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**CITY COUNCIL  
MEETING AGENDA**

**January 17, 2023  
6:00 PM**

**Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854**

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**WORKSHOP – 5:00 pm Basement Conference Room**

Topic: Property Tax/Shifting Market Values

**REGULAR MEETING – 6:00 pm City Council Chambers**

**CALL TO ORDER BY MAYOR JACOBSON**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF CITY COUNCIL MEMBERS**

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:**

**ACTION ITEM**

- a. Requesting approval of :
  - Reappointment of James Hail to the Parks and Recreation Commission
  - Reappointment of Jayson Cornwell to the Parks and Recreation Commission
  - Reappointment of James Steffensen to the Planning and Zoning Commission

**AMENDMENTS TO THE AGENDA**

*Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.*

**DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS**

*The Mayor and members of the City Council have a duty to serve honestly and in the public interest. Where the Mayor or a member of the City Council have a conflict of interest, they may need to disclose the conflict and in certain circumstances, including land use decisions, they cannot participate in the decision-making process. Similarly, ex-parte contacts and site visits in most land use decisions must also be disclosed.*

**1. CONSENT CALENDAR**

*The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.*

**ACTION ITEMS:**

- a. Minutes – December 20, 2022, City Council Meeting
- b. Minutes – January 3, 2023, City Council Meeting

- c. Payables – December 27, 2022 – January 9, 2023
- d. October 2022 Cash and Investments
- e. ICRMP Consent to Electronic Communications
- f. Approval of Grant Agreement with Kootenai County/Idaho Office of Emergency Management for the Upgrade of Security Doors at the Post Falls Police Department.
- g. North Place East 1<sup>st</sup> Addition Subdivision Plat Application
- h. FY 2022 Road and Street Report
- i. Foxtail 8<sup>th</sup> Addition Subdivision Plat Application
- j. Disposal of a Document Filing Machine by the Finance Department
- k. Bid Award of Two Dump Trucks to Freightliner NW.
- l. Purchase of a John Deere 210 P-Tier Tractor by the Streets Division

## 2. PUBLIC HEARINGS

*There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.*

### ACTION ITEMS:

- a. FY 2023 Budget Amendment #1
- b. Zoning Approval Criteria File No. TA-22-5
- c. Title 18 Cottage Homes Ordinance File No. TA-22-7

## 3. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS

*This section of the agenda is to continue consideration of items that have been previously discussed by the City Council and to formally adopt ordinances and resolutions that were previously approved by the Council. Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.*

### ACTION ITEMS:

- a. Water Tower Parking Lot and Pocket Park Approval to Bid Parking Lot and Approval of Pocket Park Concept.
- b. Ordinance – Vacating a Lift Station Easement on Lot 1, Block 4, Crimson King Estates

## 4. NEW BUSINESS

*This portion of the agenda is for City Council consideration of items that have not been previously discussed by the Council. Ordinances and Resolutions are generally added to a subsequent agenda for adoption under Unfinished Business, however, the Council may consider adoption of an ordinance or resolution under New Business if timely approval is necessary.*

### ACTION ITEMS:

- a. Q'emiln Well Rehabilitation Consulting Services

## 5. CITIZEN ISSUES

*This section of the agenda is reserved for citizens wishing to address the Council regarding City-related issues that are not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for the public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, either by subsequent appointment or after tonight's meeting, if time permits. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring Council action must be placed on the agenda of an upcoming Council meeting. As such, the City Council can't take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.*

## **6. ADMINISTRATIVE / STAFF REPORTS**

*This portion of the agenda is for City staff members to provide reports and updates to the Mayor and City Council regarding City business as well as responses to public comments. These items are for information only and no final action will be taken.*

## **7. MAYOR AND COUNCIL COMMENTS**

*This section of the agenda is provided to allow the Mayor and City Councilors to make announcements and general comments relevant to City business and to request that items be added to future agendas for discussion. No final action or in-depth discussion of issues will occur.*

## **8. EXECUTIVE SESSION**

*Certain City-related matters may need to be discussed confidentially subject to applicable legal requirements; the Council may enter executive session to discuss such matters. The motion to enter into executive session must reference the specific statutory section that authorizes the executive session. No final decision or action may be taken in executive session.*

**ACTION ITEM (To enter into executive session only):**

**RETURN TO REGULAR SESSION**

**ADJOURNMENT**

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) as well as the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

Mission

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

Vision

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

“Where opportunities flow and community is a way of life”

## Calendar of Meetings & Events

Jan 16		<b>City Business Offices will be closed in Observance of Martin Luther King Jr. Day</b>
Jan 17	5:00 pm	<u>Council Workshop</u> – Property Tax/Shifting Market Values
Jan 17	6:00 pm	<u>City Council</u>
Jan 19	8:00 am	Urban Renewal Agency
Jan 21	10:00 am	<b>Bridal Tour</b>
Jan 24	6:00 pm	Parks and Recreation Commission
Jan 28	6:00 am	<b>Christmas Tree Pick Up</b>
Feb 7	6:00 pm	<u>City Council</u>
Feb 14		<b>Valentine’s Day</b>
Feb 14	5:30 pm	Planning and Zoning Commission
Feb 16	8:00 am	Urban Renewal Agency
Feb 20		<b>City Business Offices will be closed in Observance of Presidents’ Day</b>
Feb 21	5:00 pm	<u>City Council Workshop</u>
Feb 21	6:00 pm	<u>City Council</u>
Feb 28	6:00 pm	Parks and Recreation Commission
Mar 7	6:00 pm	<u>City Council</u>
Mar 14	5:30 pm	Planning & Zoning Commission
Mar 16	8:00 am	Urban Renewal Agency
Mar 21	5:00 pm	<u>Council Workshop</u>
Mar 21	6:00 pm	<u>City Council</u>
Mar 28	6:00 pm	Parks and Recreation Commission

# Post Falls City Council Meeting

## January 17<sup>th</sup>, 2023

### Council Agenda Memorandum

**TO:** Mayor Ron Jacobson  
Council President Kerri Thoreson  
Councilors Josh Walker, Joe Malloy,  
Nathan Ziegler, Lynn Borders, Kenny Shove  
Legal Counsel Warren Wilson

**FROM:** Shelly Enderud, City Administrator

**CC:** Department Heads

### 5:00pm Workshop – Property Tax/Shifting Market Values

#### Ceremonies, Announcements, Appointments, Presentation

- a. Requesting Approval of Reappointment of James Hail and Jayson Cornwell to the Parks and Recreation Commission, and James Steffensen to the Planning and Zoning Commission.

