



Coeur d'Alene

CITY COUNCIL MEETING

January 17, 2023

MEMBERS OF THE CITY COUNCIL:
Jim Hammond, Mayor
Council Members McEvers, English, Evans, Gookin, Miller, Wood

WELCOME
To a Regular Meeting of the
Coeur d'Alene City Council
Held in the Library Community Room at **4:00 P.M.**
AGENDA

VISION STATEMENT

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

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

January 17, 2023

A. CALL TO ORDER/ROLL CALL

B. EXECUTIVE SESSION (*Action Item*)- Pursuant to Idaho Code 74-206(1)(b), to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.

RECONVENE at 6:00 P.M.

C. INVOCATION: Pastor McLane Stone with First Presbyterian Church

D. PLEDGE OF ALLEGIANCE

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

F. PRESENTATION: Presentation of a Lifesaving Award to Joree Jimenez for his Actions Related to an Incident on December 4, 2022.

Presented by: Fire Chief Thomas Greif

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

G. ANNOUNCEMENTS

1. City Council
2. Mayor - Appointment of Brandt Souvenir to the Pedestrian and Bicycle Advisory Committee.

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

1. Approval of Council Minutes for the January 3, 2023, Council Meeting.
2. Approval of Bills as Submitted.
3. Approval of Financial Report.
4. Setting of General Services/Public Works Committee Meeting for Monday, January 23, 2023, at 12:00 noon.
5. Setting of a Public Hearing for February 7, 2023; 4:00 P.M.: A-4-22- Annexation of +/- 440 Acres from County AG Suburban to City R-8, R-17, C-17L, & C-17 (Commonly Known as Coeur Terre) and Approval of an Annexation and Development Agreement. Location: N. of I-90, S. of W. Hanley Ave, E. of Huetter Rd.; Applicant: Kootenai County Land Company, LLC
6. **Resolution No. 23-005**
 - a. Approval of Declaration of Sole Source Purchase of Seven (7) LPR Cameras, Communication Boxes, Mounting Hardware, Warranty, Licensing and Technical Services Associated with Installation from Motorola Solutions (dba Vigilant) for Two Different Locations.

**As Recommended by the Police Chief pursuant to
the Procurement Policy adopted via Res. 17-061**

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

J. OTHER BUSINESS:

1. **Resolution No. 23-006** - Approval of a Purchase Agreement with Structured Communication Systems, Inc. (pursuant to the purchase policy adopted by Resolution No. 17-061) for HP Network Switches as a City ARPA Funded Project.

Staff Report by: Brandon Jank, IT Network Systems Administrator

2. **Resolution No. 23-007** - Approval for the Police Department to Apply for and, if Awarded, Accept the CY 2023 Edward Byrne Memorial Justice Grant (JAG) to Acquire FARO 3D Scanners and Associated Equipment for Crime Scene Measuring, Preservation, and Forensic Analysis.

Staff Report by: Police Chief White

3. **Resolution No. 23-008** - Approval of a Memorandum of Understanding with Kootenai County and Motorola's Spillman Public Safety System to Enter into a Five-year Fixed Fee Structure for the Police Department's Use of the Joint Operated Motorola-Spillman CAD / RMS System.

Staff Report by: Police Chief Lee White

K. PUBLIC HEARING:

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

1. (Quasi-judicial) - ZC-2-22 - A Proposed Zone Change from R-3 to R-8 and approval of a development agreement Located at 1095 E. Timber Lane; Applicants: Richard and Susan Bennett

Staff Report by: Sean Holm, Senior Planner

- a. **Council Bill No. 23-1001**– Approving ZC-2-22 - A Proposed Zone Change at 1095 E. Timber Lane from R-3 to C-8.

L. ADJOURN:

PRESENTATIONS



CITY OF COEUR D'ALENE

FIRE DEPARTMENT

300 E FOSTER AVENUE
COEUR D'ALENE, IDAHO 83814
TEL (208) 769-2340
FAX (208) 769-2343

Coeur d'Alene Fire Departments seeks time to make a presentation of a lifesaving award at the CDA City Council Meeting January 17, 2023

Presentation of lifesaving award to Joree Jimenez for an incident that occurred December 4, 2022

Joree was nominated for this award by Engineer Jeff Butcher and Captain Chris Keires.

Presenting the award will be Fire Chief Thomas Greif and staff.

KNOWLEDGE • TRADITION • INTEGRITY

ANNOUNCEMENTS

Memo to Council

DATE: January 9, 2023

RE: Appointment to Boards/Commissions/Committees

The following appointment is presented for your consideration for the January 17, 2023, Council Meeting:

BRANDT SOUVENIR	Pedestrian and Bicycle Advisory Committee (Appointment)
-----------------	--

Mr. Souvenir's data sheet has been placed by the inter-office mailboxes.

Sincerely,

Sherrie Badertscher
Executive Assistant

cc: Renata McLeod, City Clerk
Monte McCully, Liaison to the Ped/Bike Committee

CONSENT CALENDAR

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

January 3, 2023

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room on January 3, 2023, at 6:00 p.m., there being present the following members:

James Hammond, Mayor

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

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

INVOCATION: Bob Albing of Lutheran Church of the Master led the invocation.

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

ANNOUNCEMENTS:

Mayor Hammond requested the appointments of Anne Anderson and Michael Weir to the Historic Preservation Commission.

MOTION: Motion by Evans, seconded by McEvers, to appoint Anne Anderson and Michael Weir to the Historic Preservation Commission. **Motion carried.**

CONSENT CALENDAR:

1. Approval of Council Minutes for the December 20, 2022, Council Meeting.
2. Approval of Bills as Submitted.
3. Setting of General Services/Public Works Committee Meeting for Monday, January 9, 2023, at 12:00 noon.
4. Approval of Cemetery Repurchase from Michelle Ketchum; Section N, Block 5, Lot 26, Forest Cemetery.

As Recommended by the City Clerk

5. S-6-14 Lilac Glen – Acceptance of Subdivision Improvements.

As Recommended by the City Engineer

6. **Resolution No. 23-001** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE PURCHASE OF ARMORCAST

METER BOXES FROM H.D. FOWLER CO., INC., FOR THE METER CHANGE OUT PROGRAM.

DISCUSSION: Councilmember English asked that dollar amounts for cemetery repurchases be listed on future agendas.

MOTION: Motion by McEvers, seconded by Miller, to approve the Consent Calendar as presented, including **Resolution No. 23-001**.

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

PUBLIC COMMENTS:

Vikki Conway, Coeur d'Alene, stated those that live in Indian Meadows like the quiet neighborhood. She said they could coexist with the Coeur Terre development and suggested traffic be opened up onto Huetter Road by changing it to four lanes, and adding an egress onto Huetter Road, north of Armstrong Farms.

Charles Scriptor, Coeur d'Alene, stated the City Council and Design Board were there to protect the citizens of the community, and felt the decisions made by the Design Board on the project were slanted in favor of developers. He said he was concerned with traffic and snow removal for the Garden Lofts project.

Don Gardiner, Coeur d'Alene, stated he had concerns with potential traffic impacts in his Indian Meadows neighborhood. He said his family exercises their horses in the area and increased traffic would be dangerous.

JoAnn Curtis, Coeur d'Alene, stated she lived in Indian Meadows and moved there due to the uniqueness of the neighborhood and the large lots. She asked for reconsideration of the egress points. She noted Atlas Road was already difficult to navigate.

John Hough, Coeur d'Alene, stated the Garden Avenue project's proper flow of traffic was not addressed. He referenced the Rich & Associates Parking Study that had been completed for the Midtown project. He said that hotels and motels normally had one (1) car to park, where condos generally had more than one. He was concerned with on-street parking as employees that work at the government buildings near the project park on the street all day. He stated he wasn't opposed to the project but asked that parking issues be addressed.

Steve Retano, Coeur d'Alene, stated he lived at Indian Meadows and it was a quiet neighborhood. He was concerned with increased traffic through his neighborhood.

Patty Retano, Coeur d'Alene, stated she has lived in Indian Meadows for twenty years and it is a quiet and safe neighborhood. She was concerned for those that live on the streets that were proposed to be opened up as it may affect home values and may bring more crime along with increased traffic.

Suzanne Knutsen, Coeur d'Alene, stated she was a resident of Indian Meadows and read a letter by her friend Ron Magee. He noted the approved Comprehensive Plan and that Council had the ability to amend it. He asked Council to look closely at the Comprehensive Plan and zoning and make amendments as needed in order to protect the property rights of current residents.

Councilmember Gookin inquired if there would be a site visit to Indian Meadows with Mr. Tymesen responding it would not be legal to do so as the annexation would come forward as a quasi-judicial public hearing. Councilmember Wood asked if a workshop would be held, with Mr. Tymesen responding because it would be a public hearing it would not be lawful to hold a workshop and reminded Council, they could table a decision at the hearing if more information or additional time was needed to make a decision. Mr. Adams noted because it was a public hearing, no information could be discussed outside of the hearing process.

APPEAL HEARING OF THE DESIGN REVIEW COMMISSION DECISION FOR THE GARDEN LOFTS AND TOWNHOUSES BY JACQUELYN DOYLE.

STAFF REPORT: City Attorney Randy Adams said that on or about August 4, 2022, Monte Miller, Miller Stauffer Architects, on behalf of the property owner, 512 N. 1st, LLC, filed an application for Design Review, requesting approval of a 34-unit condominium building flanked by two 5-unit townhomes, The Garden Lofts (Project). Design Review was required for this Project pursuant to Municipal Code § 17.09.320. The Project is located on six (6) vacant lots between 1st Street and 2nd Street on the south side of Garden Avenue, which lots are zoned Downtown Core (DC) and located in the DO-N infill overlay district. Parking for the condominiums are to be below the building, with access from the alley between 1st Street and 2nd Street, and private garages would be provided for the townhomes. The applicant sought Floor Area Ratio (FAR) bonuses for Exterior Public Space (.5) and Public Art/Water Feature (.5) for the condominium building, and a FAR bonus for Upgraded Building Materials (.2) for the townhomes. The height of the condominium building was 39 feet 6 inches, with the top of the elevator shaft being 43 feet 6 inches above grade, and the height of the townhomes were 40 feet. The maximum height in the DO-N infill overlay district was 45 feet. No design departures were requested. The Design Review Commission (DRC) conducted the first meeting on the application on October 27, 2022, and approved the Project without requiring the optional second meeting. Mr. Adams explained the Council's review of a DRC decision may only be based on the record that was developed before the DRC, no new evidence, materials, or public testimony may be taken or presented to Council at the appeal hearing. He said the appellant had the burden of showing, by a preponderance of the evidence, that an error was made by the DRC and that the appellant was prejudiced by the DRC's error. He noted objections to the development in general, or to its height, intensity, parking, or traffic impacts were not grounds for redress on appeal because they were not design review criteria. He said basic zoning standards and allowances in the code were to be presumed correct and were not subject to the appeal. He noted the appellant had raised eight (8) issues in the appeal and only four (4) issues were under the DRC's purview: 1. Quorum- Handout was in error as current code states four (4) member in order to meet a quorum. 2. Floor Area Ratio (FAR) Bonuses- Calculations were based on three (3) buildings yet City code states basis is on entire amount of the property. Applicant requested one minor amenity bonus by using upgraded materials (stone and brick) and one (1) major bonus item which included exterior public space and

public art or a water feature. Mr. Adams clarified that the intent of the code was to give an example of stone or brick, not to limit the options to stone or brick. 3. Property Lines- Minimum setbacks of at least 10 feet and no more than 20 feet as proposed in project. 4. Massing standard (3 levels)- Three (3) distinct levels shown on plans of the project.

APPELLANT: Jacquelyn Doyle said the memo in regard to the DRC quorum was a problem as it hadn't been updated and suggested other things may need to be addressed. She noted in relation to the FAR bonuses the project showed no brick, stone, or other upgraded materials. She said the design used concrete and panel construction and felt the developer was getting the benefit of the FAR bonuses without actually using upgraded materials. In regard to the 2% open space, she said they were using the entire parcel for calculations yet there would be 11 townhouses on separate parcels in addition to the condo parcels. She noted the 2% open space was equal to the minimum 10' setback. She said the applicant was getting .5 bonus for public art or a water feature which was supposed to be 1% of the entire cost of the project and the three (3) proposed basalt pillars should be questioned if they met that amount. She stated 80% of the condos were one (1) bedroom with one (1) parking space and felt the parking spaces were not realistic. She was concerned with the minimum setbacks, no available area for snow storage, and not enough room in the alleyway which was also to be used for parking access. She was concerned that the massing requirement had not been met. She stated the massing, concrete, and no upgraded materials would be detrimental to her neighborhood which included the Roosevelt Inn. She asked that the bonuses be looked at more closely.

APPLICANT: Monty Miller, Miller Stauffer Architects, said the project did not ask for any variances or departure from design guidelines and complied with all the zoning ordinance requirements. He said the condos were 37' high, and the maximum allowed was 45'. He noted the townhomes across the street from the project appear to be over 45'. He said the project was within the downtown core boundaries and the intent of the Downtown Overlay-Northside was to create a transition between downtown core and residential areas. He showed pictures of the intent for the open area and noted there was a 10' setback from the right-of-way along Garden Avenue. He said they intended to have water features on both ends of the project on the Garden Avenue side for the public art element. He noted that in regard to using upscale materials, they had included architectural panels, metal sidings, and wood soffits. He said the project complied with the parking code with two (2) garage parking spaces per townhome, and that the parking garage included storage and bike parking. He said the alley would be paved and 20' wide, and there was snow storage space available in two (2) areas on either side of the townhomes.

APPELLANT REBUTTAL: Ms. Doyle said she did not see massing (3 levels) in the project's design and asked that the bonuses allowed be reviewed, and to please look closely at parking.

DISCUSSION: Councilmember Gookin asked how someone may be prejudiced by a DRC decision, with Mr. Adams explaining there would be an opportunity for prejudice on many items such as massing if the standard wasn't met it could block light, obstruct view, etc. Councilmember Gookin asked if the project had been reviewed by the Planning Commission or was it allowed by right, with Mr. Adams responding it didn't require Planning Commission approval. Councilmember English inquired if the DRC procedural memo had been updated, with Mr. Adams responding it had been recommended that staff update it. Councilmember McEvers asked when

had the design review codes last been updated, with Mr. Adams responding it had been a while, possibly more than 9-years. Councilmember Wood asked about the FAR bonuses and if they were incentives to developers to go the extra mile with improved design, with Mr. Adams responding that was the intent and there was some discretion for the final look of a project. Councilmember Gookin asked if the townhomes would be platted separately, and did it affect the calculation of bonuses, with Mr. Adams responding he wasn't sure on the platting, yet the code stated bonuses were calculated on the entire property as long as all parcels were owned by same person. Councilmember Gookin asked the applicant if he liked the design review process, noting he would like to remove it as it added extra work to a project. Mr. Miller concurred with getting rid of the requirement and that the process added more time and energy to their projects and they would continue to bring good products forward. Councilmember Wood asked Mr. Miller to clarify the public areas and how they will be identifiable to the public. Mr. Miller explained there was 640 sq foot of public space on each end of Garden Avenue, which did not include the driveway, and it was located adjacent to pedestrian travel along the Garden Avenue sidewalk, which should be clear it is open space. Councilmember Wood asked how much would be spent on public art. Mr. Miller said the idea would be a kinetic type of art and a water feature, and based on the overall project cost they have budgeted \$111,215.00, but no art had yet been commissioned, and he suspected it might cost more. Councilmember Wood asked if stone or brick could be used, with Mr. Miller responding they had tried to add it to the bottom of the building but it was not aesthetically pleasing and decorative concrete made more sense for the project. Councilmember McEvers said this was his first time hearing an appeal of a DRC decision and wondered what the intent of design review was, and that the appellant had brought forward relevant issues. Councilmember Gookin said parking and other items needed to be addressed with a code update. Mayor Hammond noted that parking was an issue and remained a challenge. Councilmember Wood said she would like clarification and future discussion on FAR bonuses in regard to using stone and brick. Mayor Hammond noted that design review was very subjective. Councilmember Miller said she appreciated Ms. Doyle bringing the issues forward and noted parking and snow removal would be challenging in the area. She also thanked Mr. Miller and his team for their work on the project. Councilmember Evans thanked Ms. Doyle for sharing her concerns and thanked the City team for mediating meetings between the parties. She also requested the outdated Design Review Commission material be followed up on.

MOTION: Motion by Gookin, seconded by English, to affirm the decision of the Design Review Commission.

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

Mayor Hammond called for a five-minute recess at 7:48 p.m., and called the meeting back to order at 7:53 p.m.

COUNCIL BILL 23-1000

AN ORDINANCE AMENDING SECTION 2.72.010 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, CHANGING THE ANNUAL SALARIES OF MAYOR AND COUNCIL MEMBERS AS FOLLOWS: MAYOR SALARY SHALL BE SET AT \$38,400 AND COUNCIL SALARY SHALL BE SET AT \$15,000 DOLLARS EFFECTIVE JANUARY 1, 2024; BOTH TO INCLUDE AN ANNUAL COST OF LIVING INCREASE BASED ON WHAT IS NEGOTIATED FOR EXEMPT STAFF MEMBERS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF (Pursuant to Council Action of December 20, 2022)

DISCUSSION: Councilmember Wood clarified that the increase would affect the seated Council in 2024. Councilmember Gookin said the Mayor's salary was set very low, and he liked the escalator in the ordinance, yet he didn't need the money and would be voting against the motion. Councilmember English asked Councilmember Gookin to consider taking it for the people who may be elected and that he could donate the increase if he so desired. Mayor Hammond said he was concerned that those who may be well qualified can not serve for the salary amount provided, as they could not afford to leave their jobs. He noted that in order to recruit qualified people they would need to be compensated fairly for their time.

MOTION: Motion by Wood, seconded by McEvers, to dispense with the rule and read **Council Bill No. 23-1000** once by title only.

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

MOTION: Motion by Wood, seconded by English, to adopt **Council Bill 23-1000**.

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

RESOLUTION NO. 23-002

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING A TITLE VI COMPLIANCE PLAN FOR THE CITY OF COEUR D'ALENE IN ACCORDANCE WITH THE CIVIL RIGHTS ACT OF 1964 AND RELATED LAWS, EXECUTIVE ORDERS, AND REGULATIONS.

STAFF REPORT: Municipal Services Director Renata McLeod said Title VI was enacted as part of the Civil Rights Act of 1964. She noted that it states "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." In 2000, Title VI was further defined to require federal agencies and recipients of federal assistance to assess and address the needs of limited English proficient persons

seeking to access programs and activities. She said the City of Coeur d'Alene, as a recipient of federal assistance for various projects, was required to adopt a Title VI Compliance Plan. She said over the past eight-years, the City had worked with Russ Riviera, ITD Civil Rights Compliance Officer, and in 2018, the City received a letter noting that it was required to have annual reviews and on-going monitoring of Title VI compliance for use of federal-aid highway funds. She noted at that time, the City had drafted a Title VI Compliance Plan based on the template supplied by ITD, which was acceptable to Mr. Riviera. On December 21, 2022, the City was notified that a new compliance officer had been assigned to the City. The officer, Connie Rozean, had notified the City that she was in the process of collecting data from many cities, which data included whether or not the cities had adopted an approved Title VI Compliance Plan. As noted, while the City has a draft Plan, it is the City Attorney's recommendation that the Plan be formally approved by Resolution of the City Council. The City's status must be reported to Ms. Rozean by January 9, 2023. She said in addition, the city engineer had reviewed the draft Plan and had provided inputs based on his understanding of the requirements for ITD funded projects included in the plan.

