceedings heretofore had in connection with the creation of No. 145, 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 13: IRREPEALABILITY

From and after the date the Bonds are issued, this Ordinance shall be and remain irrevocable until the Bonds and the interest thereon shall be fully paid and discharged, as herein provided.

Section 14: 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 15: 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 16: PUBLICATION AND EFFECTIVE DATE

After its passage and adoption, a summary of this Ordinance, substantially in the form attached hereto as Exhibit "A", 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 21st day of March, 2006, upon which a roll call vote was duly taken and duly enacted.

CITY OF COEUR D'ALENE

Mayor

ATTEST:

City Clerk

(S E A L)

* * * * *

I, the undersigned, City Clerk of the City of Coeur d'Alene, of Kootenai County, Idaho hereby certify that the foregoing Ordinance is a full, true, and correct copy of an Ordinance duly adopted at a regular meeting of the City Council, duly and regularly held at the regular meeting place thereof on March 21, 2006, 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 Ordinance was adopted by the following vote:

AYES, and in favor thereof, Councilmembers:

NAYS, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

I further certify that I have carefully compared the same with the original Ordinance on file and of record in my office; that said Ordinance is a full, true, and correct copy of the original Ordinance adopted at said meeting; and that said Ordinance 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 City on March 21, 2006.

City Clerk

(S E A L)

**SUMMARY OF
ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, OF KOOTENAI COUNTY, IDAHO, APPROVING AND CONFIRMING THE ASSESSMENT ROLL OF ITS LOCAL IMPROVEMENT DISTRICT NO. 145 FOR THE CONSTRUCTION AND INSTALLATION OF CERTAIN STREET, WATER AND SEWER SYSTEM IMPROVEMENTS WITHIN THE LIMITS OF LOCAL IMPROVEMENT DISTRICT NO. 145; PROVIDING FOR ASSESSMENTS AND FOR THE ISSUANCE OF BONDS OR OTHER DEBT OBLIGATIONS; CREATING CERTAIN FUNDS AND ACCOUNTS AND PROVIDING FOR CERTAIN COVENANTS WITH REGARD THERETO; 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. 145

A summary of the principal provisions of Ordinance No. _____ of the City of Coeur d'Alene, Kootenai County, Idaho, adopted on March 21, 2006, is as follows. Capitalized terms used in this summary shall have the meaning given them in Ordinance No. _____.

Section 1: Confirms the assessments shown on the Assessment Roll for LID No. 145.

Section 2: Provides that each property within the boundaries of LID No. 145 benefits to the amount of the assessment thereon.

Section 3: Directs the City Clerk to certify and file the confirmed Assessment Roll with the City Treasurer.

Section 4: States that the assessments on the property within the boundaries of LID No. 145 are liens upon the property assessed, and that the Assessment Roll should be filed with the Kootenai County Recorder immediately upon adoption of the Ordinance.

Section 5: Provides that property owners have 30 days from the date of March 21, 2006, to repay their assessments, otherwise they will be deemed to have decided to pay said assessments in ten (10) equal annual installments plus interest at the net effective rate of interest on the LID No. 145 Bonds, plus one percent (1%).

Section 6: States that the total cost of the project are levied and assessed by the front foot method of assessment against each of the properties within the boundaries of LID No. 145.

Section 7: Directs the City Treasurer to establish an LID docket for LID No. 145 as provided by Idaho Code.

Section 8: Authorizes the issuance of LID No. 145 Bonds by the City.

Section 9: Authorizes the City Treasurer to create a Bond Fund and Interest Fund and deposit all assessment payments into such fund, for the purpose of repaying principal of and interest on the LID No. 145 Bonds.

Section 10: Refers to an existing Guarantee Fund and sets forth the rules for operation thereof.

Section 11: Provides for an appeal procedure of the amount of assessments and states the process for said appeal. This section also provides that once this 30-day appeal period has expired, no one shall have the cause or right to contest the legality, formality or regularity of any assessment within LID No. 145.

Section 12: Ratifies all proceedings heretofore had in connection with LID No. 145.

Section 13: Provides that the Ordinance is irrevocable until the LID No. 145 Bonds and interest thereon are fully repaid.

Section 14: Provides that if any section of the Ordinance is invalid or unenforceable, that invalidity will not affect the remainder of the Ordinance.

Section 15: Provides that the City will enforce and seek remedies for breaches of the terms of this Ordinance under the laws of the State of Idaho.

Section 16: Provides for a publication of this summary of the Ordinance in the official newspaper of the City.

A full text of Ordinance No. _____ is available at the office of the City Clerk of the City of Coeur d'Alene and will be provided to any citizen upon personal request during normal business hours.

APPROVED this 21st day of March, 2006.