#### 1. Consent Calendar

- e. ICRMP Consent to Electronic Communications –City Clerk Shannon Howard requests approval for the City's insurance carrier, ICRMP, to be allowed to contact City Staff on official matters via email when needed. Per ICRMP bylaws, this request must be approved by City Council.
- f. Approval of Grant Agreement with Kootenai County / Idaho Office of Emergency Management – The Police Department requests approval of a Grant Agreement with Kootenai County and the Idaho Office of Emergency Management for the upgrade of security doors at the PFPD. Total cost of the door upgrade is \$55,642 with the granting agency reimbursing \$33,642. The remainder of costs will be paid through the Capital Facility Maintenance Fund. If approved, the Mayor shall sign the agreement.
- g. North Place East 1<sup>st</sup> Addition Subdivision Plat Application – The Engineering Division requests approval of the final plat for the development. The developer has provided surety for the remaining improvements. If approved, the Mayor will sign the documents.

- h. FY 2022 Road and Street Report – Finance Director Jason Faulkner requests approval of the FY 2022 Road and Street Report. The report is compiled by the State and is required to be presented and approved to avoid disruption of future funds.
- i. Foxtail 8<sup>th</sup> Addition Subdivision Plat Application – The Engineering Division requests approval of the final plat for the development. The developer has provided surety for the remaining improvements. If approved, the Mayor shall sign the documents.
- j. Disposal of a document Folding Machine by the Finance Department - The Finance Department requests approval to dispose of a non-functional Formax FD 340 Document Folder. If approved, the Folder will be disposed of.
- k. Bid Award of Two Dump Trucks to Freightliner NW – The Streets Division requests approval to award the bid of two new 2024 Freightliner Dump Trucks with plow packages to Freightliner NW. The trucks will replace a 2006 non-operational single-axel dump truck, and a 1999 single-axel dump truck. Total fiscal impact is \$513,635.12 that was included in replacement funds in the FY 23 budget. If approved, the trucks are expected to be delivered during FY 2024.
- l. Purchase of a John Deere 210 P-Tier Tractor by the Streets Division – The Streets Division requests approval to purchase a new John Deere 210 P-Tier tractor from Pape Machinery Inc. using Sourcewell cooperative purchasing pricing. The new tractor will replace a 1992 Ford 345C tractor that is non-operational. Total fiscal impact is \$114,674.43 that was included in replacement funds in the FY 23 budget.

## 2. Public Hearings

- a. FY 2023 Budget Amendment #1 – Opportunity for public comment is given on the first amendment to the FY 2023 budget. This amendment encompasses the budgeted projects and budgeted capital purchases that were unable to be completed in FY 2022 and now need to be brought forward into FY 2023. After comment and discussion, Council should either direct staff to return with an ordinance formalizing the amendment or take no action.
- b. Zoning Approval Criteria File No. TA-22-5 – Opportunity for public comment is given on the Planning Division’s request to amend Title 18 to provide more clarity within the Zone Change review criteria. The proposed new language is in line with the State’s LLUPA Title 67. The proposed Zone Change Review Criteria was originally presented to Council on August 16, 2022, where Council directed staff to have a workshop on the subject and then bring it back to a regular Council meeting. The Workshop was held on November 1, 2022. The concerns expressed during the November workshop are contained in the updated draft ordinance. On July 12, 2022, the Planning and Zoning Commission recommended approval of the proposed changes. After comment and discussion, Council should either approve or deny the changes as presented.
- c. Title 18 Cottage Homes Ordinance File No. TA-22-7 - Opportunity for public comment is given on the Planning Division’s request to amend Title 18 to establish performance standards for Cottage Home residential development, update definitions, and increase the Medium Density (R-2) single family lot size. This draft ordinance includes the proposed modifications from the Planning and Zoning Commission’s December 13, 2022, meeting. They recommend approval of the modified draft ordinance. After comment and discussion,

Council should either direct staff to make modifications, or approve, or deny the draft ordinance.

### 3. Unfinished Business

- a. Water Tower Parking Lot and Pocket Park – City Engineer Bill Melvin and Parks Planner Robbie Quinn request approval of the Water Tower Pocket Park Concept and approval to bid the Water Tower Parking Lot. The Pocket Park concept has been approved by Parks Staff and the Parks and Recreation Commission. The design and contract document for the parking lot have been approved by staff. If Council approves, the Parking Lot project will be advertised to bid. This project was approved and funded in prior budgets and those funds have been designated in the City's General Fund.
- b. Ordinance: Vacating a Lift Station Easement on Lot 1, Block 4, Crimson King Estates - City Attorney Warren Wilson requests approval of an Ordinance vacating the abovementioned easement. A Lift Station easement was granted to the City on Lot 1, Block 4, of the Crimson King Estates subdivision. That lot was replatted by the River City Center subdivision and a replacement easement was granted to the City. I.C. 50-1306A indicates that utility easements are vacated by recording a new plat so this easement has been vacated by act of law. However, a title company is refusing to remove an exception to title insurance for the prior lift station easement. This has created issues for the property owner in using their property. Recording a new ordinance should resolve the issue by making clear that the prior lift station easement has been vacated and will not impact the city's current lift station easement. Council may adopt the ordinance or take no action.