DISCUSSION: Councilmember Gookin asked if the entire plan must be approved or may they pick items from the list, with Ms. McLeod responding all items were required by the state to be included in the Plan.

MOTION: Motion by Gookin, seconded by McEvers, to approve Resolution No. 23-002, Approving the City Title VI Compliance Plan.

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

RESOLUTION NO. 23-003

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE ON-CALL PROFESSIONAL CONSULTANT SERVICES LIST ESTABLISHED THROUGH THE STATEMENT OF QUALIFICATIONS PROCESS PER IDAHO CODE § 67-2320

STAFF REPORT: City Engineer Chris Bosley requested Council approve the On-Call Professional Consultant Services List established through the Statement of Qualifications (SOQ) process. He said a notice of request for statement of qualifications for professional services consultants was published November 18, and 25, 2021, and the City of Coeur d'Alene assembled a City staff selection committee to determine a consultant roster list within each of several categories (professional engineering, architectural, landscape architecture, construction management, land surveying and related services). He noted the recommended list was being provided to Council for approval per Idaho Code § 67-2320. The list would allow the City to select professional consultants for projects less than \$50,000 directly from the approved list or to conduct formal interviews depending on the project. He noted the list was effective for five (5) years, ending on December 31, 2026, and each contract which falls within the parameters of the Code would be entered into pursuant to the City's adopted Purchasing Policy for goods and services. He said the City had utilized the SOQ process to select consultants for small projects for many years, and utilizing a preapproved list of professional consultants enabled the City to be

assured of the expertise of the professional hired. He noted it also expedited project time lines within the authority provided by Idaho Code.

DISCUSSION: Councilmember Wood said she had reviewed the list and qualifications and it appeared in most cases there were roughly five (5) companies per area of expertise and asked how consultants were rotated for project awards, with Mr. Bosley responding the department strove to give each of the consultants a project and many were chosen based on their expertise. Councilmember Miller asked if Idaho State Statute dictated how the City advertised for the submissions and how often must it be updated, with Mr. Bosley responding there were Idaho laws that set the rules on advertising for SOQs and the maximum duration was five-years.

MOTION: Motion by McEvers, seconded by English, to approve Resolution No. 23-003, Approving the on-call Professional Consultant Services List.

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

RESOLUTION NO. 23-004

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH DESIGN WEST TO PROVIDE ARCHITECTURAL SERVICES FOR THE STREETS & ENGINEERING DEPARTMENT REMODEL PROJECT

STAFF REPORT: Streets and Engineering Superintendent Todd Feusier requested Council approve the agreement with Design West to provide architectural services for the Streets & Engineering Department's Remodel Project. He said the facility was constructed in 1990, with no significant upgrades since construction, and was occupied by department personnel and equipment. He noted that currently, several of the department staff were housed in a separate building which could make communication and coordination challenging. He said upgrades to the facility were necessary to bring the building into compliance with current life-safety codes for the planned occupancy and to provide adequate office space for department staff. He said approval of the agreement was the first step in the remodel project, and the purpose of the agreement for architectural services was to develop construction drawings and specifications for full improvements to the building including offices, meeting rooms, restrooms, and similar related support spaces for the Streets & Engineering staff. The services would include architectural, structural, mechanical, and electrical engineering services, but did not include civil or geotechnical engineering services. He said the selected architect would provide a vicinity plan, site plan, building code compliance diagrams, floor plan, reflected ceiling plans, exterior elevations, building sections, interior elevations, and related construction details. He noted that Design West was one of the architectural firms on the City's approved On-Call Professional Consultant Services List for small projects.

DISCUSSION: Councilmember McEvers asked if the expansion included parking for equipment, with Mr. Feusier responding they would add office space for staff and would lose a small amount of parking, with no equipment storage additions. Councilmember Wood asked if funds had been

approved in the department's budget, with Mr. Feusier responding they had been included in this year's budget.

MOTION: Motion by McEvers, seconded by Miller, to approve Resolution No. 23-004, Approving an Agreement with Design West to provide architectural services for the Streets & Engineering Department Remodel Project.

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

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

The meeting adjourned at 8:12 p.m.

ATTEST:

James Hammond, Mayor

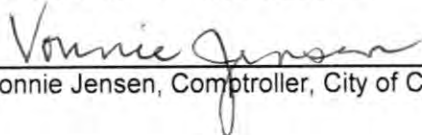
Sherrie L. Badertscher
Executive Assistant

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

CITY CLERK

FUND	BALANCE 11/30/2022	RECEIPTS	DISBURSE- MENTS	BALANCE 12/31/2022
<u>General-Designated</u>	\$4,618,342	\$28,885	\$729,800	\$3,917,427
<u>General-Undesignated</u>	9,896,438	6,958,768	10,608,116	6,247,090
<u>Special Revenue:</u>				
Library	(85,867)	90,371	206,085	(201,581)
CDBG	(54,548)	76,009	48,380	(26,919)
Cemetery	230,857	24,943	32,939	222,861
Parks Capital Improvements	2,032,906	11,999	58,293	1,986,612
Impact Fees	5,977,192	23,004		6,000,196
Annexation Fees	40,841	111		40,952
American Recovery Plan	8,454,589			8,454,589
Cemetery P/C	1,106,114	4,233	9,844	1,100,503
Jewett House	134,993	1,368	2,870	133,491
Reforestation	25,466	70		25,536
Street Trees	158,045	1,031	2,730	156,346
Community Canopy	2,740	7		2,747
Public Art Fund	55,097	150		55,247
Public Art Fund - ignite	445,639	1,215	499	446,355
Public Art Fund - Maintenance	123,417	336	44	123,709
<u>Debt Service:</u>				
2015 G.O. Bonds	107,812	16,879		124,691
<u>Capital Projects:</u>				
Street Projects	829,544	2,263	36,457	795,350
<u>Enterprise:</u>				
Street Lights	110,588	62,382	54,539	118,431
Water	3,449,817	635,242	789,890	3,295,169
Water Capitalization Fees	5,428,573	83,704		5,512,277
Wastewater	16,078,194	1,449,339	1,004,247	16,523,286
Wastewater - Equip Reserve	1,077,062	27,500		1,104,562
Wastewater - Capital Reserve	4,500,000			4,500,000
WWTP Capitalization Fees	3,401,058	109,883		3,510,941
WW Property Mgmt	55,403			55,403
Sanitation	1,611,541	565,207	591,868	1,584,880
Public Parking	729,734	43,786	79,374	694,146
Drainage	1,181,395	104,173	115,826	1,169,742
Wastewater Debt Service	647,962	1,768		649,730
<u>Fiduciary Funds:</u>				
Kootenai County Solid Waste Billing	256,865	244,641	257,424	244,082
Police Retirement	393,509	14,026	23,548	383,987
Sales Tax	1,743	2,171	1,743	2,171
BID	330,830	12,915		343,745
Homeless Trust Fund	800	807	800	807
GRAND TOTAL	\$73,354,691	\$10,599,186	\$14,655,316	\$69,298,561

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



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

CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 THREE MONTH ENDED
 December 31, 2022

RECEIVED

JAN 9 2022

CITY CLERK

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 12/31/2022	PERCENT EXPENDED
Mayor/Council	Personnel Services	\$249,035	\$55,933	22%
	Services/Supplies	10,128	666	7%
Administration	Personnel Services	317,916	58,670	18%
	Services/Supplies	2,570		
Finance	Personnel Services	765,897	191,293	25%
	Services/Supplies	632,500	291,042	46%
Municipal Services	Personnel Services	1,469,170	316,951	22%
	Services/Supplies	1,531,715	294,643	19%
	Capital Outlay			
Human Resources	Personnel Services	366,503	85,974	23%
	Services/Supplies	85,918	37,569	44%
Legal	Personnel Services	1,225,988	299,301	24%
	Services/Supplies	135,450	2,904	2%
Planning	Personnel Services	697,216	171,468	25%
	Services/Supplies	62,050	3,144	5%
	Capital Outlay			
Building Maintenance	Personnel Services	320,137	77,120	24%
	Services/Supplies	284,500	70,594	25%
	Capital Outlay	90,000		
Police	Personnel Services	16,880,007	4,256,313	25%
	Services/Supplies	1,867,520	315,781	17%
	Capital Outlay	3,280,000	1,240,602	38%
Fire	Personnel Services	11,465,359	3,531,834	31%
	Services/Supplies	873,192	100,247	11%
	Capital Outlay	986,610	605,712	61%
General Government	Services/Supplies	626,300	608,674	97%
	Capital Outlay			
Police Grants	Personnel Services	84,594	19,782	23%
	Services/Supplies			
	Capital Outlay			
CdA Drug Task Force	Services/Supplies		600	
	Capital Outlay			
Streets	Personnel Services	3,534,437	820,221	23%
	Services/Supplies	2,872,401	265,227	9%
	Capital Outlay	1,452,000	88,011	6%
Parks	Personnel Services	2,112,826	421,268	20%
	Services/Supplies	734,550	134,617	18%
	Capital Outlay	194,000	67,404	35%

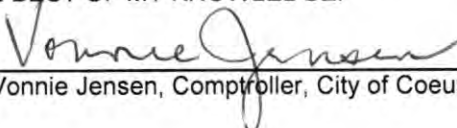
CITY OF COEUR D'ALENE
 BUDGET STATUS REPORT
 THREE MONTH ENDED
 December 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 12/31/2022	PERCENT EXPENDED
Recreation	Personnel Services	599,865	153,442	26%
	Services/Supplies	180,350	17,020	9%
	Capital Outlay	35,000		
Building Inspection	Personnel Services	1,019,158	252,177	25%
	Services/Supplies	42,078	2,291	5%
	Capital Outlay	62,000	58,405	94%
Total General Fund		<u>57,148,940</u>	<u>14,916,898</u>	<u>26%</u>
Library	Personnel Services	1,528,445	340,497	22%
	Services/Supplies	230,000	44,692	19%
	Capital Outlay	190,000	19,797	10%
CDBG	Personnel Services	79,894	18,948	24%
	Services/Supplies	700,349	48,825	7%
Cemetery	Personnel Services	224,911	51,329	23%
	Services/Supplies	138,800	20,444	15%
	Capital Outlay		1,650	
Impact Fees	Services/Supplies	554,446		
Annexation Fees	Services/Supplies	355,000	355,000	100%
Parks Capital Improvements	Capital Outlay	463,614	63,494	14%
Cemetery Perpetual Care	Services/Supplies	86,000	21,086	25%
Jewett House	Services/Supplies	139,700	34,877	25%
Reforestation	Services/Supplies	6,500	(459)	-7%
Street Trees	Services/Supplies	112,000	10,508	9%
Community Canopy	Services/Supplies	1,500		
Public Art Fund	Services/Supplies	468,500	39,935	9%
		<u>5,279,659</u>	<u>1,070,622</u>	<u>20%</u>
Debt Service Fund		<u>880,083</u>		

CITY OF COEUR D'ALENE
BUDGET STATUS REPORT
THREE MONTH ENDED
December 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGETED	SPENT THRU 12/31/2022	PERCENT EXPENDED
LaCrosse Ave / NW Blvd	Capital Outlay		676	
Wilbur / Ramsey Signal	Capital Outlay	400,000		
Traffic Calming	Capital Outlay	65,064		
Kathleen Avenue Widening	Capital Outlay		14,265	
Ramsey Road Rehabilitation	Capital Outlay	588,000		
15th Street	Capital Outlay	49,900	21,515	
LHTAC Pedestrian Safety	Capital Outlay	605,000	25,829	
Downtown Signal Imprvmnts	Capital Outlay			
Atlas Waterfront Project	Capital Outlay			
NW Blvd Traffic Signals	Capital Outlay			
		<u>1,707,964</u>	<u>62,286</u>	<u>4%</u>
Street Lights	Services/Supplies	760,130	100,717	13%
Water	Personnel Services	2,777,800	579,577	21%
	Services/Supplies	5,399,475	426,008	8%
	Capital Outlay	6,149,400	479,278	8%
Water Capitalization Fees	Services/Supplies	3,850,000		
Wastewater	Personnel Services	3,216,082	739,423	23%
	Services/Supplies	8,477,348	652,332	8%
	Capital Outlay	8,532,000	403,210	5%
	Debt Service	3,513,441		
WW Capitalization	Services/Supplies	2,777,660		
WW Property Management	Services/Supplies			
Sanitation	Services/Supplies	5,520,365	954,072	17%
Public Parking	Services/Supplies	1,864,965	514,590	28%
	Capital Outlay			
Drainage	Personnel Services	243,712	60,861	25%
	Services/Supplies	1,046,146	97,861	9%
	Capital Outlay	1,215,000	339,794	28%
Total Enterprise Funds		<u>55,343,524</u>	<u>5,347,723</u>	<u>10%</u>
Kootenai County Solid Waste		3,110,000	537,226	17%
Police Retirement		196,454	34,682	18%
Business Improvement District		176,000		
Homeless Trust Fund		10,000	1,475	15%
Total Fiduciary Funds		<u>3,492,454</u>	<u>573,384</u>	<u>16%</u>
TOTALS:		<u>\$123,852,624</u>	<u>\$21,970,914</u>	<u>18%</u>

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



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

RECEIVED

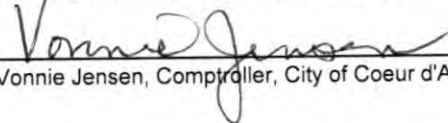
JAN 9 2022

CITY CLERK

**City of Coeur d'Alene
Cash and Investments
12/31/2022**

Description	City's Balance
U.S. Bank	
Checking Account	3,110,926
Checking Account	90,540
Checking Account	72,843
Investment Account - Police Retirement	368,060
Investment Account - Cemetery Perpetual Care Fund	1,095,282
Idaho Central Credit Union	
Certificate of Deposit	283,958
Idaho State Investment Pool	
State Investment Pool Account	62,260,504
Spokane Teacher's Credit Union	
Certificate of Deposit	1,008,619
Numerica Credit Union	
Certificate of Deposit	1,006,479
Cash on Hand	
Treasurer's Change Fund	1,350
Total	<u>69,298,561</u>

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



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

DATE: JANUARY 9, 2023
TO: MAYOR AND CITY COUNCIL
FROM: PLANNING DEPARTMENT
RE: SETTING OF PUBLIC HEARING DATE: FEBRUARY 7, 2023

Mayor Hammond,

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>
A-4-22	Applicant: Kootenai County Land Company, LLC Location: N. of I-90, S. of W. Hanley Ave. E. of Huetter Rd. Request: Annexation of +/- 440 Acres from County AG Suburban to City R-8, R 17, C-17L, & C- 17 (Commonly Known as Coeur Terre) plus approval of an Annexation and Development Agreement.	Recommended Approval

In order to satisfy the mandatory 15-day notice requirement, the next recommended hearing date will be **February 7, 2023**.

RESOLUTION NO. 23-005

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, DECLARING THAT THERE IS ONLY ONE VENDOR REASONABLY AVAILABLE TO PROVIDE SEVEN LPR CAMERAS, COMMUNICATION BOXES, AND MOUNTING HARDWARE, WITH INSTALLATION, AND APPROVING THE PURCHASE OF SAID EQUIPMENT FROM MOTOROLA SOLUTIONS (D/B/A VIGILANT).

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

- A) Declaring that there is only one (1) vendor reasonably available to provide seven (7) LPR camera, communication boxes, and mounting hardware, with installation, and approving the purchase of said equipment from Motorola Solutions (d/b/a Vigilant) for two locations in the City;

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 an agreement for the subject matter, as set forth in substantially the form attached hereto as Exhibit "A" and incorporated herein by reference, with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said agreement, so long as the substantive provisions of the agreement remain intact.

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

DATED this 17th day of January, 2023.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER WOOD Voted

_____ was absent. Motion _____.

**CITY COUNCIL
STAFF REPORT**

DATE: JANUARY 17, 2023

FROM: ERIC HOLLENBECK, SYSTEM ANALYST COORDINATOR

**SUBJECT: PURCHASE LPR CAMERAS, ASSOCIATED HARDWARE, LICENSING
AND INSTALLATION**

DECISION POINT: Staff requests that Council allow the Coeur d’Alene Police Department to purchase seven (7) LPR Cameras, Communication Boxes, Mounting Hardware, Warranty, Licensing and Technical Services associated with Installation from Motorola Solutions (dba Vigilant) as a sole source procurement for two different locations.

HISTORY: License plate readers (LPR) systems are a technology used by law enforcement agencies and has been a valuable crime prevention / apprehension tool. CdA PD has been using LPR technology since 2007 and has aided in a variety of criminal activities including homicide. The information gathered by the license plate readers is stored in a database, which can be used for a variety of purposes, such as tracking stolen vehicles, identifying vehicles associated with criminal activity, or finding wanted or missing persons. Following two disruptions in connectivity to regional databases hosted with Post Falls PD, we searched for a new vendor. We selected Motorola Solutions Vigilant based on support for integrating the cameras of the time, expanded software capabilities and image analytics to include vehicle color, type, make and other characteristics, the use of a mobile app for not only access but also to conduct reads in the field, and innovative hardware solutions including higher resolution and more accurate reads.

FINANCIAL ANALYSIS: When we transitioned to Vigilant in 2021, not only were we able to expand our regional capabilities but have been able to connect to other agencies throughout the US on the system to further criminal investigations, something we were not previously able to do. However, they do not support other ALPR companies’ hardware / software, they only connect to their own equipment. All other companies contacted would not work with our previous equipment which meant well over \$100,000 in additional costs to replace existing equipment or lose the capability all together but Vigilant for one time was able to handle the transition. Compatibility of the system is the paramount consideration in this purchase.

As for the equipment itself, the requested items are being paid for in two ways:

- I-90 and E. Sherman Avenue. This cost is estimated at \$33,980 with one camera / related equipment and will be paid for by an already awarded JAG grant that was awarded \$37,895.
- Ramsey Road and Appleway Avenue. This cost is estimated at \$62,450 and was pre-budgeted in line item 001-009-4211-3420 for the full dollar amount.

PERFORMANCE ANALYSIS: Stationary or “fixed” sites allow for higher number of reads, recognition, and “hits” in the event of criminal activity. The use of this data can also be used to find criminal trends not only in driving pattern but nefarious activity like changing the appearance of a vehicle. These two locations have been chosen due to traffic patterns and crime analytics.

DECISION POINT/RECOMMENDATION: Staff requests that the Council allow the Police Department to purchase seven (7) LPR Cameras, Communication Boxes, Mounting Hardware, Warranty, Licensing and Technical Services associated with Installation from Motorola Solutions (dba Vigilant) as a sole source procurement for two different locations.

October 20, 2022

Re: Vigilant Sole Source Justification

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

To whom it may concern.

I am providing this letter as written confirmation of the ownership and market status of our license plate recognition (LPR) systems. Vigilant Solutions (*a wholly-owned subsidiary of Motorola Solutions, Inc.*) is the sole manufacturer of our LPR products; Vigilant Car-Detector Mobile, Car-Detector Fixed, L5F (fixed), L5M (mobile), Reaper HD (fixed and mobile), L5Q, and L6Q (quick deploy) camera systems. Additionally, it is the provider of Vigilant Commercial Data investigative platform, LEARN, LEARN Mobile, Mobile Companion (iOS and Android App), and the Target Alert Service (TAS).

We appreciate your consideration of expanding your relationship with and use of Vigilant as your LPR provider. We are pleased to present you with the following elements to support a sole source justification for Vigilant Solutions' LPR hardware and LEARN database.