CITY OF COEUR D'ALENE,
Kootenai County, Idaho

Mayor

ATTEST:

City Clerk

(S E A L)

CERTIFICATION OF BOND COUNSEL

I, the undersigned, Bond Counsel for, and legal advisor to, the City of Coeur d'Alene, Idaho, hereby certify that I have read the attached Summary of Ordinance No. _____ of the City, and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

DATED as of this 21st day of March, 2006.

s/ Michael C. Ormsby

Michael C. Ormsby

INFORMATION SECTION

Including

Correspondence

Board, Commission, Committee Minutes

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 FIVE MONTHS ENDED
 28-Feb-2006

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 2/28/2006	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$152,380	\$63,193	41%
	Services/Supplies	23,345	7,702	33%
Administration	Personnel Services	364,030	162,872	45%
	Services/Supplies	54,290	19,432	36%
Finance	Personnel Services	520,965	214,787	41%
	Services/Supplies	124,220	40,128	32%
Municipal Services	Personnel Services	581,262	226,733	39%
	Services/Supplies	352,339	177,469	50%
	Capital Outlay	14,000	13,526	97%
Human Resources	Personnel Services	167,065	68,929	41%
	Services/Supplies	53,952	12,963	24%
	Capital Outlay			
Legal	Personnel Services	925,404	377,013	41%
	Services/Supplies	107,986	36,906	34%
	Capital Outlay			
Planning	Personnel Services	408,242	168,438	41%
	Services/Supplies	23,900	26,882	112%
Building Maintenance	Personnel Services	154,053	57,126	37%
	Services/Supplies	181,100	56,820	31%
	Capital Outlay			
Police	Personnel Services	6,395,776	2,653,436	41%
	Services/Supplies	465,402	404,351	87%
	Capital Outlay	206,626	117,851	57%
Fire	Personnel Services	4,204,574	1,791,711	43%
	Services/Supplies	330,789	139,018	42%
	Capital Outlay		99,696	
General Government	Personnel Services	62,400	3,167	5%
	Services/Supplies	71,822	71,822	100%
Local Law Enforcemnt Grant	Services/Supplies	17,520		
Byrne Grant (Federal)	Personnel Services	13,883	1,534	11%
	Services/Supplies	43,944	18,555	42%
	Capital Outlay			
COPS Grant	Services/Supplies	317,450	32,718	10%
Byrne Grant	Personnel Services	35,044	26,066	74%
	Services/Supplies	3,000	695	23%
K.C.J.A. Drug Task Force	Services/Supplies	24,140	8,826	37%
	Capital Outlay			

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
FIVE MONTHS ENDED
28-Feb-2006

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 2/28/2006	PERCENT EXPENDED
US Streets	Personnel Services	1,617,693	593,232	37%
	Services/Supplies	454,450	147,256	32%
	Capital Outlay	465,000	107,231	23%
Growth Services	Personnel Services	1,212,257	457,742	38%
	Services/Supplies	697,873	20,663	3%
	Capital Outlay	30,000	17,844	59%
Parks	Personnel Services	884,276	286,948	32%
	Services/Supplies	262,900	39,533	15%
	Capital Outlay	58,000		
Recreation	Personnel Services	505,020	176,668	35%
	Services/Supplies	164,475	77,018	47%
	Capital Outlay	20,000	3,600	18%
City Properties	Capital Outlay	251,697		
Total General Fund		23,024,544	9,028,100	39%
Library	Personnel Services	720,012	297,578	41%
	Services/Supplies	111,614	30,646	27%
	Capital Outlay	41,024	130,810	319%
Cemetery	Personnel Services	146,252	54,096	37%
	Services/Supplies	92,080	20,856	23%
	Capital Outlay	24,000		
Impact Fees	Services/Supplies	1,972,000	1,254	0%
Annexation Fees	Services/Supplies	410,000	410,000	100%
Parks Capital Improvements	Capital Outlay	370,000	231,952	63%
Insurance	Services/Supplies	275,500	55,454	20%
Total Special Revenue		4,162,482	1,232,646	30%
Debt Service Fund		1,428,674	918,772	64%
Ramsey Road	Capital Outlay	1,082,000	4,964	0%
Government Way - Phase 2	Capital Outlay		1,736	
Kathleen & Atlas Signal	Capital Outlay	230,000	9,908	
Ped Ramps	Capital Outlay		7,507	
Northwest Boulevard	Capital Outlay		3,200	
4th St - Anton to Timber	Capital Outlay		357,489	
Ironwood	Capital Outlay			
15th Street - Best to Dalton	Capital Outlay	694,580		
Seltice Way	Capital Outlay			
US Bank Grant - Seltice	Capital Outlay	10,000	121,200	1212%
Total Capital Projects Funds		2,016,580	506,004	25%

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 FIVE MONTHS ENDED
 28-Feb-2006