### 4. New Business

- a. Q'emiln Well Rehabilitation Consulting Services – Parks Manager Bryan Myers requests approval of the Consulting Services contract for the Q'emiln Well Investigation with TO Engineers. Major deficiencies were found in the 2022 Idaho Department of Environmental Qualities Sanitary Survey on the Q'emiln domestic water well. This contract will provide consulting services to correct these deficiencies. The scope of work includes assembling/reviewing existing information, previously prepared plans, other relevant data for use during design, and a subconsultant will pull the existing pump to video the well. Total fiscal impact will be \$21,183 to be paid through the Parks and Recreation budget. If approved, the Mayor will sign the contract.

### 6. Administrative / Staff Reports

None

### 8. Executive Session

No executive session is needed at the time of the writing of this memorandum; however, Council may reserve the right to conduct a session should it see the necessity.





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**CITY COUNCIL  
MEETING MINUTES**

**December 20, 2022  
6:00 PM**

**Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854**

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**REGULAR MEETING – 6:00 pm City Council Chambers**

**CALL TO ORDER BY MAYOR JACOBSON**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF CITY COUNCIL MEMBERS**

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove - **Present**

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:**

- a. City Hall and city business offices will be closed Monday, December 26<sup>th</sup> in observance of Christmas and Monday, January 2<sup>nd</sup> in observance of New Year's. Police, fire and rescue services for life-threatening or in-progress emergencies may be reached by calling 911. The Police Department will be open for walk-in emergencies. For Water Department emergencies call 208-773-3517.
- b. Congratulations to our Parks and Recreation Department on receiving the President's Award from the Post Falls Chamber at their annual meeting this afternoon. The award was given in appreciation for collaboration and communication on the River City Marker & Music, tours for visiting travel writers, lighting work on their building, for the Winterfest event and so much more- according to Chamber President, Christina Petit. Congratulations Dave and your Department.

**AMENDMENTS TO THE AGENDA**

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**None**

**DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS**

*The Mayor and members of the City Council have a duty to serve honestly and in the public interest. Where the Mayor or a member of the City Council have a conflict of interest, they may need to disclose the conflict and in certain circumstances, including land use decisions, they cannot participate in the decision-making process. Similarly, ex-parte contacts and site visits in most land use decisions must also be disclosed.*

**None**

**1. CONSENT CALENDAR**

*The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order*

*that it be discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.*

**ACTION ITEMS:**

- a. Minutes – December 6, 2022, City Council Meeting
- b. Payables – November 29, 2022 – December 12, 2022
- c. Ashlar Ranch Annexation Agreement and Dedications of Right-of-Way and Easement
- d. Joseph Family Trust Reasoned Decision
- e. Corbin’s Meadows Subdivision Plat Application
- f. Wildflower Meadows Subdivision Plat Application
- g. Farwest Steel Annexation Agreement and Dedications of Right-of-Way and Easement

**Motion by Borders to accept the Consent Calendar as presented.**

**Second by Malloy.**

**Vote: Thoreson-Aye, Borders-Aye, Shove-Aye, Walker-Aye, Malloy-Aye, Ziegler-Aye**

**Motion Carried**

**2. PUBLIC HEARINGS**

*There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant’s rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.*

**ACTION ITEMS:**

**None**

**3. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS**

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**ACTION ITEMS:**

- a. Resolution – Fiscal Year 2023 Fee Resolution Revision #1

WHEREAS, the City of Post Falls annually reviews all fees during the budget process to ensure accuracy; and

WHEREAS, periodic revisions to fees may be necessary; and

WHEREAS, the City has fees already established; and

WHEREAS, the City of Post Falls has determined that the fee schedule be amended to reflect the reasonable cost of providing the services; and

WHEREAS, after public hearing has been held prior to the adoption of this resolution, regarding new and increased city fees, it is deemed by the City Council to be in the best interest of the City of Post Falls and the citizens thereof that the fee schedule be amended to include the new and increased fees which were addressed in the public hearing.

NOW, THEREFORE, Be It Resolved by the Mayor and City Council of the City of Post Falls, Idaho that the following fee schedule, which reflect the new and amended fees and all other fees that have not been amended, be adopted for the City of Post Falls

**Motion by Thoreson to approve Resolution – Fiscal Year 2023 Fee Resolution Revision #1 and to direct the clerk to assign the appropriate number.**

**Second by Malloy.**

**Vote: Borders-Aye, Shove-Aye, Walker-Aye, Malloy-Aye, Ziegler-Aye, Thoreson-Aye**

**Motion Carried**

b. Ordinance – Ashlar Ranch Annexation File No. ANNX-0004-2022

**Motion by Thoreson to place the Ordinance – Ashlar Ranch Annexation File No. ANNX-0004-2022 on its first and only reading by title only while under suspension of the rules.**

**Second by Borders.**

**Vote: Shove-Aye, Walker-Aye, Malloy-Aye, Ziegler-Aye, Thoreson-Aye, Borders-Aye**

**Motion Carried**

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ANNEXING PROPERTY CONSISTING OF APPROXIMATELY 9.962 ACRES, A PARCEL OF LAND BEING TRACT 43 BLOCK 31 AND THAT PORTION OF THE PLATTED 12<sup>TH</sup> AVENUE ADJOINING SAID TRACT 43 PER THE PLAT OF POST FALLS IRRIGATED TRACTS RECORDED IN BOOK C AT PAGE 78 RECORDS OF KOOTENAI COUNTY, IDAHO. SITUATE IN THE SW ¼ OF SECTION 31, TOWNSHIP 51 N., RANGE 4 W ., BOISE MERIDIAN, KOOTENAI COUNTY; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF:

**Motion by Thoreson to approve the Ordinance – Ashlar Ranch Annexation File No. ANNX-0004-2022 and to direct the clerk to assign the appropriate number and that it be published by summary only.**

**Second by Borders.**

**Vote: Shove-Aye, Walker-Aye, Malloy-Aye, Ziegler-Aye, Thoreson-Aye, Borders-Aye**

**Motion Carried**

c. Ordinance – Gabourie Annexation File No. ANNX-22-9

**Motion by Thoreson to place the Ordinance – Gabourie Annexation File No. ANNX-22-9 on its first and only reading by title only while under suspension of the rules.**