- Vigilant developed, owns and maintains the world's single largest LPR data sharing initiative, known as LEARN. LEARN consists of over 36 billion plate scans and is growing exponentially. This data consists of commercially collected LPR data owned by Vigilant (Commercial Data), Private businesses, and HOAs (Enterprise Data) and detections from fellow law enforcement customers. This data is exclusively available for law enforcement customer investigations via LEARN.
- Vigilant Commercial Data is significant, with over 16+ billion detections. These detections are critical to law enforcement investigators and are only available through Vigilant.
- LEARN is the only LPR database hosted in an Azure.gov environment that is CJIS compliant. While license plate reader data inherently contains no personal information, it is linkable through other sources or free text data fields that may enable the end-user to input data that could be viewed as personally identifiable information (PII) or Criminal Justice Information (CJI). Of greater relevance, law enforcement hotlist information, such as NCIC data, is managed by Motorola law enforcement customers and may contain CJI as defined in 4.1 of the CJIS Security Policy. For these reasons, Motorola has voluntarily implemented CJIS security controls we believe are necessary to comply with the relevant sections.
- LEARN features full auditing and reporting of all user and agency manager transactions within the LEARN system. Only agencies with an Originating Agency Identifier (ORI) number can access LEARN law enforcement data.
- Agency collected data access and retention policies are managed by the customer. Unlimited LPR data storage is offered at no additional cost to Vigilant Public Safety customers, with no retention limits within the legal bounds of the respective state law.
- Vigilant offers full data-sharing ownership and control to the individual customer. Vigilant will not use law enforcement customer data for any purpose.
- Only Vigilant offers in-app alerts on Mobile Companion and Excessive Plate Alerting.

Motorola Solutions Inc.
500 W. Monroe St
Chicago IL 60661

www.motorolasolutions.com

Resolution No. 23-005 Exh A

- Vigilant's LPR hardware can only be accessed by utilizing the LEARN server. Third-party LPR vendors cannot ingest our detections directly from our cameras. Conversely, Vigilant can consume competitors' LPR data directly from their cameras or API.
- Vigilant is the sole LPR provider to offer all of these investigative analytic tools to assist in developing leads in a law enforcement investigation in one place;
 - **QuickSearch**- Full & Partial plate, Smart Wildcard, Vehicle Type, Body Class, Make, Model, Year, Color, Registration State, and VIN searching. Only Vigilant offers VIN searching.
 - **Stakeout**- Define locations on a map (up to 30) using geo-boundaries to create groupings of detections. The groupings can show site visits of individual LPR vehicles and their detections. Stakeout will show duplicated vehicles across multiple locations in a Common Plate Report. With a known target plate, associated vehicles can be identified.
 - **Locate Analysis**- Provides a full analytical workup of a vehicle based on location data. This analysis will provide location data and the most popular time the vehicle has been seen at the location.
 - **Location Vehicles**- Allows users to quickly view 50 vehicles that were scanned before and after this unique detection. The user can adjust the number of viewable vehicles to 250.
 - **Associated Vehicles**- Quickly identify vehicles scanned within 250 feet of the selected vehicle at three or more locations, where each of the locations was separated by more than a mile.
 - **Convoy Analysis**- Quickly identify vehicles that may be following the selected vehicle through three or more fixed LPR locations and proactively create an alert if requested. Only Vigilant offers automatic alerting.
- New detections can be cross-referenced against user-defined Federal (NCIC), State, and local hotlists, allowing users to receive near real-time alerts in and outside their jurisdiction. Vigilant is the only LPR provider whose hotlists are directly shareable by the customer and have customizable hotlist user alerts. With Vigilant, you can choose which users get what alerts.
- Vigilant is the sole LPR provider that utilizes the Vulcan AI Engine to determine Make, Model, Vehicle Type, and Color from new detections and analyze its existing database detections to create a Comprehensive Data Set of hundreds of millions unique plates.
- Vigilant is the sole LPR provider that offers free access to the Vigilant Solutions Law Enforcement Academy (VSLEA) for LPR training. This training is being provided via webinar, on-demand, or in-person. Vigilant is the only LPR provider that offers CA POST and IADLEST certified LPR training classes.
- Vigilant is the sole LPR provider to offer a complete end-to-end LPR solution. Multi-lens, multi-sensor cameras (Reaper HD, L5M, and L5F), single lens, single sensor, quick-deploy, solar cameras (L5Q and L6Q).



As of **October 20, 2022**, Vigilant Solutions (“Vigilant”) is the sole source provider of Vigilant Solutions Investigative Data Platform (IDP) products and Vigilant Solutions hardware, software and technical services for the City of Coeur d’Alene Police Department.

Best regards,

Louis Wershaw

Louis Wershaw

Regional Sales Manager

Vigilant Solutions

louis.wershaw@motorolasolutions.com

OTHER BUSINESS

**CITY COUNCIL
STAFF REPORT**

DATE: JANUARY 17, 2023

FROM: BRANDON JANK, NETWORK SYSTEMS ADMINISTRATOR

**SUBJECT: APPROVAL OF THE PURCHASE OF NETWORKING EQUIPMENT
 FROM STRUCTURED COMMUNICATION SYSTEMS, INC.**

DECISION POINT:

Should Council approve the purchase of Hewlett Packard Enterprise (HPE) networking equipment from Structured Communication Systems, Inc., through a cooperative purchasing agreement with the state of Idaho, in the amount of \$414,095.88?

HISTORY:

The Municipal Services Department identified the need to replace aging networking equipment in the FY 2022-2023 Municipal Services Operating Fund budget. ARPA funding was allocated for this purchase. It is recommended to purchase this equipment through cooperative purchasing pursuant to Idaho Code § 67-2807. The state has obtained a price for the needed networking equipment through the competitive bidding process which allows the City to avoid bidding the purchase on its own and such process is allowed by the City's Purchasing Policy adopted via Resolution No. 17-061.

FINANCIAL ANALYSIS:

Funding for this networking equipment purchase is available within the City-Wide Automation Plan section of the approved 2022-2023 City of Coeur d'Alene Municipal Services budget. The state contract is for Data Communication Products and Services in the Data Communications portfolio under the Networking category, Participating Addendum Number PADD20210690 Hewlett Packard Enterprise (HPE), NASPO ValuePoint Master Agreement Number AR3228. *See* attached participating addendum.

PERFORMANCE ANALYSIS:

The City of Coeur d'Alene Municipal Services Department has budgeted for new network equipment to replace the End of Service Life (EoSL) networking equipment. This equipment is essential to connecting vital endpoint, server, storage, phone, internet and email systems to each other.

RECOMMENDATION:

Council should approve the purchase of Hewlett Packard Enterprise networking equipment from Structured Communication Systems, Inc., for the amount of \$414,095.88.



DATA COMMUNICATION PRODUCTS &
SERVICES (2019-2026)
Led by the State of **Utah**

MASTER AGREEMENT #: AR3228
Participating Addendum #: PADD20210680
Contractor: Hewlett Packard Enterprise Company
Participating Entity: STATE OF IDAHO

The following products or services are included in this contract portfolio:

- *All products and accessories listed on the Contractor page of the NASPO ValuePoint website.*
- *Networking;*
- *Routers, Switches, Security, and Storage Networking; and*
- *Wireless*

Master Agreement Terms and Conditions:

1. **Scope.** This addendum covers the *Data Communication Products & Services (2019-2026)* portfolio led by the State of *Utah* for use by state agencies and other entities located in the Participating State authorized by that State’s statutes to utilize State contracts with the prior approval of the State’s Chief Procurement Official. Specifically, this addendum allows for the purchase of goods and services via an enterprise level agreement or individual purchase. The categories awarded to Hewlett Packard Enterprise Company include Networking, Routers, Switches, Security, and Storage Networking, and Wireless.
2. **Participation.** This NASPO ValuePoint Master Agreement may be used by all “Public Agencies” as defined in Section 67-2327 of Idaho Code, which provides as follows: “Public Agency” means any city or political subdivision of this State, including, but not limited to counties; school districts; highway districts; port authorities; instruments of counties; cities or any political subdivision created under the laws of the State of Idaho.”
3. **Term.** The initial term of this PA will be effective upon the last signature and continue through September 30, 2024. The PA may be extended or renewed as detailed in the Master Agreement or this PA.
4. **Primary Contacts.** The primary contact individuals for this Participating Addendum are as follows (or their named successors):



DATA COMMUNICATION PRODUCTS &
SERVICES (2019-2026)
Led by the State of **Utah**

Contractor

Name:	Nancy Schwarz
Address:	6280 America Center Drive, San Jose, CA 95002
Telephone:	480-636-0267
Fax:	
Email:	Nancy.schwarz@hpe.com

Participating Entity

Name:	Kim Guevara
Address:	304 N. 8 th St., Room 403, Boise, ID 83702
Telephone:	208-332-1603
Fax:	208-327-7320
Email:	Kimberly.guevara@adm.idaho.gov

5. PARTICIPATING ENTITY MODIFICATIONS OR ADDITIONS TO THE MASTER AGREEMENT

These modifications or additions apply only to actions and relationships within the Participating Entity.

Participating Entity must check one of the boxes below.

No changes to the terms and conditions of the Master Agreement are required.

The following changes are modifying or supplementing the Master Agreement terms and conditions.

5.a **Reporting and Administrative Fee.**

- i. **Administrative Fee and Quarterly Usage Report.** The prices to be paid by the Ordering Entities shall be inclusive of a one and one quarter percent (1.25%) Administrative Fee (the Participating State understands and agrees that Contractor will raise the negotiated Price Agreement prices by this amount). This additional percentage represents the Ordering Entity's contract usage administrative fee. On a quarterly basis, Contractor will remit to **State of Idaho, Attn: Division of Purchasing, PO Box 83720, Boise, Idaho 83720-0075** an amount equal to one and one quarter percent (1.25%) of Contractor's net (sales minus credits) quarterly Contract sales.



DATA COMMUNICATION PRODUCTS &
SERVICES (2019-2026)
Led by the State of **Utah**

***For Example:** If the total of your net sales to Ordering Entities for one quarter = \$10,000, you would remit $\$10,000 \times 0.0125 = \mathbf{\$125}$ to the Division of Purchasing for that quarter, along with the required quarterly usage report.*

Contractor will furnish detailed usage reports as designated by the Participating State. In ADDITION to any required detailed usage reports, Contractor must also submit a summary quarterly report of purchases made from the Contract utilizing the **PADD SUMMARY USAGE REPORT FORM** available for download at http://purchasing.idaho.gov/vendor_forms.html. A Summary Usage Report Form must be submitted for each quarter (enter "0" if no purchases were made during a quarter), and must include a breakdown of purchases by Entity Type (i.e. State Agency, Higher Education, K-12, City, County and 'other'), as provided on the Form.

ii. Reporting Timeline (Fiscal Year Quarters): Fee and Report Due:

iii.

1 st Quarter	July 1 - Sept 30	October 31st
2 nd Quarter	Oct 1 - Dec 31	January 31st
3 rd Quarter	Jan 1 - Mar 31	April 30 th
4 th Quarter	Apr 1 - Jun 30	July 31 st

iv.

v. E-mail your completed Quarterly Summary Usage Reports to purchasing@adm.idaho.gov. Mail your check, in the amount of the Quarterly Administrative Fee, to: **State of Idaho, Attn: Division of Purchasing, PO Box 83720, Boise, Idaho 83720-0075.**

5.b **Governing Law.** Notwithstanding any provision to the contrary, the state of Idaho's PADD and all orders issued under the PADD by Ordering Entities within the state of Idaho, shall be construed in accordance with and governed by the laws of the state of Idaho. Any action to force the provisions of this PADD shall be brought in state district court in Ada County, Boise, Idaho. In the event any term of this PADD is held to be invalid or unenforceable by a court, the remaining terms of this PADD will remain in full force and effect. Except to the extent the provisions of the PADD are clearly inconsistent therewith, the PADD shall also be governed by the applicable provisions of the Idaho Uniform Commercial Code (IUCC).

5.c **Approval by Information Technology Services.** Pursuant to Idaho Code Section 67-827A and policy established by the Idaho Office of the Governor's Information Technology Services (ITS), Idaho state agencies are required to received approval from ITS prior to purchasing certain types of IT property, including the goods and services covered by this agreement. Contractor must require its employees and authorized resellers to confirm ITS approval prior to processing any order. This requirement does not apply to other public agencies in the state.

5.d **Assignment.** In accordance with Idaho Code 67-9230(1), no contract or order or any interest therein (i.e. this PADD or individual orders placed against this PADD) shall be transferred by the Contractor to whom

DATA COMMUNICATION PRODUCTS &
SERVICES (2019-2026)
Led by the State of **Utah**

such contract or order is given to any other party, without the approval in writing of the Administrator of the Division of Purchasing. Transfer of a contract without approval shall cause the annulment of the contract so transferred, at the option of the Participating State. All rights of action, however, for any breach of this PADD by the contracting parties are reserved to the Participating State.

5.e **Amendments.** Amendments to the Master Agreement (including, but not limited to extensions, renewals, and modifications to the terms, conditions and pricing) will automatically be incorporated in this PADD unless the Participating State elects not to incorporate an amendment by providing written notification to Contractor; which notice must be provided within ten (10) business days of the date of the amendment to the Master Agreement, in order to be effective. Failure to provide notice will result in the Master Agreement amendment automatically being incorporated in this PADD.

5.f **Insurance.** The following requirements are supplemental to any insurance requirements contained in the Master Agreement:

i. **REQUIREMENT TO PROVIDE PROOF OF INSURANCE:** The Contractor and its subcontractors (if the Contractor has any subcontractors that will provide goods or services to the Participating Entity under the PA) shall provide certificates of insurance to the Division of Purchasing for workers compensation insurance (see the paragraph below) and for the commercial general liability required section 21, Insurance, of the Contract. These certificates must be provided within seven (7) business days after the effective date of this PA, and all required insurance must be maintained by the Contractor for the entire term of this PA, including all renewal and extension periods.

ii. **REQUIREMENTS FOR WORKERS' COMPENSATION INSURANCE:** The Contractor shall provide and maintain Workers' Compensation Insurance and Employer's Liability for the entire term of this PA. The employer's liability shall have limits not less than \$100,000 each accident for bodily insurance by accident, \$500,000 disease policy limit, and \$100,000 disease, each employee.

For Workers' Compensation Insurance, the Contractor must provide either a certificate of Workers' Compensation insurance issued by a surety licensed to write Workers' Compensation Insurance in the state of Idaho or an extraterritorial certificate approved by the Idaho Industrial Commission from a state that has a current reciprocity agreement with the Idaho Industrial Commission. The term "subcontractors" as used in this PADD shall specifically exclude all third-party suppliers and manufacturers of the products sold under this PADD and all third-party delivery service providers.

5.g **Applicable Terms.** The Participating Entity agrees to the terms and conditions of the Master Agreement only to the extent that the terms and conditions are not in conflict with this PA or with the laws of the state of Idaho.

DATA COMMUNICATION PRODUCTS &
SERVICES (2019-2026)
Led by the State of **Utah**

5.h **Records Maintenance.** The Contractor shall maintain or supervise the maintenance of all financial records necessary to properly account for all payments made to the Contractor for the costs authorized by the PA. These financial records shall be retained by the Contractor for at least three (3) years after the PA terminates or expires, or until all audits initiated within the three (3) years have been completed, whichever is later.

5.i **Termination for Convenience.** The Participating Entity may terminate this PA for its convenience, in whole or in part, with or without cause, upon thirty (30) calendar days' written notice to the Contractor specifying the date of termination if the Participating Entity determines it is in its best interest.

5.j **Termination for Default.** The Participating Entity may terminate this PA when the Contractor has been provided written notice of default or non-compliance and has failed to cure the default or noncompliance within a reasonable time, not to exceed thirty (30) calendar days, unless such longer period of time is mutually agreed upon between the parties in writing. The Participating Entity, upon termination for default or non-compliance, reserves the right to take any legal action it may deem necessary including, without limitation, offset of damages against payment due.

A Purchasing Entity may terminate an order when the Contractor has been provided written notice of default or non-compliance and fails to cure such breach or non-compliance within thirty (30) calendar days of receiving written notice of said breach or non-compliance.

5.k **Public Records and Trade Secrets.** Title 74, Chapter 1, Idaho Code (the Public Records Act) provides for the examination of public records, including records related to procurements and contracts. Section 74-107 details an exemption to examination of records deemed "trade secrets." Generally, this exemption describes trade secrets to "include a formula, pattern, compilation, program, computer program, device, method, technique or process that derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons and is subject to the efforts that are reasonable under the circumstances to maintain its secrecy."

Upon request, the Contractor must provide an electronic copy of any documents related to this PA, with any information it has determined to meet the Idaho Code definition of trade secret redacted within three (3) business days. The Contractor must redact only that information which meets the definition of "trade secret;" entire documents identified as "confidential" will not be accepted. The Contractor must also provide a separate document entitled "List of Redacted Trade Secret Information" which provides a succinct list of all trade secret information noted in your Document; listed in the order it appears in your submittal documents, identified by Page #, Section #/Paragraph #, Title of Section/Paragraph, specific portions of text/illustrations; or in a manner otherwise sufficient to allow the Participating Entity's procurement personnel to determine the precise text/material subject to the notation. Additionally, this list must identify with each



DATA COMMUNICATION PRODUCTS &
SERVICES (2019-2026)
Led by the State of **Utah**

notation the specific basis for your position that the material be treated as exempt from disclosure and how the exempting the material complies with the Public Records Law. In the event the Participating Entity or Purchasing Entity receives a request pursuant to the Public Records Act, which includes information deemed "trade secret" by the Contractor, the Contractor must agree to defend and indemnify the Participating Entity or the Purchasing Entity against any claim brought challenging the denial of the request under the trade secret exemption. Failure of the Contractor to provide an electronic copy of the redacted documents, or to defend and indemnify the Participating Entity or Purchasing Entity, will result in the full (unredacted) document being released in response to the request.

6. **Lease Agreements.** No equipment or goods of any sort shall be leased to Purchasing Entities under this PA.
7. **Resellers.** All Contractors and resellers authorized in the State of Idaho, as shown on the state of Idaho's website, are approved to accept orders and provide sales, service support, and invoicing to participants in the NASPO ValuePoint Master Agreement. Additionally, permitted financial transferee may invoice Purchasing Entities in the NASPO ValuePoint Master Agreement. The Contractor's dealer participation will be in accordance with the terms and conditions set forth in the Master Agreement.
8. **Orders.** Any order placed by a Participating Entity or Purchasing Entity for a product and/or service available from this Master Agreement shall be deemed to be a sale under (and governed by the prices and other terms and conditions) of the Master Agreement unless the parties to the order agree in writing that another contract or agreement applies to such order.



DATA COMMUNICATION PRODUCTS & SERVICES (2019-2026)
 Led by the State of Utah

IN WITNESS, WHEREOF, the parties have executed this Addendum as of the date of execution by both parties below.

Participating Entity: State of Idaho	Contractor: Hewlett Packard Enterprise Company
Signature:	Signature: 
Name: Kimberly Guevara	Name: Mary Reuss
Title: Buyer	Title: Contract Negotiator
Date:	Date: March 15, 2021

For questions on executing a participating addendum, please contact:

NASPO ValuePoint

Cooperative Contracting Coordinator:	
Telephone:	
Email:	info@naspovaluepoint.org

[Please email fully executed PDF copy of this document to PA@naspovaluepoint.org to support documentation of participation and posting in appropriate data bases.]

RESOLUTION NO. 23-006

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE PURCHASE OF HEWLETT PACKARD ENTERPRISE (HPE) NETWORKING EQUIPMENT FROM STRUCTURED COMMUNICATION SYSTEMS, INC., THROUGH A COOPERATIVE PURCHASING AGREEMENT WITH THE STATE OF IDAHO, IN THE AMOUNT OF \$414,095.88.