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 2/28/2006	PERCENT EXPENDED
Street Lights	Services/Supplies	491,711	162,875	33%
Water	Personnel Services	1,122,946	420,176	37%
	Services/Supplies	2,648,027	366,614	14%
	Capital Outlay	5,123,000	1,798,219	35%
	Debt Service	340,500	22,750	7%
Water Capitalization Fees	Services/Supplies	1,400,000		
Wastewater	Personnel Services	1,687,809	603,956	36%
	Services/Supplies	2,890,500	424,960	15%
	Capital Outlay	10,025,200	2,024,823	20%
	Debt Service	919,950	85,675	9%
WW Capitalization	Services/Supplies	4,234,109		
Sanitation	Services/Supplies	2,701,122	967,141	36%
Public Parking	Services/Supplies	172,249	54,143	31%
	Capital Outlay	300,000		
Stormwater Mgmt	Personnel Services	327,003	115,742	35%
	Services/Supplies	339,134	212,544	63%
	Capital Outlay	465,000	222,765	48%
Total Enterprise Funds		<u>35,188,260</u>	<u>7,482,383</u>	<u>21%</u>
Police Retirement		234,000	97,429	42%
Cemetery Perpetual Care		101,000	42,115	42%
Jewett House		18,860	5,376	29%
Reforestation		23,200	779	3%
CdA Arts Commission		5,000	809	16%
Public Art Fund		20,000	120	1%
Public Art Fund - LCDC		20,000	19,972	100%
Public Art Fund - Maintenance		1,000	175	18%
Fort Sherman Playground		1,000		
KMPO		181,797	158,884	87%
Business Improvement District		122,000	60,000	49%
Homeless Trust Fund		5,000	1,404	28%
Total Trust & Agency		<u>732,857</u>	<u>387,063</u>	<u>53%</u>
TOTALS:		<u><u>\$66,553,397</u></u>	<u><u>\$19,554,968</u></u>	<u><u>29%</u></u>

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

FUND	BALANCE 1/31/06	RECEIPTS	DISBURSE- MENTS	BALANCE 2/28/06
<u>General-Designated</u>	\$1,003,121	\$51,705	\$8,700	\$1,046,126
<u>General-Undesignated</u>	8,937,716	3,028,394	4,282,306	7,683,804
<u>Special Revenue:</u>				
Library	177,575	41,911	99,170	120,316
Cemetery	19,516	19,063	18,677	19,902
Parks Capital Improvements	342,007	27,374	44,102	325,279
Impact Fees	3,342,457	80,529	1,254	3,421,732
Annexation Fees	39,304	103		39,407
Insurance	1,055,178	3,268	2,310	1,056,136
<u>Debt Service:</u>				
2000 & 2002 G.O. Bonds	697,362	1,831	818,749	(119,556)
LID Guarantee	232,663	610		233,273
LID 124 Northshire/Queen Anne/Indian Meadows	102,111			102,111
LID 126 Downtown	-			-
LID 127 Fairway / Howard Francis	103,675			103,675
LID 129 Septic Tank Abatement	302,566	4,874		307,440
LID 130 Lakeside / Ramsey / Industrial Park	299,187			299,187
LID 133 E Sherman/Gravel Sts/Forest Prk Paving	88,227	1,545		89,772
LID 137 Govt Way / Kathleen / WWTP Cap Fees	56,632	7,251		63,883
LID 143 Lunceford / Neider	33,553			33,553
LID 146 Northwest Boulevard	237,493	20,646		258,139
LID 148 Fruitland Lane Sewer Cap Fees	269	1,292		1,561
<u>Capital Projects:</u>				
Street Projects	(708,676)	129,899	82,439	(661,216)
<u>Enterprise:</u>				
Street Lights	(80,254)	34,513	71,174	(116,915)
Water	2,851,737	218,215	298,493	2,771,459
Water Capitalization Fees	2,312,210	43,424	7,260	2,348,374
Wastewater	1,710,880	444,454	652,686	1,502,648
Wastewater-Reserved	1,342,080	26,500		1,368,580
WWTP Capitalization Fees	3,987,551	111,000	22,978	4,075,573
WW Property Mgmt	60,668			60,668
Sanitation	143,185	224,893	233,783	134,295
Public Parking	521,898	11,786	30,309	503,375
Stormwater Mgmt	110,210	109,311	82,148	137,373
Water Debt Service	116			116
Wastewater Debt Service	73,096	192	72,975	313
<u>Trust and Agency:</u>				
Kootenai County Solid Waste Billing		34,349		34,349
LID Advance Payments	8,813			8,813
Police Retirement	1,414,477	111,844	127,528	1,398,793
Cemetery P/C	1,942,286	3,413	8,182	1,937,517
Sales Tax	1,194	849	1,194	849
Fort Sherman Playground	7,670	110		7,780
Jewett House	10,916	214	1,044	10,086
KCATT	3,026	8		3,034
Reforestation	184,032	4,683	400	188,315
CdA Arts Commission	835	2	80	757
Public Art Fund	55,364	152	27	55,489
Public Art Fund - LCDC	75,548	199		75,747
Public Art Fund - Maintenance	58,771	155	81	58,845
KMPO - Kootenai Metro Planning Org	32,692	11,933	12,786	31,839
BID	87,710	3,147	20,000	70,857
Homeless Trust Fund	743	270	743	270
GRAND TOTAL	\$33,279,391	\$4,815,911	\$7,001,578	\$31,093,724