**Second by Borders.**

**Vote: Walker-Aye, Malloy-Aye, Ziegler-Aye, Thoreson-Aye, Borders-Aye, Shove-Aye**

**Motion Carried**

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ANNEXING PROPERTY CONSISTING OF APPROXIMATELY .30 ACRES, LOT 13, BLOCK A, RODKEY SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN THE OFFICE OF THE COUNTY RECORDED IN BOOK D OF PLATS AT PAGE 96, RECORDS OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF:

**Motion by Thoreson to approve the Ordinance Gabourie Annexation File No. ANNEX-22-9 and to direct the clerk to assign the appropriate number and that it be published by summary only.**

**Second by Borders.**

**Vote: Walker-Aye, Malloy-Aye Thoreson-Aye, Ziegler-Aye, Borders-Aye, Shove-Aye**

**Motion Carried**

d. Ordinance – Farwest Steel Annexation File No. ANNEX-22-10

**Motion by Thoreson to approve the Ordinance – Farwest Steel Annexation File No. ANNEX-22-10 and to direct the clerk to assign the appropriate number and that it be published by summary only.**

**Amended Motion by Thoreson to place the Ordinance – Farwest Steel Annexation File No. ANNEX-22-10 on its first and only reading by title only while under suspension of the rules.**

**Second by Malloy.**

**Vote: Malloy-Aye, Ziegler-Aye, Thoreson-Aye, Borders-Aye, Shove-Aye, Walker-Aye**

**Motion Carried**

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ANNEXING PROPERTY CONSISTING OF APPROXIMATELY 14.46 ACRES, A PART OF THE SOUTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 31, TOWNSHIP 51 NORTH, RANGE 5 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF:

**Motion by Thoreson to approve the Ordinance – Farwest Steel Annexation File No. ANNEX-22-10 and to direct the clerk to assign the appropriate number and that it be published by summary only.**

**Second by Malloy.**

**Vote: Malloy-Aye, Ziegler-Aye, Thoreson-Aye, Borders-Aye, Shove-Aye, Walker-Aye**

**Motion Carried**

#### **4. NEW BUSINESS**

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#### **ACTION ITEMS:**

**None**

#### **5. CITIZEN ISSUES**

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upcoming Council meeting. As such, the City Council can't take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.

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**None**

## 7. MAYOR AND COUNCIL COMMENTS

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Mayor: Please drive careful.

Malloy: Please get your parked cars off the roads for plowing if you can.

Thoreson: Merry Christmas to all. To the new Councilors, you have made it through your 1<sup>st</sup> year on Council.

## 8. EXECUTIVE SESSION

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**ACTION ITEM (To enter into executive session only):**

**None**

**ADJOURNMENT 6:10 PM**

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**Ronald G. Jacobson, Mayor**

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**Shannon Howard, City Clerk**

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Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

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**CITY COUNCIL  
MEETING MINUTES**

**January 3, 2023  
6:00 PM**

**Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854**

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**REGULAR MEETING – 6:00 pm City Council Chambers**

**CALL TO ORDER BY MAYOR JACOBSON**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF CITY COUNCIL MEMBERS**

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove - **Present**

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:**

Mayor Jacobson: City Hall will and City offices will be closed Monday January 16<sup>th</sup> in observance of Martin Luther King Jr. Day.

**ACTION ITEM:**

- a. Approval of the reappointment of Colin Coles and Christi Fleischman to the Post Falls Urban Renewal Agency

**Motion by Malloy to reappoint Colin Coles and Christi Fleischman to the Post Falls Urban Renewal Agency**

**Second by Borders**

**Vote: Shove-Aye, Borders-Aye, Ziegler-Aye, Malloy-Aye, Walker-Aye, Thoreson-Aye**

**Motion Carried**

**AMENDMENTS TO THE AGENDA**

*Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.*

**Motion by Borders to remove item a *Minutes from the December 20, 2022 Council Meeting* from the Consent Calendar**

**Second by Malloy**

**Vote: Shove-Aye, Borders-Aye, Ziegler-Aye, Malloy-Aye, Walker-Aye, Thoreson-Aye**

**Motion Carried**

**DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS**

*The Mayor and members of the City Council have a duty to serve honestly and in the public interest. Where the Mayor or a member of the City Council have a conflict of interest, they may need to disclose the conflict and in certain circumstances, including land use decisions, they cannot participate in the decision-making process. Similarly, ex-parte contacts and site visits in most land use decisions must also be disclosed.*

**NONE**

**1. CONSENT CALENDAR**

*The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.*

**ACTION ITEMS:**

- a. Minutes – December 20, 2022, City Council Meeting – **Removed during Amendments to the Agenda**
- b. Payables – December 13, 2022 – December 26, 2022
- c. Retail Village I Minor Subdivision Construction Improvement Agreement
- d. Retail Village II Minor Subdivision Construction Improvement Agreement
- e. Retail Village III Minor Subdivision Construction Improvement Agreement
- f. Verte Glenn Subdivision Plat Application
- g. Assignment of Opioid Funds to Panhandle Health District

**Motion by Malloy to approve the Consent Calendar as amended  
Second by Borders**

**Vote: Borders-Aye, Ziegler-Aye, Malloy-Aye, Walker-Aye, Thoreson-Aye, Shove-Aye**

**2. PUBLIC HEARINGS**

*There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.*

**ACTION ITEMS:**

- a. Adams Annexation File No. ANNX-22-12

**Public Hearing opened at 6:03pm**

**Staff Report**

Laura Jones, Associate Planner presenting: The applicant is Glenn Adams, representing the owners George and Marilyn Adams Living Trust. They are requesting approval to annex approximately 4.75 acres into the City of Post Falls with a zoning designation of Single Family Residential (R-1). The property is located south of E 16<sup>th</sup> Avenue and east of N Idaho Street, it is bordered in the north and west by the city and east and south by county. Current land use is large lot residential, it is over the Rathdrum Prairie Aquifer. If annexed, the City would provide wastewater and water services. The surrounding zoning in the city is low density residential, R-1, to the east and south is large lot



residential properties with the county. One property to the east was recently annexed but is not yet shown on the map. The future land use map shows this property as low density residential. The focus area of the comprehensive plan promotes infill development and prioritizes annexations in this area. Policies 1, 2, 3, 9, 15, 17, 44 and 45 support the goals of the comprehensive plan with the annexation and proposed zoning of this property. 16<sup>th</sup> Avenue is a major collector roadway and rights-of-way conforming to the City's standards were acquired with the previous widening project of 16<sup>th</sup> avenue. Potential benefits to the City if this request is granted are preventing sub-standard development in the county, promotes compatible well-designed city development, addresses lack of available single-family residences, and pays impact fees. One potential benefit is contingent on developing and having adequate sanitary sewer flows, our assistant City Engineer Rob Palus may have more information on this for Council. Possible concerns to the City with this property being annexed with the requested zoning are single-family housing affordability, adequate parks, impacts to school, and parking.