WHEREAS, the Network Systems Administrator, in the Municipal Services Department of the City of Coeur d'Alene, has recommended that the City of Coeur d'Alene authorize the purchase of Hewlett Packard Enterprise (HPE) networking equipment from Structured Communications Systems, Inc., through a cooperative purchasing agreement with the state of Idaho, in the amount of \$414,095.88, using ARPA funds approved by the City within the City-wide Automation plan, pursuant to the terms and conditions set forth in the agreements and other documents attached hereto as Exhibit "A" and by reference made a part hereof; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to make such purchase.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City purchase Hewlett Packard Enterprise (HPE) networking equipment from Structured Communications Systems, Inc., in the amount of Four Hundred Fourteen Thousand Ninety-Five Dollars and 88/100 Dollars (\$414,095.88); and

BE IT FURTHER RESOLVED that the Mayor and City Clerk be directed to take such steps necessary to effect said purchase on behalf of the City.

DATED this 17th day of January, 2023.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MCEVERS Voted

COUNCIL MEMBER WOOD Voted

_____ was absent. Motion _____.

Company Name: City of Coeur d'Alene
 Contact: Brandon Jank
 Email: bjank@cdaid.org
 Phone: 208-661-2327



Account Executive: Alexandra Richardson
 23403 East Mission Ave., Suite 216 - Spokane, WA 99019 - 509.926.3601
 Toll Free 800.881.0962 - Order Fax 888.729.0997

Line Item	Part Number	Description	Qty.	Unit List Price	Unit Sale Price	Ext. Sale Price
<u>Aruba Switching Solution for City of Coeur d'Alene With 3 yr NetEdit Subscriptions and 5 yr Foundation Care</u>						
<u>Pricing per NASPO Contract AR3228 With Additional Discounting</u>						
1		8325 48Y8C Switches (qty 14), 6300M 48G Switches (qty 34), 6300M 24SFP+ Switches (qty 2), 6100M 8G Switches (qty 3); With Power Supplies, Optics and Cables		\$1,769,021.00		\$398,695.90
2		NetEdit Three Year Subscriptions (qty 50), Five Year Support for qty 1 of Each Type of Switch		\$23,565.00		\$15,399.98
Shipping Estimate for Ground Shipping:						<u>\$0.00</u>
GRAND TOTAL:				<u>\$1,792,586.00</u>		<u>\$414,095.88</u>

Line Item	Part Number	Description	Qty.	Unit List Price	Unit Sale Price	Ext. Sale Price
Solution Line Item Detail:						
<u>8325 48Y8C Switches (qty 14), 6300M 48G Switches (qty 34), 6300M 24SFP+ Switches (qty 2), 6100M 8G Switches (qty 3); With Power Supplies, Optics and Cables</u>						
3	JL624A#ABA	Aruba 8325-48Y8C FB 6 F 2 PS Bdl	14	\$46,645.00	\$11,541.03	\$161,574.42
4	JL484A	Aruba 25G SFP28 LC SR 100m MMF XCVR	4	\$1,316.00	\$203.51	\$814.04
5	JL486A	Aruba 25G SFP28 LC LR 10km SMF XCVR	26	\$5,199.00	\$803.97	\$20,903.22
6	R0Z25A	Aruba 100G QSFP28 to QSFP28 1m DAC Cable	7	\$541.00	\$83.65	\$585.55
7	J9150D	Aruba 10G SFP+ LC SR 300m MMF XCVR	46	\$1,322.00	\$204.43	\$9,403.78
8	JL661A	Aruba 6300M 48G CL4 PoE 4SFP56 Swch	34	\$14,329.00	\$3,545.32	\$120,540.88
9	JH236A	HPE X242 40G QSFP+ to QSFP+ 5m DAC Cable	1	\$818.00	\$202.39	\$202.39
10	JH235A	HPE X242 40G QSFP+ to QSFP+ 3m DAC Cable	3	\$661.00	\$163.55	\$490.65
11	JH234A	HPE X242 40G QSFP+ to QSFP+ 1m DAC Cable	2	\$524.00	\$129.65	\$259.30
12	JL489A	Aruba 25G SFP28 to SFP28 5m DAC Cable	8	\$539.00	\$133.36	\$1,066.88
13	JL487A	Aruba 25G SFP28 to SFP28 5m DAC Cable	3	\$289.00	\$71.51	\$214.53
14	ROM47A	Aruba 50G SFP56 to SFP56 3m DAC Cable	4	\$629.00	\$155.63	\$622.52
15	JL669A	Aruba 6300M Fan Tray	22	\$609.00	\$150.68	\$3,314.96
16	JL483B	Aruba X474 4-post Rack Kit	14	\$285.00	\$70.52	\$987.28
17	J9996A	Aruba 2p 40GbE QSFP+ v3 zl2 Mod	3	\$9,649.00	\$2,387.38	\$7,162.14
18	JL658A	Aruba 6300M 24SFP+ 4SFP56 Swch	2	\$20,829.00	\$5,153.57	\$10,307.14
19	JH233A	HPE X142 40G QSFP+ MPO eSR4 300M XCVR	4	\$4,252.00	\$657.53	\$2,630.12
20	JH232A	HPE X142 40G QSFP+ LC LR4 SM Transceiver	16	\$11,024.00	\$1,704.74	\$27,275.84
21	J9151E	Aruba 10G SFP+ LC LR 10km SMF XCVR	4	\$3,707.00	\$573.25	\$2,293.00
22	J4858D	Aruba 1G SFP LC SX 500m MMF XCVR	4	\$436.00	\$67.42	\$269.68
23	JL308A	Aruba 40G QSFP+ LC BiDi 150m MMF XCVR	4	\$1,333.00	\$206.13	\$824.52
24	JL087A#ABA	Aruba X372 54VDC 1050W PS	68	\$1,479.00	\$365.94	\$24,883.92
25	JL085A#ABA	Aruba X371 12VDC 250W PS	4	\$689.00	\$170.47	\$681.88
26	JL679A#ABA	Aruba 6100 12G CL4 2SFP+ 139W Swch	3	\$1,869.00	\$462.42	\$1,387.26
Subtotal						<u>\$398,695.90</u>

Line Item	Part Number	Description	Qty.	Unit List Price	Unit Sale Price	Ext. Sale Price
<u>NetEdit Three Year Subscriptions (qty 50), Five Year Support for qty 1 of Each Type of Switch</u>						
21	JL640AAE	Aruba NetEdit Single Node 3yr Sub E-STU	50	\$100.00	\$24.74	\$1,237.00
22	HC7H0E	Aruba 5Y FC NBD Exch 8325-48 SVC	1	\$10,220.00	\$7,796.70	\$7,796.70
23	HR5B7E	Aruba 5Y FC NBD Exch 6300M 48 PoE SVC	1	\$3,524.00	\$2,688.41	\$2,688.41
24	HL5S4E	Aruba 5Y FC NBD Exch 6300M 24SFP SVC	1	\$4,172.00	\$3,182.76	\$3,182.76
25	HV2N8E	Aruba 5Y FC NBD Exch 6100 12G CL4 SVC	1	\$649.00	\$495.11	\$495.11
Subtotal						<u>\$15,399.98</u>
Prepared by: <u>Louise Quinn for Alexandra Richardson</u>						
Please contact the person listed above at Structured for any questions regarding this quotation.						

Line Item	Part Number	Description	Qty.	Unit List Price	Unit Sale Price	Ext. Sale Price												
<p><u>Notes:</u></p> <ol style="list-style-type: none"> Client acknowledges and agrees that the by signing this quotation, issuing a purchase order referencing this quotation, or otherwise accessing or utilizing the solution outlined in this quotation that the Structured Communication Systems, Inc. Standard Terms and Conditions, which can be found at http://www.structured.com/terms/, apply to this and all quotations. Further, the Client acknowledges and agrees that the use, title, interest, rights and warranties associated with the solution outlined in this quotation are governed by the applicable manufacturer end-user license agreement, software license agreement, subscription agreement, warranty terms and/or maintenance/support contract. Prices do not include shipping charges. All shipping charges are FOB origin and will be added at time of invoice. Prices do not include Sales Tax. Sales tax rates are an estimate and are subject to change. Rates are dictated by the state into which the solution is being shipped. Freight may be taxable, depending upon state regulations. Please note that pricing outlined in this quotation does not include tariffs or any other international or national tax or duty (if any) that may be levied against some or all of the products by the applicable manufacturer at the time of procurement by Structured for the benefit of the Client. As such, any such tariffs, taxes or duties are the sole responsibility of the Client and will be passed through by Structured to the Client at the time of invoicing. Net 20 day terms are available with approved credit. Structured will accept pre-payment or Visa/MasterCard without approved credit; please note that all credit card transaction will also incur a three percent (3%) transaction fee. All quotes and proposals are calculated using US Dollars. Quotes are valid for 30 days. Structured reserves the right to adjust prices at any time according to manufacturer price changes or material changes in circumstances that affect the scope of services proposed herein. In the event that the expiration date has been exceeded, please contact your Account Representative for an updated quote. Remit To Address: 9200 SE Sunnybrook Blvd., Suite 250, Clackamas OR, 97015 <p><i>This quotation contains information that is privileged and confidential. The information contained in this quotation is intended only for use of the person to whom it is addressed. If the reader of this quotation is not (1) the intended recipient or (2) the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited</i></p>																		
<p>WHEN PLACING YOUR ORDER, PLEASE FAX OR EMAIL TO: 888-729-0997 or orders@structured.com</p>																		
<p>Please fill out all of the below information to ensure that your order is processed as efficiently as possible.</p> <p>Signature: _____ Date: _____</p> <table border="0"> <tr> <td style="text-align: center;">Shipping Address:</td> <td style="text-align: center;">Billing Address:</td> </tr> <tr> <td>Street:</td> <td></td> </tr> <tr> <td>City, ST Zip:</td> <td></td> </tr> <tr> <td>Contact:</td> <td></td> </tr> <tr> <td>Phone:</td> <td></td> </tr> <tr> <td>Email:</td> <td></td> </tr> </table> <p>Preferred Shipping Method: <i>Ground</i> _____ <i>2nd Day</i> _____ <i>Overnight</i> _____</p> <p>Date Needed: _____</p> <p>Customer Reference / Purchase Order Number: _____</p> <p style="text-align: center;">Bridging People, Business & Technology Ask us about our high-quality Internet Security, Connectivity, Storage and Access Offerings...</p>							Shipping Address:	Billing Address:	Street:		City, ST Zip:		Contact:		Phone:		Email:	
Shipping Address:	Billing Address:																	
Street:																		
City, ST Zip:																		
Contact:																		
Phone:																		
Email:																		

**CITY COUNCIL
STAFF REPORT**

DATE: JANUARY 17, 2023

FROM: CHIEF LEE WHITE

SUBJECT: CY 2023 EDWARD BRYNE MEMORIAL JUSTICE ASSISTANCE GRANT

DECISION POINT: Staff requests that Council allow for the Police Department to apply for and, if awarded, accept the CY 2023 Edward Byrne Memorial Justice Grant (JAG) in the amount of \$90,000 to acquire FARO 3D scanners and associated equipment for crime scene measuring, preservation, and forensic analysis and aid in the furtherance of criminal investigations / prosecutions.

HISTORY: 3D laser technology is used to investigate / reconstruct crime and vehicle crash scenes for a host of reasons with a focus on criminal prosecution. The Department has used this form of technology since 2015 when we were awarded a similar grant. The hardware is still in use to this day but is going end of life. The Department has used this equipment for instances like suspicious deaths and incidents involving the regional Critical Incident Task Force and other assistance to our regional partners. The equipment and software allow for a more complete representation of these types of crime scenes and have been used in criminal prosecution of violent felons.

FINANCIAL ANALYSIS: The estimated costs of equipment, calibration, and training is about \$90,000 and does not require any matching funds and therefore no additional costs in the current budget cycle. In year four there will be calibration and maintenance costs that will be budgeted by the Police Department.

PERFORMANCE ANALYSIS: Allowing the Department to apply for, and if awarded, accept the grant allows for modernizing the obsolete equipment while also ensuring the forensic capabilities for years to come. Continual training and use will be expected by Investigations supervisors and will be of paramount performance for use in high profile criminal investigations.

Additionally, the data collected will be used in the judicial system for criminal prosecution. The ability to recreate crime scenes for court purposes have a dramatic impact using this accurate and objective data.

DECISION POINT/RECOMMENDATION: Staff requests that Council allow for the Police Department to apply for and, if awarded, accept the CY 2023 Edward Byrne Memorial Justice Grant (JAG) in the amount of \$90,000 to acquire FARO 3D scanners and associated equipment.

RESOLUTION NO. 23-007

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE POLICE DEPARTMENT TO APPLY FOR AND, IF AWARDED, ACCEPT A 2023 JAG GRANT (EDWARD BRYNE MEMORIAL JUSTICE GRANT) FOR THE PURCHASE OF FARO 3D SCANNERS AND ASSOCIATED EQUIPMENT FOR CRIME SCENE MEASURING, PRESERVATION, AND FORENSIC ANALYSIS, FOR A TOTAL AWARD REQUEST OF \$90,000.00.

WHEREAS, it has been recommended by the Police Department that the City of Coeur d'Alene authorize the Police Department to apply for and, if awarded, accept a 2023 JAG Grant for the purchase of FARO 3D scanners and associated equipment for crime scene measuring, preservation, and forensic analysis for a total award request of \$90,000.00; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to take such actions.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City authorize the Police Department to take the actions described to accomplish the actions approved, with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said documents, so long as the substantive provisions of the actions remain intact.

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

DATED this 17th day of January 2023.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

COUNCIL MEMBER ENGLISH Voted _____

COUNCIL MEMBER EVANS Voted _____

COUNCIL MEMBER MILLER Voted _____

COUNCIL MEMBER MCEVERS Voted _____

COUNCIL MEMBER GOOKIN Voted _____

COUNCIL MEMBER WOOD Voted _____

_____ was absent. Motion _____.

**CITY COUNCIL
STAFF REPORT**

DATE: **JANUARY 17, 2023**

FROM: **CHIEF LEE WHITE**

SUBJECT: **MOU WITH KOOTENAI COUNTY SHERIFF AND SPILLMAN - MOTOROLA**

DECISION POINT: Staff requests that Council enter an MOU with Kootenai County and Motorola’s Spillman Public Safety System into a five-year fixed fee structure for the Police Department’s use of the joint operated Motorola-Spillman CAD / RMS system.

HISTORY: The Police Department has partnered with Kootenai County Sheriff’s Office since the 1990’s on a regional CAD (computer aided dispatch) / RMS (Records Management System) known as Spillman which handles most of the daily workings of the Police Department along with the Fire Department. General funds are budgeted to pay Kootenai County for hardware / maintenance needs and Spillman required yearly maintenance costs.

FINANCIAL ANALYSIS: The Department has worked with Kootenai County and Motorola – Spillman to determine which maintenance costs were the responsibility of the Department, of the County, or no longer applicable. This process took about 1 year to clarify. This resulted in Motorola creating a set fee of \$21,662 per year for a total 5-year maintenance and subscription fee. In addition, due to the Department handling a large portion of its own administrative needs, Kootenai County will require only \$123 per system user instead of \$246 which represent a savings from previous budgets.

Overall, there will be a savings of around \$24,000 with the existing budget due to the agreed upon lower costs with the County, which can be forecasted for the remaining 5-year budget cycles. Other CAD / RMS companies currently have annual maintenance increases of 5-15% (or more) making this MOU a way to lock in the price for this extended period.

PERFORMANCE ANALYSIS: This MOU locks in maintenance fees for the next five (5) years and allows the Department to work in harmony with Central dispatch / 9-1-1, other agencies on the system and does not change or alter business operations for the Police nor Fire Departments.

Not continuing with the software could cripple the Department since there is no alternative at this stage. To leave the current CAD / RMS system and start a new one could cost millions of dollars, lose data and daily capabilities, and the inability to share CAD data / other digital data with agencies in the region. Usual transitions to new CAD / RMS systems can also take years to complete. Under this 5-year plan, if change was requested by agencies, it would allow the transition to occur easier. If there are updates / modifications to the existing system, the costs are already included within this fee schedule.

DECISION POINT/RECOMMENDATION: Staff requests that Council enter into an MOU with Kootenai County and Motorola’s Spillman Public Safety System into a five-year fixed fee structure for the Police Department’s use of the joint operated Motorola-Spillman CAD / RMS system.

3.4 Pricing Detail: COEUR D’ALENE POLICE

PRICING DETAIL FOR EACH AGENCY IS LISTED AS A COURTESY FOR KOOTENAI COUNTY’S BILLING PURPOSES AND IS REPRESENTATIVE OF THE MODULES USED BY EACH SHARED AGENCY. KOOTENAI COUNTY SHERIFF WILL RECEIVE ONE BILL ANNUALLY FOR ALL AGENCIES ON THEIR SERVER, AND WILL THEN BILL THE SHARED AGENCIES AT ITS DISCRETION.

Subscription Description	Price	
Year 1 – Jan 1, 2023 - Dec 31, 2023	\$21,662	
Year 2 – Jan 1, 2024 - Dec 31, 2024	\$21,662	
Year 3 – Jan 1, 2025 - Dec 31, 2025	\$21,662	
Year 4 – Jan 1, 2026 - Dec 31, 2026	\$21,662	
Year 5 – Jan 1, 2027 - Dec 31, 2027	\$21,662	
Total 5-Year Maintenance and Subscription Fees Due to Kootenai County:	\$108,310	
Description	Quantity	Term
Flex		
Core Integration		
HUB MAINTENANCE - STANDARD	1	5 YEAR
IMAGING MAINTENANCE - STANDARD	1	5 YEAR
Records Management System (RMS)		
LAW RECORDS MAINTENANCE - STANDARD	1	5 YEAR
IBR MAINTENANCE - STANDARD	1	5 YEAR
EVIDENCE MANAGEMENT MAINTENANCE - STANDARD	1	5 YEAR
EVIDENCE BARCODE & AUDITING – STANDARD	1	5 YEAR
TRAFFIC INFORMATION MAINTENANCE - STANDARD	1	5 YEAR
Mobile Data Computing		
MOBILE RECORDS MAINTENANCE - STANDARD	1	5 YEAR
MOBILE VOICELESS CAD MAINTENANCE - STANDARD	1	5 YEAR
MOBILE AVL AND MAPPING MAINTENANCE - STANDARD	1	5 YEAR
MOBILE FIELD REPORT WITH FIELD INTERVIEW MAINTENANCE - STANDARD	1	5 YEAR
MOBILE STATE & NATIONAL QUERIES MAINTENANCE - STANDARD	1	5 YEAR
FLEX TOUCH MAINTENANCE - STANDARD	1	5 YEAR
Additional Interfaces		
COPLOGIC INTERFACE MAINTENANCE - STANDARD	1	5 YEAR

INSIGHT MAINTENANCE - STANDARD	1	5 YEAR
XML CITATION INTERFACE MAINTENANCE – STANDARD	1	5 YEAR
CommandCentral		



Use or disclosure of this proposal is subject to the restrictions on the cover page.

Motorola Solutions Confidential Restricted

FGM21PC12345

Page 50

Customer Name Text Field

October 15, 2022 Flex & CommandCentral Five Year Plan

Description	Quantity	Term
COMMANDCENTRAL COMMUNITY	1	5 YEAR

RESOLUTION NO. 23-008

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH KOOTENAI COUNTY FOR USE OF THE JOINTLY OPERATED MOTOROLA CAD/RMS SYSTEM ("SPILLMAN") FOR A FIVE (5) YEAR TERM.