Malloy: According to the map, it looks like there's a sliver to the north that still belongs to county.

Jones: I believe that's within the road right-of-way.

Rob Palus, Assistant City Engineer: That strip of right-of-way is in the process of being corrected with the annexation that was already approved to the east of this property. It was at the request of the Post Falls Highway District so that the city boundary was not in the middle of the roadway.

Malloy: So that will become part of the city?

Palus: Yes, even if you were deny this application tonight, that piece of 16<sup>th</sup> that's in front of the property will still be part of the City of Post Falls within the very near future.

Malloy: Can you give us some more detail on the sewer system for this request.

Palus: The sanitary sewer issue that's happening there has nothing to do with the capacity of the sewer main there. Its more of an elevation issue. When the City of Post Falls realigned 16<sup>th</sup> Avenue in that area, we extended sanitary sewer as far as we could at that location. At 16<sup>th</sup> Avenue, it is higher than the property to the south. In order to serve that property completely they would either need to take the sewer to the south through 12<sup>th</sup> avenue or slightly to the south and head west and connect to the Medical Court. As far as how much land can be covered, we can't determine that until we have a good survey done that would be completed during the design process. Regardless, there aren't capacity concerns in that area.

Thoreson: You wouldn't go south with the sewer while that is a county parcel?

Palus: They could do that if they entered into an agreement with the owners of the property to the south to give the City an easement to do so. We've done that in the past. On the above map is American Drive to the east and all of that is in the county, but we have a major sewer line under that for the City.

Thoreson: But they aren't using city sewer?

Palus: No, they are not allowed to use city sewer until they come into the city.

**Applicant: (not present)**

**Testimony: None**

**Public Hearing Closed at 6:20pm**

Warren Wilson, City Attorney: You have one other option tonight. Since the applicant is not here tonight, if you think you have sufficient information you can continue with reviewing the zoning criteria, if you don't think you have sufficient information you could continue this item to a future night to figure out why the applicant is not here. That's up to you.

Jacobson: Do you want to go through the steps based on the information we have?

Yes

### Zoning Criteria

In favor of annexation of this property? Yes

1. Amendments to the zoning map should be in accordance with the Future Land Use Map.  
Yes, low density, filling in a county pocket
2. Amendments to the zoning map should be consistent with the goals and policies found in the comprehensive plan.  
Yes, filling in county pocket, continues the transportation network, it is consistent with surrounding uses, protects natural resources with developing into city sewer
3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.  
16<sup>th</sup> is a major collector, protects the aquifer, R-1 is already on the surrounding sides
4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.  
N/A
5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.  
Orderly development, within walking distance with many of the daily needs
6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.  
N/A

### Motion by Malloy to approve the Adams Annexation File No. ANN-22-12 Second by Borders

Jacobson: We had two pieces of information that were included in the packet of people that were opposed to this annexation. I want people to get facts straight. One says quote, "The Mayor is constantly saying the increase population is necessary to fill the newly created jobs in the area." I've never said that we need more people. I've tried to attract jobs, but I've never said we need to increase the population. I respect your opinion and your right to oppose this annexation, but get your facts straight. Another gentleman said quote, "I had to go to the Mayor and threaten Americans with Disabilities Act action." I don't remember ever talking to the gentleman, and if anyone wants to talk with me about an issue, I'm more than willing to discuss it and see what we can work out. You threaten me, the conversation is over. So again, I respect people's opinion and their right to not agree, but get your facts straight.

Thoreson: Another clarification they wondered if the Mayor and the City Council actually lives in Post Falls. Yes, we would not have been eligible to be on the ballot unless we were in fact residents of Post Falls.

**Vote: Thoreson-Aye, Borders-Aye, Malloy-Aye, Walker-Aye, Ziegler-Aye, Shove-Aye  
Motion Carried**

### 3. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS

*This section of the agenda is to continue consideration of items that have been previously discussed by the City Council and to formally adopt ordinances and resolutions that were previously approved by the Council. Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.*

**NONE**

**ACTION ITEMS:**

**4. NEW BUSINESS**

*This portion of the agenda is for City Council consideration of items that have not been previously discussed by the Council. Ordinances and Resolutions are generally added to a subsequent agenda for adoption under Unfinished Business, however, the Council may consider adoption of an ordinance or resolution under New Business if timely approval is necessary.*

**ACTION ITEMS:**

- a. WRF Harmonic Filter Replacement – Recommendation of Award

Jaxon Fleshman, Project Manager Presenting: The Harmonic Filter is located at the Wastewater Reclamation Facility in Utility Building #2. The purpose of this project is to replace the filter which is currently inoperable. It is a requirement by Avista Utilities to have that filter in place. The filter converts the power from the facility from erratic power to smooth power. The unexpected electrical event that damaged the filter happened on September 15<sup>th</sup>, 2022. The plans and specs for replacement were sent out to bid on November 23<sup>rd</sup>, 2022. The bid was received on December 9<sup>th</sup>, 2022. There was an informal bidding process to move the project through more quickly. We reached out to three companies that currently or have had projects with the City. We only received a bid from Midland Electric for \$104,736. With a 5% contingency the total would be \$109,972.80 funded through the Plant Maintenance and Repairs Fund. The electrical event was reported to the City's insurance agency, ICRMP. The city has already received part of the funds to replace the filter and are expected to be fully reimbursed by ICRMP upon council award. Completion of the project is about 30 weeks lead time to receive the actual filter, the work to install it will be about 2-3 days. The anticipated completion date is mid-late summer of 2023.