WHEREAS, the City of Coeur d'Alene partnered with the Kootenai County Sheriff's Office since the early 1990's for a regional Computer Aided Dispatch (CAD) and Records Management System (RMS), known as "Spillman;" and

WHEREAS, Kootenai County has agreed to provide continued use of, and maintain, the Flex "Spillman" Public Safety System by the City, with the City paying a fee based on the number of user accounts for and modules used by the City; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to execute a Memorandum of Understanding, 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 execute a Memorandum of Understanding 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 Memorandum of Understanding to the extent the substantive provisions of the Memorandum of Understanding remain intact.

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

DATED this 17th day of January, 2023.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

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

ROLL CALL:

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

MEMORANDUM OF UNDERSTANDING

Between

Kootenai County and the City of Coeur d'Alene

Regarding the

Spillman Public Safety System

This MEMORANDUM OF UNDERSTANDING (hereinafter referred to as the "MOU") is hereby entered into by and between KOOTENAI COUNTY, a political subdivision of the State of Idaho ("the County"), and the City of Coeur d'Alene ("the City").

I. Purpose. The purpose of this MOU is to set forth the terms and conditions under which the County will provide continued use of the Flex "Spillman" Public Safety System by the City. This includes an equitable fee structure in which the City will be charged a fee based on the number of user accounts and modules used by the City. This new fee structure will assist the County in meeting the increased demand on the Spillman system as a result of increases in use and the number of user accounts.

II. Responsibilities.

A. The County shall:

1. Maintain the Spillman Public Safety System. Maintenance of the system shall, without limitation, include the following:
 - a. Maintain adequate hardware and storage;
 - b. Maintain the software, including updates, additions, and patches;
 - c. Payment of software and hardware maintenance costs, with the exception of those costs payable by individual agencies; and
 - d. Maintain adequate personnel to provide timely support to all agencies represented on the system.
2. Collect and process the City's Motorola maintenance fees, and County IT administration fees.

B. The City shall:

1. Pay the County an annual administration fee in the amount of one hundred twenty three dollars and no cents (\$123.00) per system user account for use of the system during the 2023-2027 calendar years no later than 30 days from when the invoice is received.

2. Pay, through the County, that portion of the City’s Motorola maintenance bill based on the number of users and modules used, in the amount set forth in the Kootenai County Sheriff’s Office – Host Agency Agreement – Motorola Solutions, Inc. Flex & Command Central Five Year Plan, a copy of which is attached, and as may be amended.

III. Term and Termination.

- A. This MOU shall be deemed executed as of the date of last signature below, and shall be effective for five (5) years thereafter.
- B. Either party may terminate this MOU, with or without cause, with ninety (90) days written notice to the other party.

IV. Principal Contacts. The principal contacts for this MOU are:

	KOOTENAI COUNTY	CITY OF COEUR D’ALENE
KEY CONTACT:	Cheryl Hallgren	Lieutenant Bill Tilson
AGENCY NAME:	Kootenai County Information Systems	City of Coeur d’Alene Police Dept.
STREET ADDRESS:	5500 N. Government Way Coeur d’Alene, ID 83815	3818 Schreiber Way, Coeur d’Alene, ID 83815
MAILING ADDRESS:	P.O. Box 9000 Coeur d’Alene, ID 83816-9000	3818 Schreiber Way, Coeur d’Alene, ID 83815
PHONE NUMBER:	(208) 446-1386	(208) 676-5809
After Hours Number:	(208) 660-3818	(208) 967-0105
EMAIL ADDRESS:	challgren@kcgov.us	btilson@cdaid.org

V. General Provisions. The parties agree:

- A. That the line of communication shall be kept open in order to discuss any concerns arising from the terms of this MOU and to reach mutually agreeable solutions in a timely manner.
- B. That modifications to this MOU may be made only by mutual consent of the parties through the issuance of a written modification agreement, signed and dated by both parties.
- C. That each party shall be liable for any and all claims, damages or suits arising from the acts, omissions or negligence of its officers, agents and employees.
- D. That this MOU shall in no way restrict the County or the City from participating in similar activities with other public or private agencies, organizations, and individuals.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the last date written below.

DATED this _____ day of _____, 2023.

CITY OF COEUR D'ALENE

Mayor James Hammond

ATTEST:

Clerk/Secretary

DATED this _____ day of _____, 2023

**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**

Leslie Duncan

Bill Brooks

Bruce Mattare

**ATTEST:
JENNIFER LOCKE, CLERK**

PUBLIC HEARINGS

**CITY COUNCIL
STAFF REPORT**

FROM: HILARY PATTERSON, COMMUNITY PLANNING DIRECTOR
SEAN E. HOLM, SENIOR PLANNER

DATE: JANUARY 17, 2023

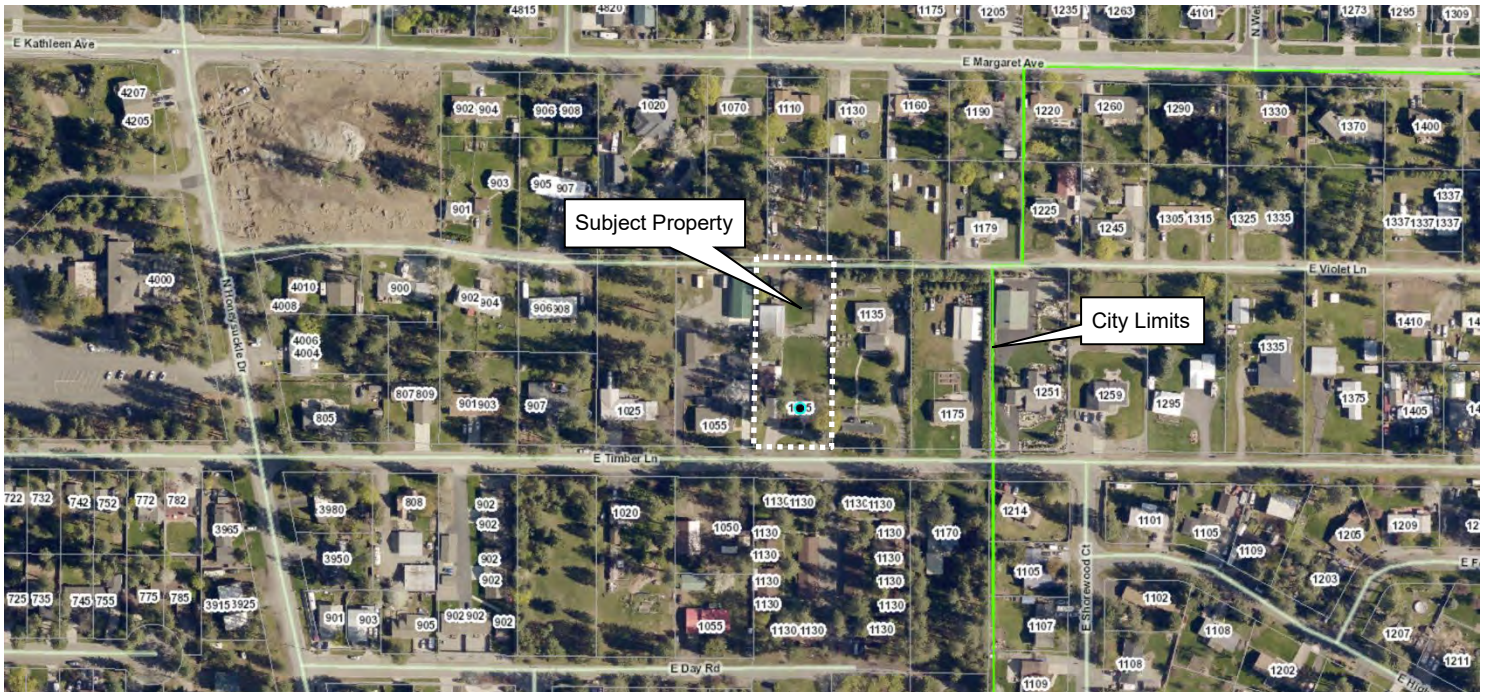
SUBJECT: ZC-2-22 A ZONE CHANGE REQUEST FROM R-3 TO R-8 ON A PARCEL MEASURING 0.914 ACRE

LOCATION: PROPERTY EAST OF HONEYSUCKLE DRIVE, WEST OF E. SHOREWOOD COURT, ON TIMBER LANE COMMONLY KNOWN AS 1095 E. TIMBER LANE IN GARDENDALE ACRE TRACTS

APPLICANT / OWNER:
Richard & Susan Bennett
1095 E. Timber Lane
Coeur d'Alene, ID 83815

DECISION POINT:
Richard & Susan Bennett are requesting a zone change of property within in city limits. The request is to allow a change of zoning from R-3 (Residential at 3 units/acre) to R-8 (Residential at 8 units/acre).

AERIAL PHOTO (NEIGHBORHOOD CONTEXT):



AERIAL PHOTO (SITE CONTEXT):



PLANNING COMMISSION RECOMMENDATION:

Planning Commission heard the zone change request at a regularly scheduled meeting on November 8, 2022. A Motion was made by Fleming, seconded by McCracken, to recommend approval to City Council for the zone change request from R-3 to R-8 for item ZC-2-22. A development agreement was proposed to limit future development to a single-family with a shop on one parcel and a duplex on the other if subdivided through the short plat process.

- ***Motion to approve carried by a 6 to 0 vote.***

BACKGROUND INFORMATION:

Richard and Susan Bennett are the owners of the property and applicant for the requested zone change. The applicant has indicated that they are requesting the R-8 zoning to make the use more compatible with the neighborhood land use. If the zone change is approved, the applicant is proposing to remove all structures, proceed with a minor subdivision to create two lots – a single-family lot and a duplex lot. The applicant’s narrative states that they would like to build a single-family home on a

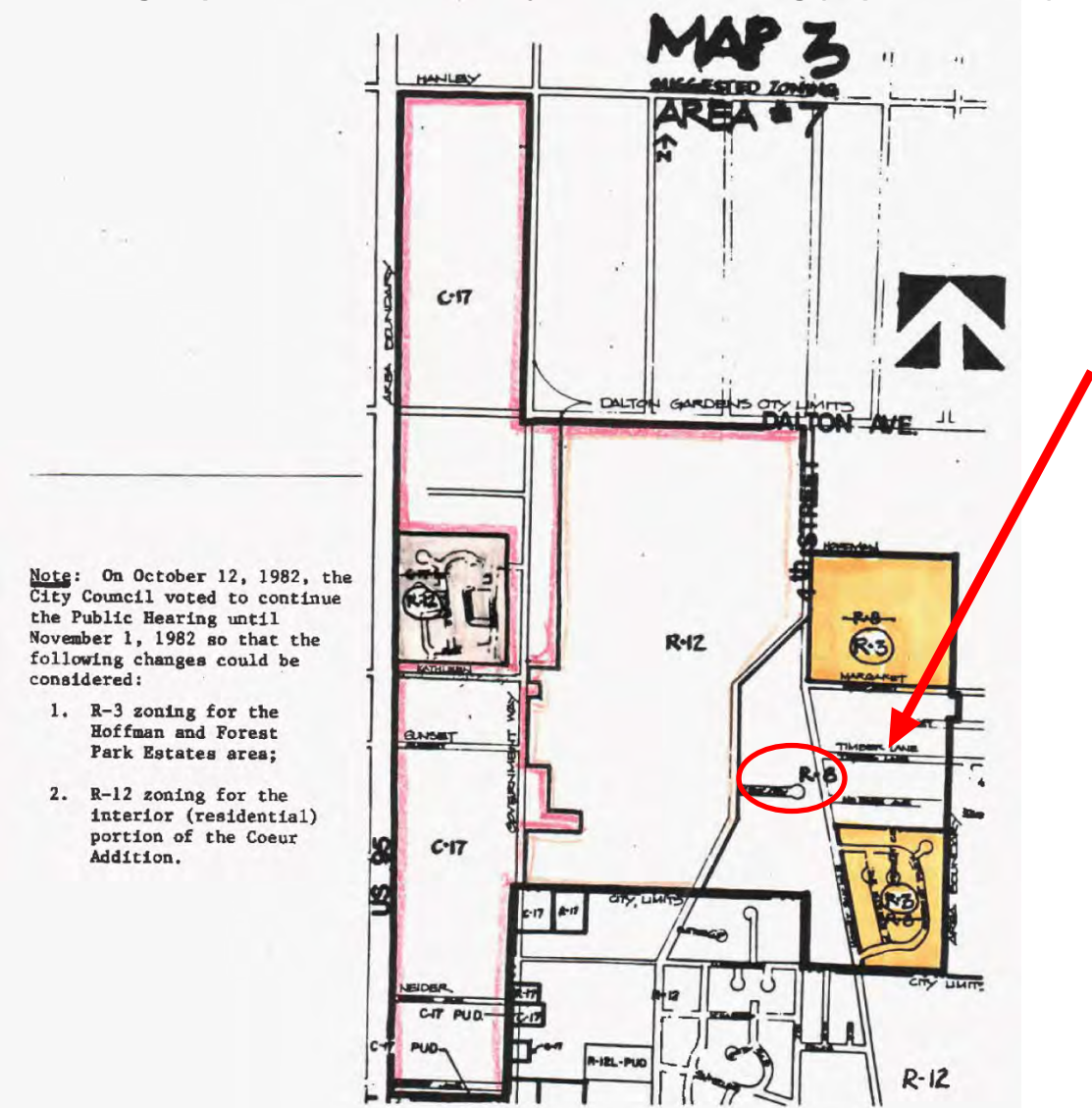
future lot 1 on the western half of the property and a duplex on a future lot 2 on the east side with a shop in the rear with access off of Violet Lane. The subject property has all utilities available on Timber Lane for proposed development. The current property has a frontage of 130 feet and the lot depth is 320 feet.

It should be noted, that all allowable uses would be permitted in the R-8 zoning district if the zone change is approved. This request is not a conditional zoning and the applicant/owner would not be limited to the one single-family home and duplex with a shop that are indicated in the application. See page 18 for the list of currently allowable uses in the R-8 zoning district.

HISTORY:

The subject property was one of seven areas the City of Coeur d’Alene annexed into city limits in October of 1982 (hearing: ZC-7-82-A). This particular area was known as “AREA #7” which totaled 466+/- acres according to the staff report.

Mailing Map for Annexation in Conjunction with Zoning (September 1982):



Note: On October 12, 1982, the City Council voted to continue the Public Hearing until November 1, 1982 so that the following changes could be considered:

1. R-3 zoning for the Hoffman and Forest Park Estates area;
2. R-12 zoning for the interior (residential) portion of the Coeur Addition.

Approximately two months later, a zone change application was received from sixteen neighbors totalling approximately 14.5 acres. At that time, the justification provided read as follow, "I and my surrounding neighbors would like to keep the area in question as a one family unit are we all have large wooded lots now. The two adjacent sub divisions, Forrest Park & Hoffman Estates are already R-3." The request was approved for a down zone from R-8 to R-3 (hearing: ZC-14-82). The subject property was one of the down zoned parcels (highlighted below).

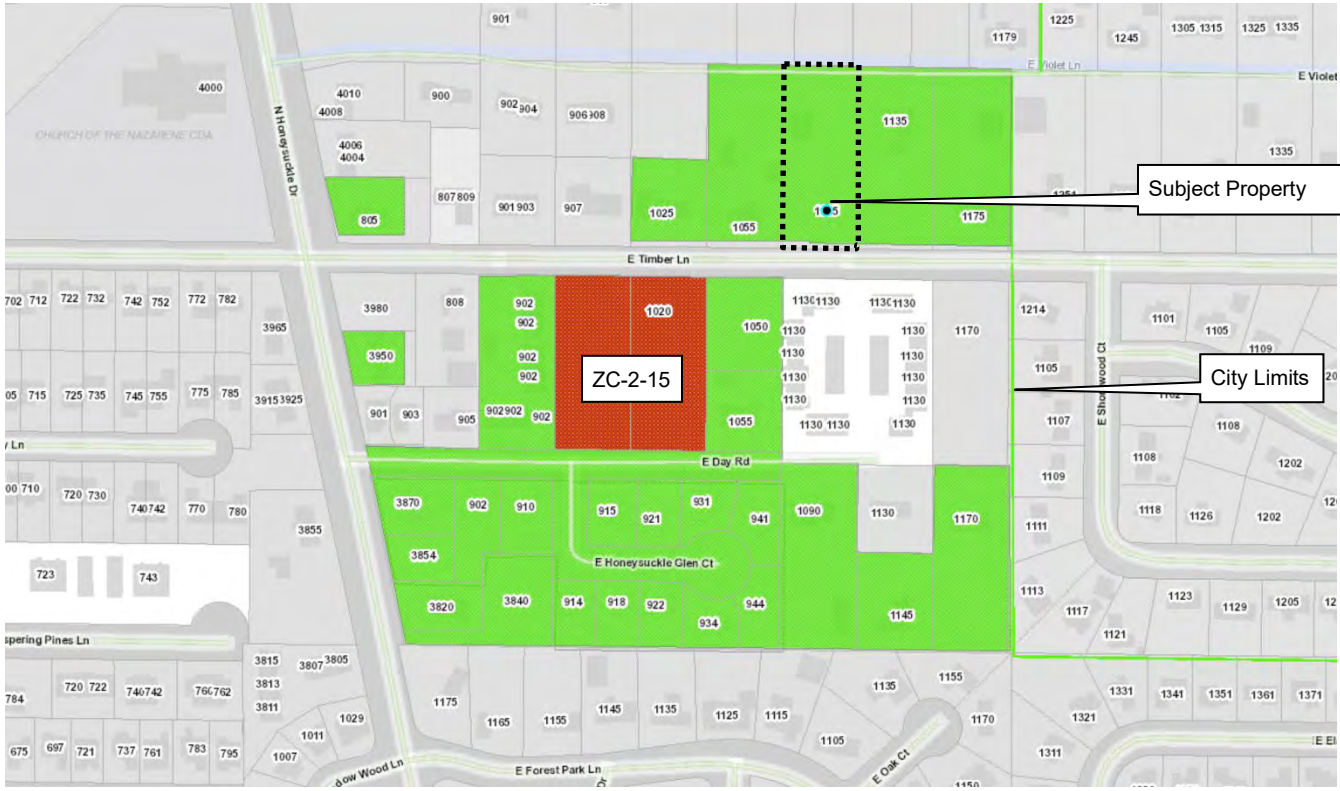
Mailing Map for Rezone Request (Commission hearing held February 1983):



THIS MAP IS FOR
REFERENCE ONLY.

PLEASE CUT HERE AND RETURN IN AN APPROPRIATE SIZE ENVELOPE

PRIOR ZONE CHANGE REQUESTS:



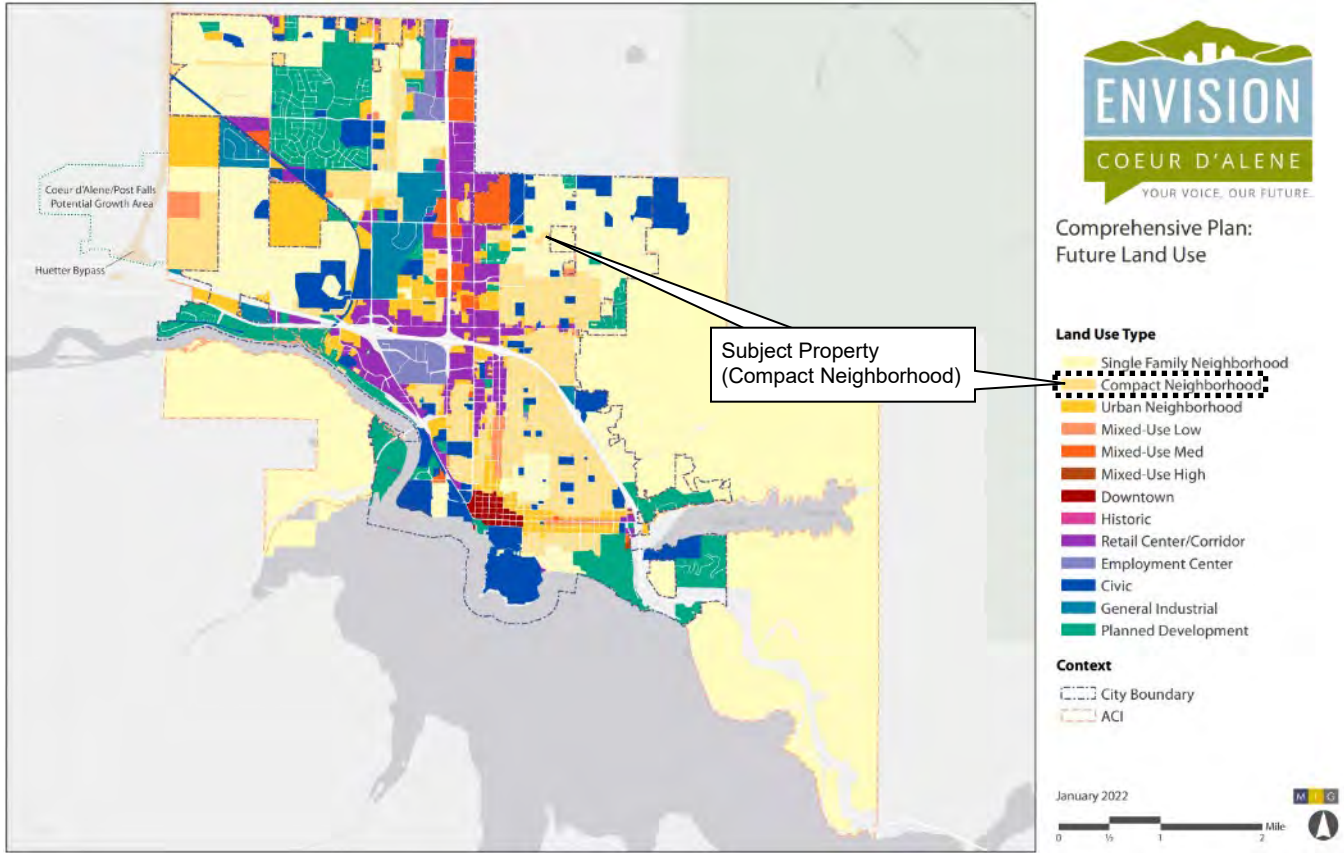
<u>Hearing</u>	<u>Request</u>	<u>City Council</u>
ZC-14-82	R-8 to R-3	Approved
ZC-2-15	R-3 to R-8	Denied

REQUIRED ZONE CHANGE FINDINGS:

Finding #B8: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

1. The subject property is within city limits.
2. The City's 2022-2042 Comprehensive Plan categorizes this parcel as Compact Neighborhood Place Type.

Future Land Use Map (City Context):



Future Land Use Map (Neighborhood Context):



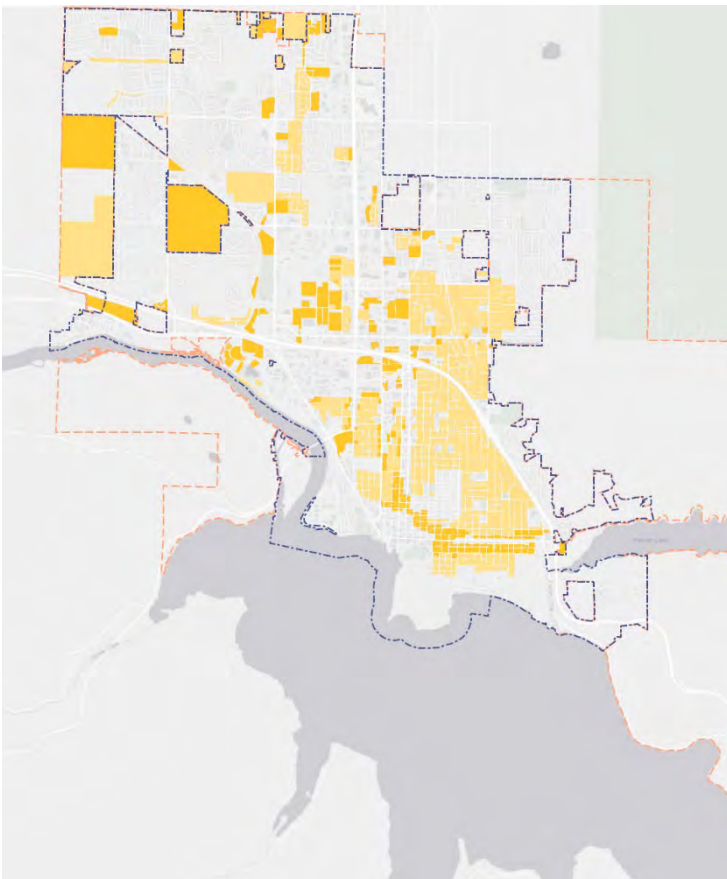
Place Types

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

Compact Neighborhood

Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family homes, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

Compatible Zoning: R-12 and R-17; MH-8; NC and CC



Compact Neighborhood



Key Characteristics

Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

Transportation

- Gridded street pattern with pedestrian and bicycle facilities

Typical Uses

- Primary: Single and mixed residential
- Secondary: Neighborhood parks and recreation facilities, parking

Building Types

- Single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts

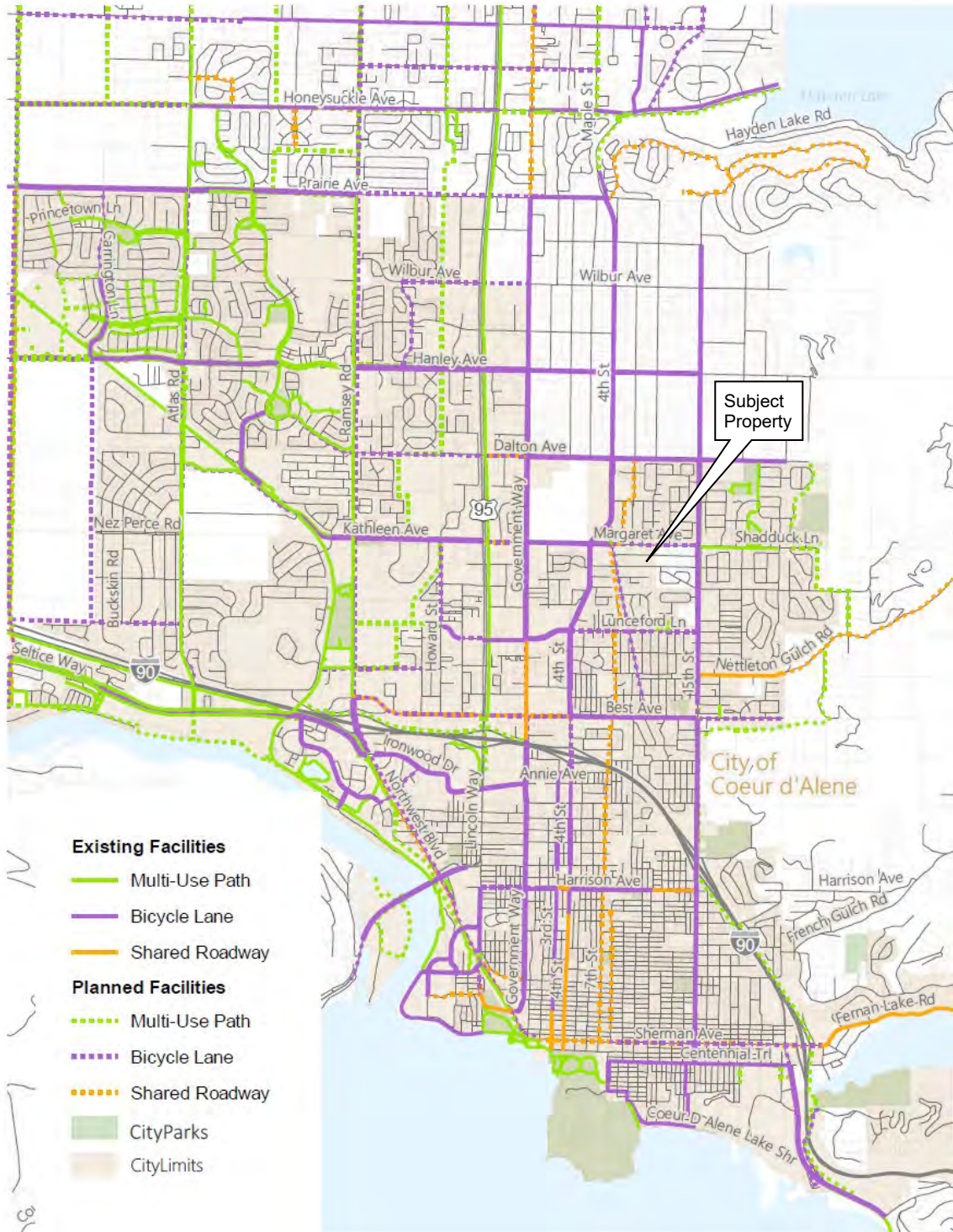
Compatible Zoning

- R-12 and R-17; MH-8; NC and CC

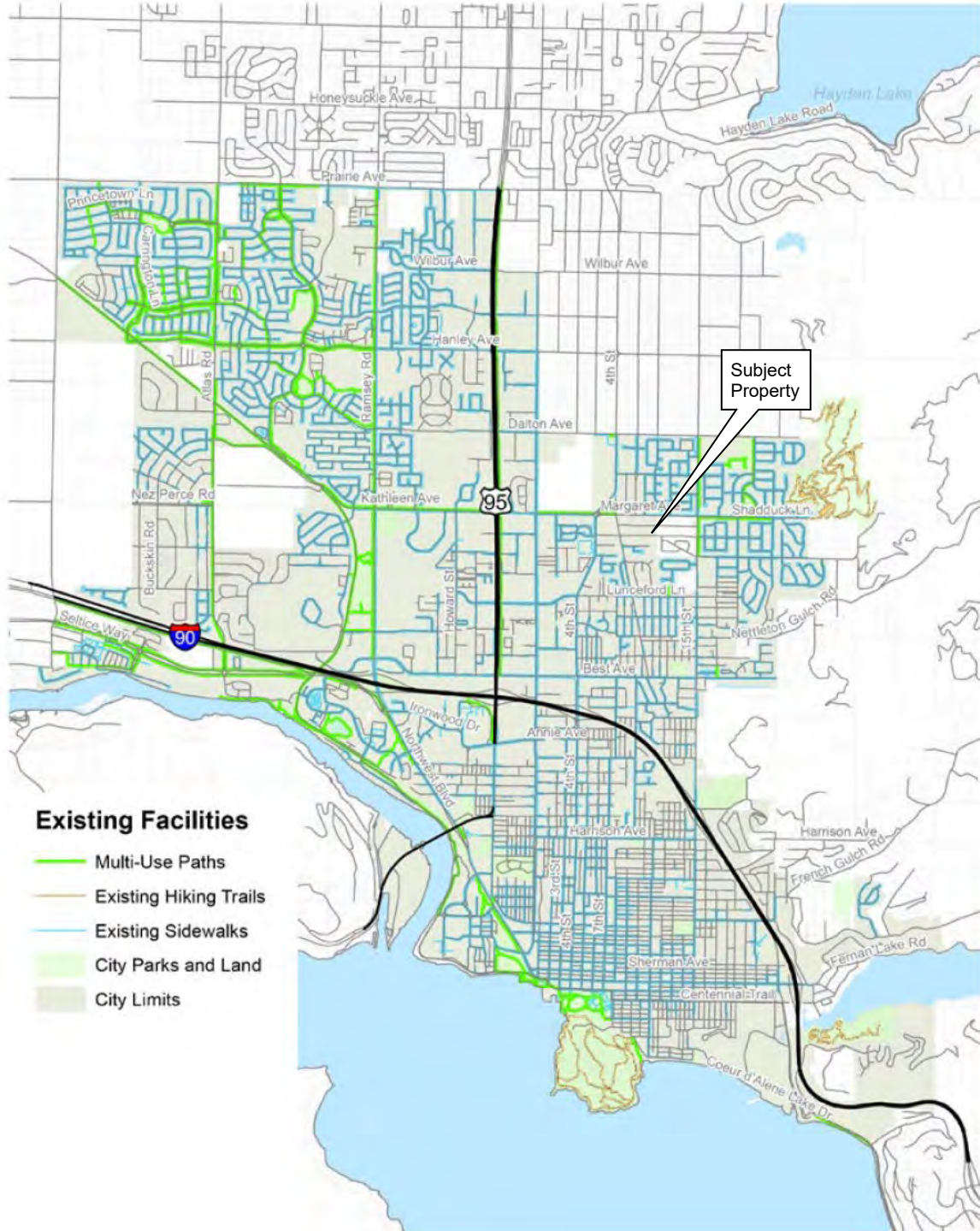


Transportation

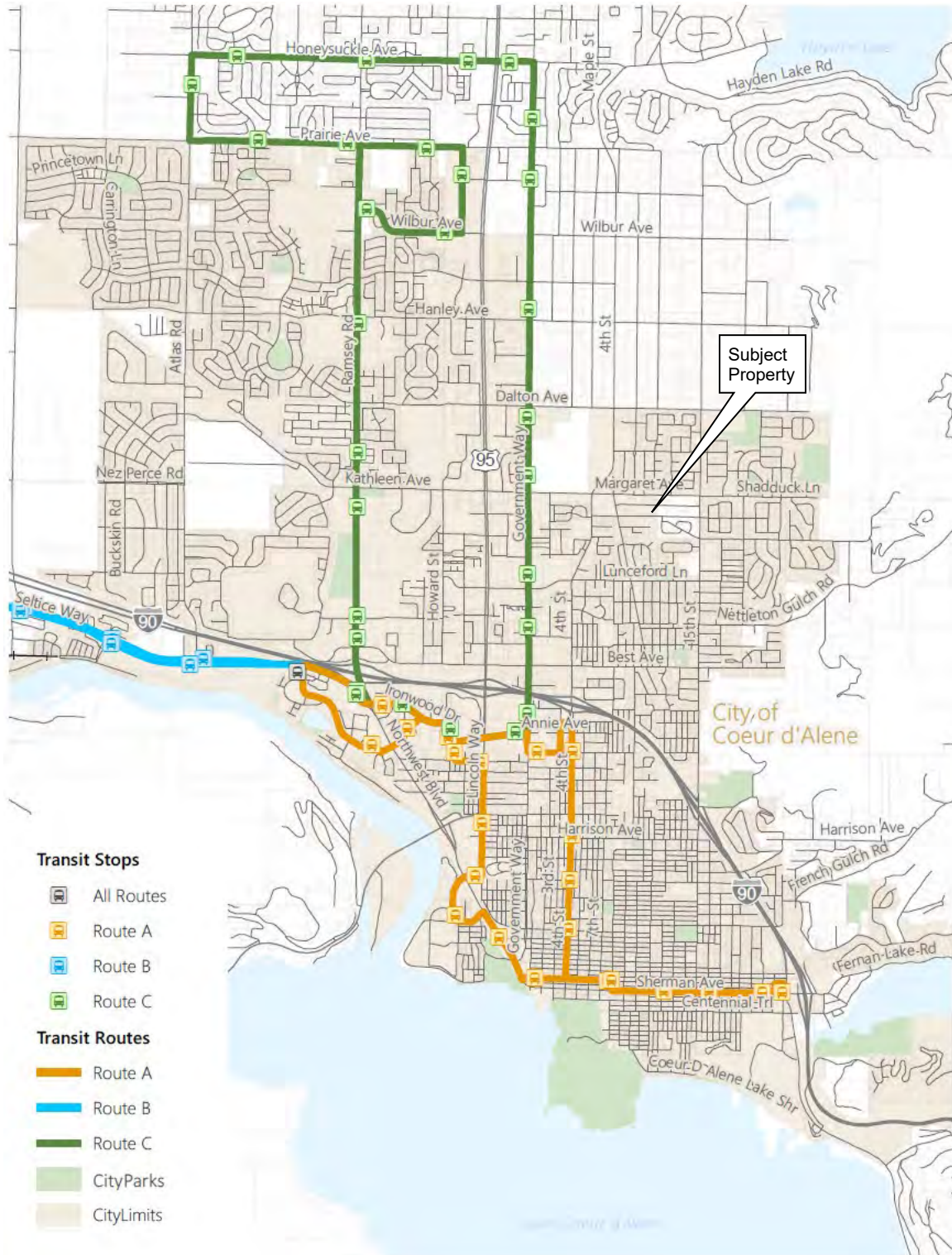
Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



Comprehensive Plan Policy Framework:

Community & Identity

Goal CI 1: Coeur d’Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3: Coeur d’Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

Objective CI 3.1: Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Growth & Development

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

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

Objective GD 1.5: Recognize neighborhood and district identities.

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

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

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

Finding #B9: **That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

STORMWATER:

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

-Submitted by Chris Bosley, City Engineer

STREETS:

The subject property is bordered by Timber Lane to the south. No street improvements are necessary for this requested zone change. No development shall impede access to or through Violet Lane to property owners with legal access to use the roadway and those using the roadway as their sole access.

Violet Lane exists to the rear of the property as a private roadway that provides access to the subject property and surrounding properties. Instrument Number 823799 in Book 302 of Deeds at Page 852, records of Kootenai County, Idaho may outline the easement on Violet Lane as a roadway. It was recorded on October 26, 1979. However, City staff could not find the necessary easement documentation to verify that it is for this property or how many easements exist to provide allow through Violet Lane. Staff will condition any future approval of a subdivision to ensure access.

-Submitted by Chris Bosley, City Engineer

WATER:

The subject property is served by Hoffman Water. The applicant inquired about having the City of Coeur d'Alene as the water provider. But a release from the water supplier and the Public Utilities Commission would be required, which is unlikely.

-Submitted by Terry Pickel, Water Superintendent

WASTEWATER:

This property is connected to the City sewer in Timber Ln. Appropriate sewer cap fees may be due at the time of building permit. In accordance with the 2013 Sewer Master Plan, the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this Zone Change as proposed.

-Submitted by Larry Parsons, Utility Project Manager

FIRE:

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

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

-Submitted by Bobby Gonder, Fire Inspector/IAAI - CFI

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

Finding #B10: **That the physical characteristics of the site (make) (do not make) it suitable for the request at this time.**

PHYSICAL CHARACTERISTICS:

The property has two single-family homes, detached garage/shop structures, and some mature trees. Both homes are accessed off of Timber Lane. The second home is mostly hidden from view by the detached garage structure and does not have direct access off of the street. There is adequate parking for the two existing

homes with the existing garage and driveways. There is an additional garage/shop structure on the rear of the property that is accessed off of Violet Lane. Violet Lane is not platted or dedicated in this location and is unimproved. The site is generally flat. The property is largely fenced around the perimeter. There are no topographical or other physical constraints that would make the subject property unsuitable for the request.

SITE PHOTOS:

Photo of Timber Ln. looking west near the southeast corner of the subject property with Timber Lane Estate Condos shown on the south side of the right-of-way:



Photo of Timber Ln. looking east near the southwest corner of the subject property:



Photo of Violet Ave. looking southwest near the northeast corner of the subject property:



Photo of Violet Ave. looking southwest showing access to the shop on the subject property:



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

Finding #B11: That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant states that the subject property will be divided into two lots with a single-family home and a duplex. The addition of the duplex is expected to generate less than six additional trips per day on Timber Lane. The Streets & Engineering Department has no objection to the proposed zone change.