Jacobson: Is the unit functional right now?

Fleshman: No. It is not imperative to have the unit for the facility to operate, but that erratic power is not good and is a requirement by Avista to have it.

Ziegler: With that timeline, I assume Avista is aware of the issue.

Fleshman: Yes, Avista is aware.

**Malloy moves to approve the WRF Harmonic Filter Replacement**

**Second by Walker**

**Vote: Malloy-Aye, Walker-Aye, Ziegler-Aye, Shove-Aye, Borders-Aye, Thoreson-Aye**

**5. CITIZEN ISSUES**

*This section of the agenda is reserved for citizens wishing to address the Council regarding City-related issues that are not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for the public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor,*

*either by subsequent appointment or after tonight's meeting, if time permits. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring Council action must be placed on the agenda of an upcoming Council meeting. As such, the City Council can't take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.*

**NONE**

## **6. ADMINISTRATIVE / STAFF REPORTS**

*This portion of the agenda is for City staff members to provide reports and updates to the Mayor and City Council regarding City business as well as responses to public comments. These items are for information only and no final action will be taken.*

**NONE**

## **7. MAYOR AND COUNCIL COMMENTS**

*This section of the agenda is provided to allow the Mayor and City Councilors to make announcements and general comments relevant to City business and to request that items be added to future agendas for discussion. No final action or in-depth discussion of issues will occur.*

Jacobson: I want to thank the Chief. It was an awful situation that occurred last Thursday. We had three police vehicles that were damaged or destroyed in addition to a couple of buildings. I don't follow social media, but the comments made were overwhelmingly in support of our officers. If you see a picture of the vehicle, I'm surprised that the two officers were able to even get out of it. Please extend my appreciation to all the officers, but especially the training officer and trainee that were in the vehicle at the time.

## **8. EXECUTIVE SESSION**

*Certain City-related matters may need to be discussed confidentially subject to applicable legal requirements; the Council may enter executive session to discuss such matters. The motion to enter into executive session must reference the specific statutory section that authorizes the executive session. No final decision or action may be taken in executive session.*

**NONE**

**ACTION ITEM (To enter into executive session only):**

**ADJOURNMENT 6:34PM**

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**Ronald G. Jacobson, Mayor**

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**Shannon Howard, City Clerk**

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) as well as the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

**Mission**

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

**Vision**

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

"Where opportunities flow and community is a way of life"

# Post Falls Check Approval



City of Post Falls

Packet: APPKT10069 - Check Run 1.18.23  
 Vendor Set: 01 - Vendor Set 01

Check Date: 1/18/2023

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 001 - GENERAL FUND</b>					
Balance Sheet Accounts					
<a href="#">VEN11757</a>	ANTHEM PACIFIC HOMES				
APMWB	Check	<a href="#">BOND RELEASE - 3</a>	BOND RELEASE - 3869 N. PASTURE VIEW	001-22115	2,000.00
		<a href="#">BOND RELEASE - 3</a>	BOND RELEASE - 3843 N. PASTURE VIEW	001-22115	2,000.00
		<a href="#">BOND RELEASE - 3</a>	BOND RELEASE - 3909 N. FOXTAIL	001-22115	2,000.00
<a href="#">VEN14468</a>	Louise Way- Rohrbach				
APMWB	Check	<a href="#">67564</a>	Trailhead Damage Deposit Refund- 4 reservati	001-22080	1,000.00
<a href="#">P380</a>	Post Falls Food Bank				
APMWB	Check	<a href="#">1.10.23 Donations</a>	December 2022 donations	001-22110	584.40
<b>Balance Sheet Accounts Total:</b>					<b>7,584.40</b>
Dept: 415 City Clerk					
<a href="#">C291</a>	Coeur d' Alene Press				
APMWB	Check	<a href="#">0000003513</a>	Printing of Ordinance 1471	001-415.0000.62000	75.76
		<a href="#">0000003154</a>	Printing of Ordinance 1470	001-415.0000.62000	57.28
<b>Dept 415 Total:</b>					<b>133.04</b>
Dept: 417 Media/Cable Franchise					
<a href="#">A0071</a>	ASCAP				
APMWB	Check	<a href="#">1.9.23</a>	Music Copyright Subscription	001-417.0000.62170	210.00
<b>Dept 417 Total:</b>					<b>210.00</b>
Dept: 418 Human Resources					
<a href="#">D09750</a>	DeVries Info Management				
APMWB	Check	<a href="#">0160624</a>	Shredding Services	001-418.0000.63060	55.00
<a href="#">V040</a>	ODP Business Solutions				
APMWB	Check	<a href="#">281655931001</a>	Refund for Replacement Desk Riser	001-418.0000.63060	-299.00
		<a href="#">278939445001</a>	Replacement for Damaged Desk	001-418.0000.63060	299.00
<b>Dept 418 Total:</b>					<b>55.00</b>
Dept: 421 Police					
<a href="#">A0001</a>	AlSCO				
APMWB	Check	<a href="#">LSPO2574078</a>	PD shop uniforms	001-421.4000.72000	12.73
		<a href="#">LSPO2589236</a>		001-421.4000.72000	12.73
<a href="#">A550</a>	Audiology Research Associates				
APMWB	Check	<a href="#">81414</a>	New employee hearing test - Conner	001-421.0000.62260	26.00
<a href="#">A600</a>	Awards Etc.				
APMWB	Check	<a href="#">33967</a>	Ten year plaque - Sporleder	001-421.0000.63060	56.00
<a href="#">C05100</a>	Car Wash Plazas, Inc				
APMWB	Check	<a href="#">4952</a>	Car wash services for PD	001-421.0000.67170	100.00
<a href="#">C220</a>	Coleman Oil Co				
APMWB	Check	<a href="#">CL42105</a>	PD Fuel	001-421.0000.64030	4,418.55
		<a href="#">INV-073934</a>	PD Generator fuel	001-421.0000.64030	312.98
<a href="#">D070</a>	Dell Marketing LP				
APMWB	Check	<a href="#">10640323670</a>	Replacement Desktop Computers 2022	001-421.0000.66044	6,313.40
<a href="#">F030</a>	FedEx				
APMWB	Check	<a href="#">7-949-99259</a>	Shipping for new car equipment	001-421.0000.63070	177.05
<a href="#">VEN13191</a>	Intermax Networks				
APMWB	Check	<a href="#">238101</a>	Fiber link to City Hall	001-421.0000.62040	475.00
<a href="#">K011</a>	Kaminsky, Sullenberger & Associates, Inc				
APMWB	Check	<a href="#">2023-04-05</a>	Class registration - Morozumi/Welch	001-421.0000.64020	750.00
<a href="#">K080</a>	Knudtsen Chevrolet and GMAC				
APMWB	Check	<a href="#">5511589</a>	Pipe - PFPD117	001-421.0000.67100	46.12

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
		APMWB	Check	<a href="#">5511030</a>	Sensor/Connector - PFPD92	001-421.0000.67100	88.13
<a href="#">L0195</a>	Language Line Services						
		APMWB	Check	<a href="#">10698981</a>	Interpreter services	001-421.0000.65030	75.60
<a href="#">L0870</a>	Lifeloc Technologies						
		APMWB	Check	<a href="#">375549</a>	Alcosensor fuel cell replacement	001-421.0000.67020	236.73
<a href="#">N001</a>	Napa Auto Parts						
		APMWB	Check	<a href="#">3688-206064</a>	Stretch fit tool	001-421.0000.67090	27.86
				<a href="#">3688-206038</a>	Timing belt/Serp belt - PFPD92	001-421.0000.67100	50.77
				<a href="#">3688-205687</a>	Water pump - PFPD79	001-421.0000.67100	59.85
				<a href="#">3688-206498</a>	Batteries - stock	001-421.0000.67100	47.94
				<a href="#">3688-204431</a>	Wiper blades - stock	001-421.0000.67100	51.52
				<a href="#">3688-203906</a>	Super glue and antifreeze - Stock	001-421.0000.67100	10.90
				<a href="#">3688-203532</a>	Gear oil - PFPD139	001-421.0000.67100	38.97
				<a href="#">3688-205716</a>	Coolant temp sensor - PFPD101	001-421.0000.67100	29.04
				<a href="#">3688-205806</a>	Valve cover and grommets - PFPD101	001-421.0000.67100	25.48
				<a href="#">3688-199921</a>	Steering wheel cover - PFPD101	001-421.0000.67100	24.89
				<a href="#">3688-205756</a>	BP Hose - PFPD101	001-421.0000.67100	11.13
				<a href="#">3688-204430</a>	Wiper blades - stock	001-421.0000.67100	77.76
				<a href="#">3688-202934</a>	Warranty and core returns	001-421.0000.67100	-409.85
				<a href="#">3688-202718</a>	Credit for warranty items	001-421.0000.67100	-513.92
				<a href="#">3688-204604</a>	Oil filters - stock	001-421.0000.67100	44.40
				<a href="#">3688-207261</a>	Windshield wipers - stock	001-421.0000.67100	79.98
				<a href="#">3688-206293</a>	Serpentine belt	001-421.0000.67100	35.97
				<a href="#">3688-207345</a>	Battery - PFPD1	001-421.0000.67100	123.93
				<a href="#">3688-206303</a>	Battery - PFPD79	001-421.0000.67100	128.55
				<a href="#">3688-206196</a>	Brakes - PFPD109	001-421.0000.67100	237.14
				<a href="#">3688-203197</a>	Battery - PFPD104	001-421.0000.67100	138.54
				<a href="#">3688-207102</a>	Misc pulleys - PFPD100	001-421.0000.67100	144.81
				<a href="#">3688-206170</a>	Brake pads - PFPD141	001-421.0000.67100	217.83
				<a href="#">3688-204451</a>	Battery - PFPD146	001-421.0000.67100	201.63
				<a href="#">3688-205914</a>	Blower motor assembly - PFPD92	001-421.0000.67100	104.00
				<a href="#">3688-203196</a>	Battery - PFPD91	001-421.0000.67100	291.48
				<a href="#">3688-203933</a>	Brakes and rotors - PFPD115	001-421.0000.67100	157.72
<a href="#">V040</a>	ODP Business Solutions						
		APMWB	Check	<a href="#">284418856001</a>	Office Supplies- Police	001-421.0000.63060	172.05
				<a href="#">284418397001</a>		001-421.0000.63060	75.19
<a href="#">VEN03694</a>	Otis Elevator Company						
		APMWB	Check	<a href="#">100401012778</a>	Elevator maintenance for 1/1/2023 to 3/31/2023	001-421.0000.68060	651.15
<a href="#">R251</a>	Serights Ace Hardware						
		APMWB	Check	<a href="#">338299/1</a>	Plow extender	001-421.0000.67100	52.18
<a href="#">T118</a>	TPI Embroidery						
		APMWB	Check	<a href="#">18767</a>	Patrol hat - Nigh	001-421.4000.72000	22.00
<a href="#">VEN07714</a>	Uniforms2gear, Inc						
		APMWB	Check	<a href="#">INV/2022/12/0639</a>	Uniform pants	001-421.4000.72000	141.22
<b>Dept 421 Total:</b>							<b>15,653.13</b>
Dept: 423 Oasis							
<a href="#">V040</a>	ODP Business Solutions						
		APMWB	Check	<a href="#">284418856001</a>	Office Supplies- Police	001-423.1153.68400	13.01
				<a href="#">284418857001</a>		001-423.1153.68400	8.60
				<a href="#">284418856001</a>		001-423.1153.68400	17.54
<a href="#">VEN14365</a>	Valiant Law						
		APMWB	Check	<a href="#">22-12626 122122</a>	VSU Client legal services	001-423.1153.68400	1,499.00
				<a href="#">12/21/22</a>	VSU client legal services	001-423.1153.68400	1,495.00
<b>Dept 423 Total:</b>							<b>3,033.15</b>
Dept: 424 Legal							
<a href="#">C220</a>	Coleman Oil Co						
		APMWB	Check	<a href="#">CL44464</a>	Fuel	001-424.0000.64030	56.69
<b>Dept 424 Total:</b>							<b>56.69</b>