-Submitted by Chris Bosley, City Engineer

NEIGHBORHOOD CHARACTER:

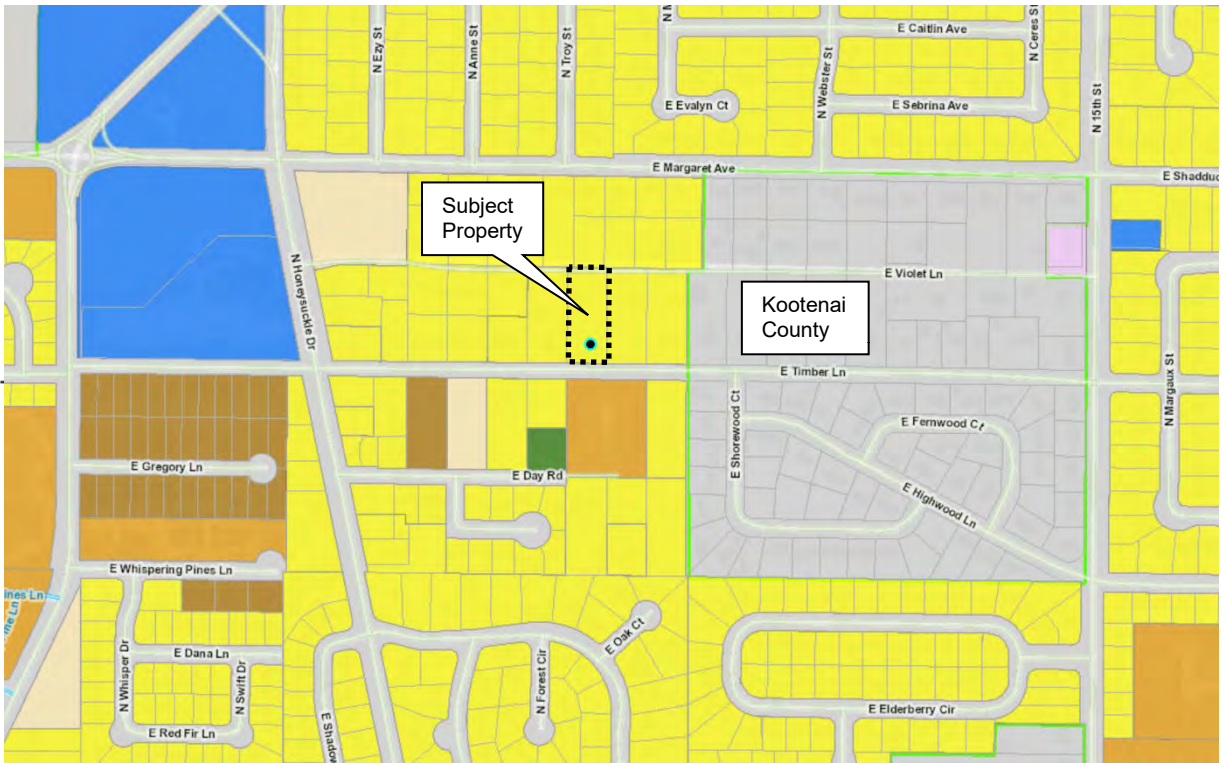
The subject property is located in a residential area with large single-family residential lots and some detached pocket housing/cluster housing projects on the south side of Timber Lane to the east and west of the subject property. There are some duplexes to the west of the property off of Timber Lane, Violet Lane, and Honeysuckle Drive. Timber Lane is paved, but does not have curb, gutter or sidewalk. Violet Lane exists at the rear and across the subject property. It is unimproved and functions as a private roadway. There is also a gas line that runs through the subject property.

The Planning Commission recently approved the Honeysuckle Commons Planned Unit Development project to the northwest of the property off of Honeysuckle Drive and Margaret Avenue, with Violet Lane along the southern boundary of the project. The project is currently under construction.

The Church of the Nazarene is located west of the property off of Timber Lane and 4th Street. They have a ball field at the northwest corner of the property. A City-owned well site is near the property to the northeast of the roundabout on Margaret Avenue and 4th Street. The Kootenai County Fairgrounds are located on the northwest corner of Kathleen Avenue and 4th Street, extending west to Government Way and north to Dalton Avenue. Coeur d'Alene High School is located further north along 4th Street.

GENERALIZED LAND USE PATTERN:

- Land Use
- SFA
- SFD
- DUPLEX
- MH
- MHP
- MFD
- CIVIC
- COMM
- MFGR
- AGRICUL
- VACANT



ZONING:

- zoning
- C-17
- C-17L
- C-17LPUD
- C-17PUD
- DC
- DCPUD
- LM
- M
- MH-8
- MH-8PUD
- NC
- NW
- R-1
- R-12
- R-12PUD
- R-17
- R-17PUD
- R-1PUD
- R-3
- R-3PUD
- R-5
- R-5PUD
- R-8
- R-8PUD
- R-8SF



Existing R-3 Zoning District:

17.05.010: GENERALLY:

- A. The R-3 District is intended as a residential area that permits single-family detached housing at a density of three (3) units per gross acre (i.e., the density for an acre of unsubdivided land, regardless of where streets, etc., may or may not be located, will be calculated at a minimum of 3 units).
- B. The gross acre calculation is intended to provide the subdivider flexibility, so when dedicating land for public use, the density may be made up elsewhere in the subdivision as long as the other site performance standards are met.
- C. This district is intended for those areas of the City that are developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.
- D. A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.
 1. For the purposes of this section, the term "two (2) dwelling units" shall mean two (2) single family dwelling units or one single family dwelling unit and one accessory dwelling unit.

17.05.020: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-3 District shall be as follows:

- Administrative
- Essential service (underground)
- "Home occupation", as defined in this title
- Neighborhood recreation
- Public recreation
- Single-family detached housing

17.05.030: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-3 District shall be as follows:

- Accessory dwelling units
- Garage or carport (attached or detached)
- Private recreation facility (enclosed or unenclosed)

17.05.040: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-3 District shall be as follows:

- Commercial film production
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service (aboveground)
- Noncommercial kennel
- Religious assembly

Proposed R-8 Zoning District:

17.05.090: GENERALLY:

- A. The R-8 District is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre.
- B. In this district a special use permit, as prescribed in section 17.09.205 of this title may be requested by neighborhood sponsor to restrict development for a specific area to single-family detached housing only at eight (8) units per gross acre. To constitute neighborhood sponsor, at least sixty six percent (66%) of the people who own at least sixty six percent (66%) of the property involved must be party to the request. The area of the request must be at least one and one-half (1 1/2) acres bounded by streets, alleys, rear lot lines, or other recognized boundary. Side lot lines may be used for the boundary only if it is also the rear lot line of the adjacent property.
- C. Project review (see sections 17.07.305 through 17.07.330 of this title) is required for all subdivisions and for all residential, civic, commercial, service and industry uses, except residential uses for four (4) or fewer dwellings.
- D. A maximum of two (2) dwelling units are allowed per lot provided the lot meets the minimum lot square footage for two (2) units and each dwelling unit meets the minimum yard (setback) requirements.
 1. For the purposes of this section, the term "two (2) dwelling units" shall mean two (2) single family dwelling units, one single family dwelling unit and one accessory dwelling unit (ADU), or one duplex.

17.05.100: PERMITTED USES; PRINCIPAL:

Principal permitted uses in an R-8 District shall be as follows:

- Administrative
- Duplex housing
- Essential service (underground)
- "Home occupation", as defined in this title
- Neighborhood recreation
- Public recreation
- Single-family detached housing

17.05.110: PERMITTED USES; ACCESSORY:

Accessory permitted uses in an R-8 District shall be as follows:

- Accessory dwelling units
- Garage or carport
- Private recreation facility (enclosed or unenclosed)

17.05.120: PERMITTED USES; SPECIAL USE PERMIT:

Permitted uses by special use permit in an R-8 District shall be as follows:

- A two (2) unit per gross acre density increase
- Boarding house
- Childcare facility
- Commercial film production
- Community assembly
- Community education
- Community organization
- Convenience sales
- Essential service (aboveground)
- Group dwelling - detached housing
- Handicapped or minimal care facility
- Juvenile offenders facility
- Noncommercial kennel
- Religious assembly
- Restriction to single-family only

Approval of this zone change request in conjunction with a future subdivision could intensify the potential of the property by increasing the allowable density by right from R-3 to R-8. Theoretically, the following density would be allowed under each zoning district:

R-3 (current zone): 2 single-family homes or 1 single-family home with an ADU (the required lot size per dwelling unit is 11,500 square feet with a maximum of two units per parcel).

R-8 (proposed zone): If a short subdivision splitting the parcel in half is approved in the future, a total of four single-family homes (two per lot), or, two duplexes (one each per lot), would be allowed if the lots fronted on Timber Lane. Each unit would require 5,500 square feet regardless of construction type in R-8 (maximum of two units per parcel).

Note: Theoretical density allowed with R-8 zoning using total lot size divided by 5,500 square feet could allow 7 single-family units; however, each R-8 lot is required to have a minimum of 5,500 square feet and 50 feet of frontage on a public street. Remember, current code limits a maximum of two units per parcel unless zoning is at least R-17 or a PUD is approved. Due to the existing frontage limitation, only two lots could be created off of Timber Lane and meet the dimensional requirements. A public roadway would have to be built that extends into the property and lots would need to be subdivided to front the new public roadway. It is a diminishing return since the square footage of a public roadway would be removed from the density calculation. Additionally, an existing gas line easement would create challenges with setbacks and private utilities under this hypothetical scenario. This theoretical density is limited by an existing easement for a liquid pipeline on the subject property.

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

ORDINANCES & STANDARDS USED FOR EVALUATION:

- 2022-2042 Comprehensive Plan
- Transportation Plan
- Municipal Code
- Idaho Code
- Wastewater Treatment Facility Plan
- Water and Sewer Service Policies
- Urban Forestry Standards
- Transportation and Traffic Engineering Handbook, I.T.E.
- Manual on Uniform Traffic Control Devices
- 2021 Parks Master Plan
- 2017 Trails and Bikeways Master Plan

PROPOSED CONDITIONS:

Planning Commission recommended that a development agreement should be included as a condition of approval if the applicant applies for short plat subdivision to split the property into two parcels.

Elements of a development agreement could include:

- Limiting density to a single-family and associated accessory uses on one parcel.
- A duplex on the other.
- Requiring vehicle access for both parcels from Timber Lane to prevent “double frontage lots” from being created.

If City Council conditions approval of the zone change subject to a development agreement, Council must include that in their findings and direct staff on which elements to include which would be brought back to City Council for review and approval at a future City Council public hearing.

ACTION ALTERNATIVES:

The City Council must consider this request and make separate findings to: ***approve, deny, or deny without prejudice***. Your findings worksheet is attached.

1. Applicant: Richard and Susan Bennett
Location: 1095 E. Timber
Request: A proposed zone change from R-3 to R-8
QUASI-JUDICIAL, (ZC-2-22)

Hilary Patterson, Community Planning Director, presented the staff report and stated:

- Richard and Susan Bennett are the owners of the property and applicant for the requested zone change.
- The applicant has indicated that they are requesting the R-8 zoning to make the use more compatible with the neighborhood land use.
- If the zone change is approved, the applicant is proposing to remove all structures, proceed with a minor subdivision to create two lots – a single-family lot and a duplex lot.
- The applicant's narrative states that they would like to build a single-family home on a future lot 1 on the western half of the property and a duplex on a future lot 2 on the east side with a shop in the rear with access off of Violet Lane.
- The subject property has all utilities available on Timber Lane for proposed development. The current property has a frontage of 130 feet and the lot depth is 320 feet.
- It should be noted that all allowable uses would be permitted in the R-8 zoning district if the zone change is approved.
- This request is not a conditional zoning and the applicant/owner would not be limited to the one single-family home and duplex with a shop that are indicated in the application. See page 18 for the list of currently allowable uses in the R-8 zoning district.
- The subject property was one of seven areas the City of Coeur d'Alene annexed into city limits in October of 1982 (hearing: ZC-7-82-A). This particular area was known as "AREA #7" which totaled 466+/- acres according to the staff report.
- Approximately two months later, a zone change application was received from sixteen neighbors totalling approximately 14.5 acres. At that time, the justification provided read as follow, *"I and my surrounding neighbors would like to keep the area in question as a one family unit are we all have large wooded lots now. The two adjacent sub divisions, Forrest Park & Hoffman Estates are already R-3."* The request was approved for a down zone from R-8 to R-3 (hearing: ZC-14-82). The subject property was one of the down zoned parcels.
- She stated that the Comprehensive Plan categorizes this parcel as Compact Neighborhood.
- She addressed the findings and noted that all city departments indicated no issues with the proposed zone change
- She added that there are no conditions for approval

Ms. Patterson concluded her presentation

Commission Comments:

Commissioner Mandel asked where Honeysuckle commons located from this property. Ms. Patterson noted on the map where Honeysuckle Commons is located and clarified that they also have a gas line going through the property.

Commissioner Fleming inquired if the Fire Department had any concerns that the street names aren't connected with Mallard being more dominate. Ms. Patterson explained that we have a lot of roads within the city that are in the same situation. As an example, Kathleen/Margaret. Now we are working with the county where they review the street names and makes sure there aren't any duplicates and also to ensure that street extensions have the same name. But, for the ones that

exist, it's difficult to change because you have to get all the property owners to change their address, which can be messy.

Commissioner Ward asked for clarification on whether the applicant is allowed to have only three units and since Violet isn't a public road access, wouldn't they be allowed to access those lots. This is probably the reason why the applicant had to subdivide the lot the way he did. Ms. Anderson commented that is correct and explained that existing utilities are off of Timber Lane and it is correct that Violet isn't a public road.

Commissioner Ingalls noted in the applicant's narrative that he states that this parcel is surrounded by all sides by R-8 and looks like only two sides are R-8 which looks like a "checkerboard." He questioned if this property is considered "spot zoning". Ms. Patterson explained if the lot is abutting and across the street from R-8 that wouldn't be considered "spot zoning." As an example, if we decided to put C-17 in the middle of only residential neighborhood versus neighborhood commercial it wouldn't fit since there isn't any other C-17 properties in the area. Mr. Adams explained that the commission has discretion given there is R-8 and R-3 in this area which in his opinion wouldn't be considered "spot zoning".

Chairman Messina inquired if R-8 has been the designated zoning in this area for a long time. Ms. Patterson explained that R-8 was recently approved for a parcel in this area last year. Chairman Messina inquired if the rest of the R-8 to the right of the property been there for a while. Ms. Anderson stated that is correct and was part of that big annexation done in 1982 that was zoned R-8 and then the property owners came forward requesting that the 14.5 acres be down zoned to R-3.

Public testimony open.

Richard Bennett, applicant, provided the following statements:

- He explained that he bought his property over 20 years ago and liked the area. It felt like living in the country.
- He stated his intent is to build another house and has tried for 3 years and could never figure out how to get it to work. He added that he has had talked to staff many times with the problem that I'm 200' square feet short of an acre.
- He stated that he tried again and talked to staff and noticed all the R-3's and R-8's and since this area used to be zoned R-8 and now is R-3. This is the reason why I'm requesting an R-8.
- He explained that his intent isn't to build a subdivision. After hearing concerns from the surrounding neighbors, who after reading the public hearing notice, were thinking he wanted more units. But what he is seeking is to build one home for his family with the understanding if granted an R-8, he will split the lot into 2 lots which will allow two houses on the lot with plans to remove the existing two homes on the lot and replace them with a duplex that will be facing Timber Lane.

The applicant concluded his presentation.

Commission Comments:

Commissioner McCracken inquired about the pipeline going through the property and questioned the location and setbacks. Mr. Bennett stated the pipeline is on the eastside of the property 100' from Timber Lane and on the west its 200 feet with my property sitting at a diagonal allowing more room to build in the back. That is the reason why I'm putting the single-family home in the

back since there is more room. Commissioner McCracken inquired what will be the setbacks to the pipeline. Mr. Bennett explained that the easement states 15 feet and the pipeline representatives are wanting 50 feet which I have never received a notice regarding that change. He added the previous owner didn't have a problem letting him build 15 feet from the pipeline but the new owners want 50 feet. But they did tell me they would work with me.

Shawn Kay stated he lives on Violet and after some digging, he found that there is no easement recorded on that road. He explained on further investigating found a road easement dated 1997 and because of that doesn't know how if he proposes a shop with the door accessing Violet would work when he has to go across my property to get to the shop.

Commissioner Luttrupp inquired when this goes through the permitting process would some of these things be addressed. Ms. Patterson explained when a subdivision was created, we would work through some of those issues with the proof of any easements and if it was a true road on both sides the code requires that no double frontages so a restriction to access with a condition saying no access off of Violet Lane.

Commissioner Ingalls appreciates the testimony and that this is a zone change where we have been looking at details of construction with those details coming later in the permit process.

Don Boyd explained that he thought this request was for one house and after talking to the applicant surprised with the intent to build a duplex. He stated his concern is Violet Lane as access and the pipeline going through the property, and is concerned if something happens to the applicant the R-8 stays and the new owners may want to build something else other than single-family residential.

Rebuttal:

Mr. Bennett provided the following statements.

- He explained that he has access to Violet and if approved his driveway will enter both lots through Timber Lane and plans to put in a paved driveway from Timber Lane to both lots and then to fence it off.
- He addressed his future plans and what he is proposing is something reasonable that will provide an additional rental unit for someone to help with the housing shortage.

Public testimony closed.

Discussion:

Commissioner Luttrupp inquired if we can add a condition stating that the applicant can only put three homes on his lot which in previous testimony, he said he would and if that was possible. Mr. Adams explained that you can't put a condition on a zone change but we could put that in a Development Agreement that can be done with a zone change. Commissioner Luttrupp inquired if the property is sold would that agreement stay with the property. Mr. Adams answered that is correct. Commissioner Luttrupp stated that is a great tool and something we should consider

using in this case.

Chairman Messina inquired can we request to do a Development Agreement on this item. Ms. Patterson explained if the Planning Commission recommends a Development Agreement be done and then City Council will make the determination if that is something they want to do.

Commissioner Fleming stated that the applicant is intending to put on the property a duplex and single-family home and because of the restrictions with the pipeline setbacks would he be able to put in 8 units knowing that he is shy 200 feet less than an acre. Ms. Patterson noted on page 19 in the staff report it states that he could potentially get 7 units but would have to have a public road and that is based on speculation since we didn't further ask if it was feasible. Commissioner Fleming questioned that if it was worth it putting a condition for 3 homes if it wasn't feasible to do that with the lot restrictions.

Commissioner Ward explained that any Development Agreement can be released by the city and inquired if the Development Agreement can say "limit to three units" unless released after a public hearing where the public gets their input again and he questioned if that's possible. Mr. Adams explained that the City would need to approve the removal of a Development Agreement.

Chairman Messina inquired if the property is sold that has a Development Agreement questioned if that can be terminated. Mr. Adams answered that new owners can request it be terminated.

Commissioner McCracken agrees with Commissioner Fleming that the challenges to the site because of the pipeline and any more than three homes would need to come back to the commission and feels we don't have to make it complicated.

Motion by Fleming , seconded by McCracken , to approve Item ZC-2-22.

Commissioner Luttrupp inquired in the motion are we going to include a Development Agreement and will not support the motion since the applicant stated that he would support a condition.

Chairman Messina concurs with Commissioner Luttrupp and that a Development Agreement would benefit the neighborhood and without that condition, he won't approve the project.

Commissioner Ingalls asked before he calls for a roll call if Commissioner Fleming would like to amend her motion and include a Development Agreement. Commissioner Fleming stated that she would amend her motion to approve the zone change from R-3 to R-8 and include a Development Agreement that states to include one single family and one duplex on this specific lot.

Commissioner McCracken inquired if the owner could do a deed restriction to that density or is the only tool to use is the Development Agreement. Mr. Adams explained that would be more complicated than a Development Agreement.

**Motion by Fleming, seconded by McCracken, to approve the amended motion for Item ZC-2-22.
Motion approved.**

ROLL CALL:

Commissioner Fleming	Voted Aye
Commissioner Ingalls	Voted Aye
Commissioner Mandel	Voted Aye

Commissioner McCracken	Voted	Aye
Commissioner Luttrupp	Voted	Aye
Commissioner Ward	Voted	Aye
Commissioner Messina	Voted	Aye

Motion to approve carried by a 6 to 0 vote.

**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

ZC-2-22

A. INTRODUCTION

This matter having come before the Planning Commission on, November 8, 2022, and there being present a person requesting approval of ZC-2-22 , a request for a zone change from R-3 to R-8 zoning district

APPLICANT: RICHARD AND SUSAN BENNETT

LOCATION: PROPERTY EAST OF HONEYSUCKLE DRIVE, WEST OF E. SHOREWOOD COURT, ON TIMBER LANE COMMONLY KNOWN AS 1095 E. TIMBER LANE IN GARDENDALE ACRE TRACTS

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

The Planning Commission adopts Items B1 to B7.

- B1. That the existing land uses are Residential and Commercial.
- B2. That the Comprehensive Plan Map designation is Urban Neighborhood Place Type
- B3. That the zoning is R-3
- B4. That the notice of public hearing was published on, October 22, 2022 , which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on, October 28, 2022 , which fulfills the proper legal requirement.
- B6. That notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property.
- B7. That public testimony was heard on November 8, 2022.

B8. That this proposal is in conformance with the Comprehensive Plan policies as follows:

Community & Identity

Goal CI 1: Coeur d’Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Objective CI 3.1: Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

Growth & Development

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

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

B9. That public facilities and utilities are available and adequate for the proposed use. This is based on input from staff stating that Hoffman water will serve the area.

B10. That the physical characteristics of the site do make it suitable for the request at this time because the property is flat and no major issues. We will take the easement issue out of it since it will come up during reviews.

B11. That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, or existing land uses because the applicant is dedicated to the area and wants to enhance the property. She added that there will be limited traffic with the addition of three units and would recommend R-8 zoning that is compatible with the neighborhood.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of RICHARD AND SUSAN BENNETT for a zone change, as described in the application should be approved.


1. We will direct staff to provide a Development Agreement to allow one -single family dwelling and one duplex on this specific lot.

Motion by Fleming, seconded by McCracken, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Fleming	Voted Yes
Commissioner Ingalls	Voted Yes
Commissioner Luttrupp	Voted Yes
Commissioner Mandel	Voted Yes
Commissioner McCracken	Voted Yes
Commissioner Ward	Voted Yes
Chairman Messina	Voted Yes

Motion to approve carried by a 7 to 0 vote.



CHAIRMAN TOM MESSINA

City Council Meeting



January 17, 2023

ZC-2-22: Zone change from R-3 to R-8
1095 E. Timber Lane (0.914 Acre)

OWNER/APPLICANT:

Richard & Susan Bennett
1095 E. Timber Lane
Coeur d'Alene, ID 83815

DECISION POINT:

Richard & Susan Bennett are requesting a zone change of property within in city limits. The request is to allow a change of zoning from R-3 (Residential at 3 units/acre) to R-8 (Residential at 8 units/acre).



ZC-2-22: Zone change from R-3 to R-8
Description & Notice

SIZE / LOCATION:

Property east of Honeysuckle Drive, west of Shorewood Court at 1095 E. Timber Lane in Gardendale Acre Tracts.

LEGAL NOTICE:

Published in the CDA Press, the subject property posted, and mailings sent to owners within 300' of the subject property, per the legal noticing requirements.



ZC-2-22: Zone change from R-3 to R-8
Planning Commission Decision & Recommendation

Planning Commission heard the zone change request at a regularly scheduled meeting on November 8, 2022.

A Motion was made by Fleming, seconded by McCracken, to recommend approval to City Council for the zone change request from R-3 to R-8 on item ZC-2-22.

Motion to approve carried by a 6 to 0 vote.



ZC-2-22: Zone change from R-3 to R-8
Aerial Photo (Area Context)

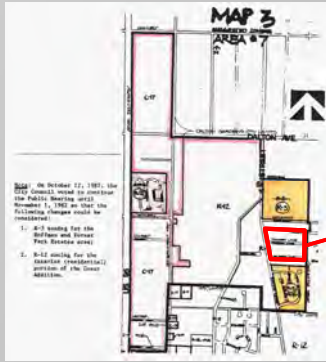


ZC-2-22: Zone change from R-3 to R-8
Aerial Photo (Site Context)



ZC-2-22: Zone change from R-3 to R-8 Background & History

- Annexed into city limits in 1982 as a portion of “area #7”
- Sixteen neighbors applied for a zone change from R-8 to R-3 two months later.



ZC-2-22: Zone change from R-3 to R-8 Prior Zone Change Requests



Hearing	Request	City Council
ZC-14-82	R-8 to R-3	Approved
ZC-2-15	R-3 to R-8	Denied

ZC-2-22: Zone change from R-3 to R-8
Four (4) Required Findings

Finding #B8:

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

Finding #B9:

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

Finding #B10:

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

Finding #B11:

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

ZC-2-22: Zone change from R-3 to R-8
Comprehensive Plan

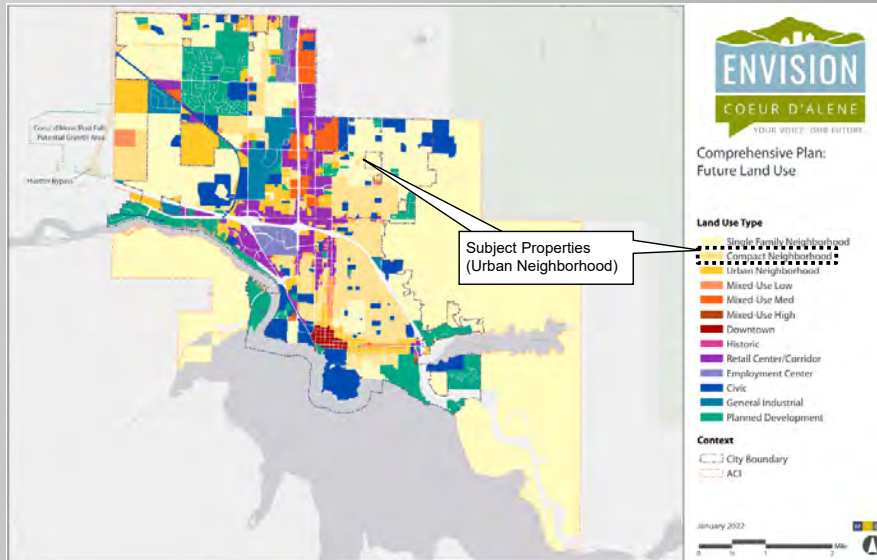
Finding #B8:

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

1. The subject property is within city limits.
2. The City's 2022-2042 Comprehensive Plan categorizes this area as:
 - **Compact Neighborhood Place Type**



ZC-2-22: Zone change from R-3 to R-8 Future Land Use Map (City Context)




ZC-2-22: Zone change from R-3 to R-8 Future Land Use Map (Neighborhood Context)



ZC-2-22: Zone change from R-3 to R-8 Compact Neighborhood

Compact Neighborhood




Key Characteristics
Compact Neighborhood places are medium density residential areas located primarily in older locations of Coeur d'Alene where there is an established street grid with bicycle and pedestrian facilities. Development is typically single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts. Supporting uses typically include neighborhood parks, recreation facilities, and parking areas.

Transportation

- Gridded street pattern with pedestrian and bicycle facilities


Typical Uses

- Primary: Single and mixed residential
- Secondary: Neighborhood parks and recreation facilities, parking



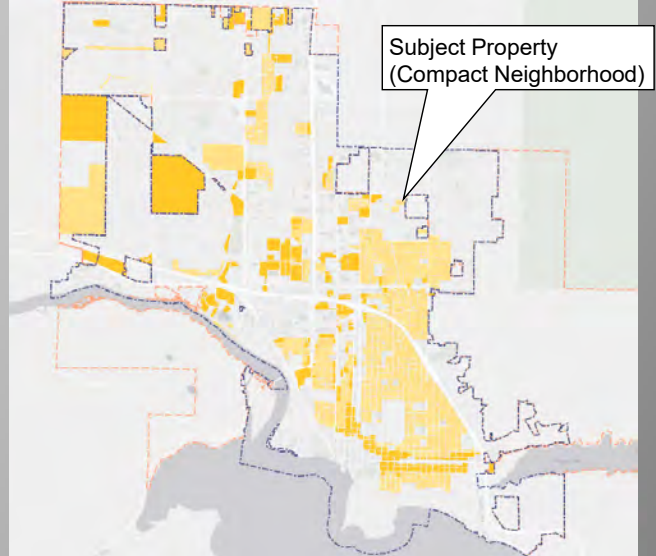
Building Types

- Single-family, duplexes, triplexes, four-plexes, townhomes, green courts, and auto-courts

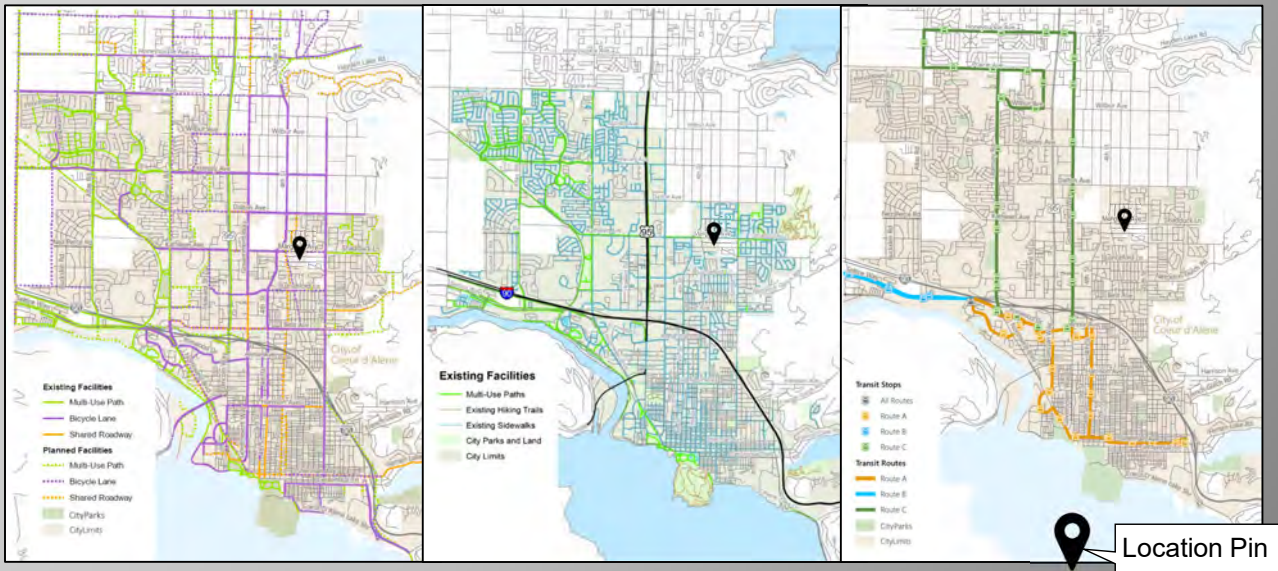


Compatible Zoning

- R-12 and R-17; MH-8; NC and CC



ZC-2-22: Zone change from R-3 to R-8 Bicycle Network - Walking Network - Transit Network



ZC-2-22: Zone change from R-3 to R-8
Comprehensive Plan Policy Framework

Community & Identity

Goal CI 1: Coeur d’Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Goal CI 3: Coeur d’Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.

Objective CI 3.1: Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.

ZC-2-22: Zone change from R-3 to R-8
Comprehensive Plan Policy Framework

Growth & Development

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

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

Objective GD 1.5: Recognize neighborhood and district identities.

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

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

ZC-2-22: Zone change from R-3 to R-8
Staff Comments (Public Facilities & Utilities)

Finding #B9:

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

- City staff from Stormwater, Streets, Fire, and Wastewater Departments have reviewed the application request in regards to public utilities and public facilities. (**NOTE: Water is provided by Hoffman Water**)
- Each department has indicated that there are adequate public facilities and public utilities available to serve the proposed request.
- No objection to this zone change request was raised. Department comments may be found on pages 11-12 of the staff report.



ZC-2-22: Zone change from R-3 to R-8
Physical Characteristics

Finding #B10:

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

- Two single family homes with accessory structures
- Adequate parking
- Generally flat / no topographical constraints
- Violet Lane is unimproved (as annexed in 1982)
- Pressurized gas line easement limits building envelope

ZC-2-22: Zone change from R-3 to R-8
Physical Characteristics



ZC-2-22: Zone change from R-3 to R-8
Site Photos

Timber Ln. looking west near the southeast corner of the subject property with Timber Lane Estate Condos across



ZC-2-22: Zone change from R-3 to R-8
Site Photos

Timber Ln. looking east near the southwest corner of the subject property



ZC-2-22: Zone change from R-3 to R-8
Site Photos

Violet Ave. looking southwest showing access to the shop



Violet Ave. looking southwest near the northeast corner of subject property



ZC-2-22: Zone change from R-3 to R-8
General Comparison of Zones

Existing R-3 Zoning District:

17.05.010: GENERALLY:

The R-3 District is intended as a residential area that permits single-family detached housing at a density of three (3) units per gross acre.

Proposed R-8 Zoning District:

17.05.090: GENERALLY:

The R-8 District is intended as a residential area that permits a mix of housing types at a density not greater than eight (8) units per gross acre.

ZC-2-22: Zone change from R-3 to R-8
Comparison of Principal Uses

Approval of this zone change request in conjunction with a future subdivision could intensify the potential of the property by increasing the allowable density by right from R-3 to R-8. Theoretically, the following density would be allowed under each zoning district:

R-3 (current zone):

2 single-family homes or 1 single-family home with an ADU

R-8 (proposed zone):

If a short subdivision splitting the parcel in half is approved in the future, a total of four single-family homes (two per lot), or, two duplexes (one each per lot), would be allowed if the lots fronted on Timber Lane.

ZC-2-22: Zone change from R-3 to R-8 Traffic, Character, & Land Uses

Finding #B11:

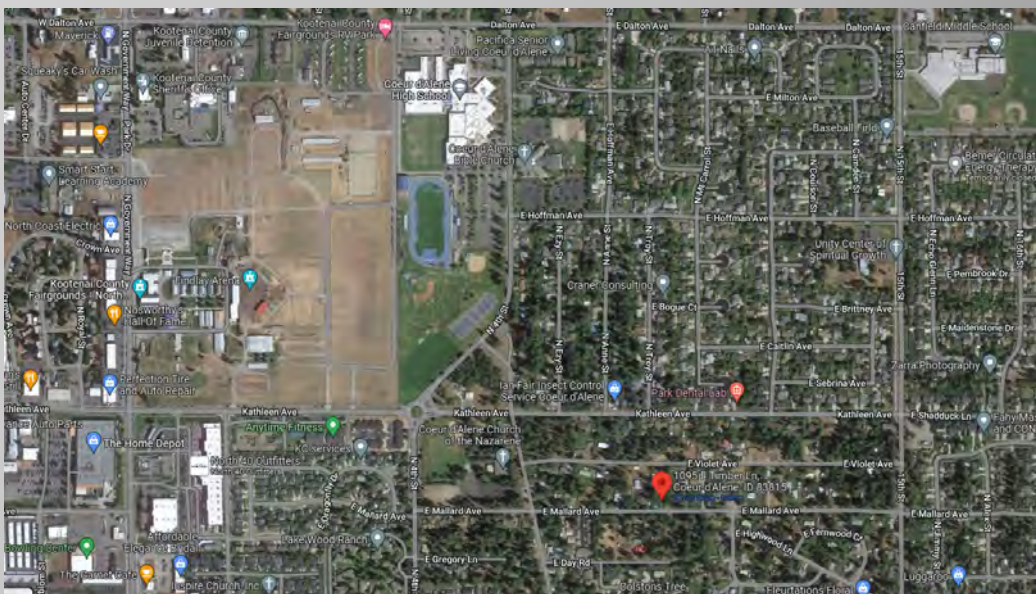
That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

TRAFFIC:

The proposed zone change itself would not adversely affect the surrounding area with regard to traffic, as no traffic is generated from a zone change alone. However, the applicant states that the subject property will be divided into two lots with a single-family home and a duplex. The addition of the duplex is expected to generate less than six additional trips per day on Timber Lane. The Streets & Engineering Department has no objection to the proposed zone change.

-Submitted by Chris Bosley, City Engineer

ZC-2-22: Zone change from R-3 to R-8 Neighborhood Character



ZC-2-22: Zone change from R-3 to R-8 Land Use Map



ZC-2-22: Zone change from R-3 to R-8 Zoning Map



ZC-2-22: Zone change from R-3 to R-8
1095 E. Timber Lane (0.914 Acre)

PROPOSED CONDITIONS:

Planning Commission recommended that a ***development agreement*** should be included as a condition of approval if the applicant applies for short plat subdivision to split the property into two parcels.

Elements of a development agreement could include:

- Limiting density to a single-family and associated accessory uses on one parcel.
- A duplex on the other.
- Requiring vehicle access for both parcels from Timber Lane to prevent “double frontage lots” from being created.



ZC-2-22: Zone change from R-3 to R-8
1095 E. Timber Lane (0.914 Acre)

ACTION ALTERNATIVES:

City Council will need to consider this request and make appropriate findings to:

- Approve
- Deny
- Deny without prejudice



ORDINANCE NO. 3713
COUNCIL BILL NO. 23-1001

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-3 TO R-8, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: +/- 0.91 ACRE PARCEL IN THE GARDENDALE ACRE TRACTS ON E. TIMBER LANE, EAST OF HONEYSUCKLE DRIVE AND WEST OF E. SHOREWOOD COURT, COMMONLY KNOWN AS 1095 E. TIMBER LANE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after public hearing on the hereinafter provided amendments, and after recommendation by the Planning Commission, it is deemed by the Mayor and City Council to be for the best interests of the City of Coeur d'Alene, Idaho, that said amendments be adopted.

NOW, THEREFORE,

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

SECTION 1. That the following described property, to wit:

**Gardendale Acre Tracts, the S 306.25 ft. of Tr 13, Blk 1
COMMONLY KNOWN AS 1095 E. Timber Lane, Coeur d'Alene, Idaho**

is hereby changed and rezoned from R-3 (Residential at 3 units per acre) to R-8 (Residential at 8 units per acre).

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, is hereby amended as set forth in Section 1 hereof.

SECTION 3. That the Planning Director is hereby instructed to make such change and amendment on the official Zoning Map of the City of Coeur d'Alene, and shall make an electronic copy available on the City's website.

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

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

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on January 17, 2023.

APPROVED this 17th day of January 2023.

James Hammond, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. 3713

Zone Change – ZC-2-22

+/- 0.91 ACRE PARCEL AT 1095 E. TIMBER LANE

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-3 TO R-8, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: +/- 0.91 ACRE PARCEL IN THE GARDENDALE ACRE TRACTS ON E. TIMBER LANE, EAST OF HONEYSUCKLE DRIVE AND WEST OF E. SHOREWOOD COURT, COMMONLY KNOWN AS 1095 E. TIMBER LANE; 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. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am the City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. 3713, +/- 0.91 ACRE PARCEL at 1095 E. TIMBER LANE, 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 17th day of January, 2023.

Randall R. Adams, City Attorney