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
Dept: 427 Animal Control							
<a href="#">VEN14369</a>	Better Together Animal Alliance	APMWB	Check	<a href="#">PF31</a>	Animal shelter disinfectant cleaner	001-427.0000.63151	198.64
<a href="#">C220</a>	Coleman Oil Co	APMWB	Check	<a href="#">CL42105</a>	PD Fuel	001-427.0000.64030	136.47
<a href="#">VEN07286</a>	Ketchum Manufacturing Company, Inc	APMWB	Check	<a href="#">INV173922</a>	City dog license tags	001-427.0000.63000	290.83
<a href="#">VEN07714</a>	Uniforms2gear, Inc	APMWB	Check	<a href="#">INV/2022/12/0639</a>	Uniform pants	001-427.4000.72000	141.22
<b>Dept 427 Total:</b>							<b>767.16</b>
Dept: 431 Streets							
<a href="#">T096</a>	3M	APMWB	Check	<a href="#">9420442855</a>	HI Prismatic Reflective Sheeting	001-431.0000.63260	720.62
<a href="#">A293</a>	Allwest Testing & Engin., LLC	APMWB	Check	<a href="#">28030</a>	Chip Seal Quality Control	001-431.0000.68110	32.50
<a href="#">A497</a>	Arrow Construction Supply, Inc	APMWB	Check	<a href="#">358519</a>	EZ Street Cold Mix	001-431.0000.68090	1,461.79
<a href="#">C220</a>	Coleman Oil Co	APMWB	Check	<a href="#">CL44464</a>	Fuel	001-431.0000.64030	24,107.28
<a href="#">C3818</a>	Cooper Fabrication, Inc.	APMWB	Check	<a href="#">24854</a>	Plow Repair	001-431.0000.68080	1,771.16
<a href="#">VEN01373</a>	Intermountain Sign & Safety	APMWB	Check	<a href="#">16333</a>	24 x 12 aluminum blank	001-431.0000.63260	72.00
				<a href="#">16315</a>	Yield signs	001-431.0000.63260	190.00
<a href="#">N001</a>	Napa Auto Parts	APMWB	Check	<a href="#">3688-206472</a>	Pressure Washer Battery & oil	001-431.0000.63000	71.79
<a href="#">R251</a>	Serights Ace Hardware	APMWB	Check	<a href="#">338634/1</a>	solvents, alchohol, blades	001-431.0000.63260	51.81
				<a href="#">338620/1</a>	Lighted Connector 15A	001-431.0000.68140	26.98
<a href="#">VEN07972</a>	Snow Wheel System, Inc	APMWB	Check	<a href="#">9636</a>	Plow snow wheels	001-431.0000.63525	10,170.00
<a href="#">T1195</a>	Traffic Safety Supply Co, Inc.	APMWB	Check	<a href="#">INV055640</a>	Band-It Flared Leg Bracket	001-431.0000.63260	254.81
				<a href="#">INV055239</a>	Metal sign posts	001-431.0000.63260	1,599.10
<a href="#">VEN14310</a>	US Fleet Tracking LLC	APMWB	Check	<a href="#">432306</a>	Monthly Fleet Tracking	001-431.0000.66016	539.10
<b>Dept 431 Total:</b>							<b>41,068.94</b>
Dept: 433 Facility Maintenance							
<a href="#">C220</a>	Coleman Oil Co	APMWB	Check	<a href="#">CL44464</a>	Fuel	001-433.0000.64030	370.93
<a href="#">N0991</a>	Norco Inc	APMWB	Check	<a href="#">36610744</a>	Ice Melt	001-433.0000.68010	774.79
<a href="#">W0226</a>	Walter E Nelson Co	APMWB	Check	<a href="#">487623</a>	Paper supplies Ch and PD	001-433.0000.63140	72.20
				<a href="#">487476</a>	Paper supplies PD and CH	001-433.0000.63140	99.84
				<a href="#">487477</a>	Cleaning supplies PD and CH	001-433.0000.63150	274.70
<b>Dept 433 Total:</b>							<b>1,592.46</b>
Dept: 434 Fleet Maintenance							
<a href="#">A0001</a>	Alsco	APMWB	Check	<a href="#">LSPO2574062</a>	Uniforms & Rugs	001-434.0000.63160	73.77
				<a href="#">LSPO2595656</a>		001-434.0000.63160	62.20
<a href="#">C220</a>	Coleman Oil Co	APMWB	Check	<a href="#">CL44464</a>	Fuel	001-434.0000.64030	225.36
<a href="#">F145</a>	Freightliner Northwest- Spokane	APMWB	Check	<a href="#">SR001115713.01</a>	Repair Service S210	001-434.0000.67170	553.85
<a href="#">N001</a>	Napa Auto Parts	APMWB	Check	<a href="#">3688-204436</a>	Battery - S210	001-434.0000.63011	297.56
				<a href="#">3688-206174</a>	Hydraulic filter - S208	001-434.0000.63011	14.12



Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
APMWB	Check	<a href="#">3688-206504</a>	Battery S215	001-434.0000.63011	595.12
		<a href="#">3688-206385</a>	Grease gun	001-434.0000.67090	389.14
<a href="#">VEN13988</a>	Tacoma Screw Products, Inc				
APMWB	Check	<a href="#">240056062-00</a>	USS Flat Washers	001-434.0000.63011	5.26
				001-434.0000.63012	5.25
				001-434.0000.63013	5.25
<a href="#">W180</a>	Western States Equipment				
APMWB	Check	<a href="#">CM00137676</a>	Credit Memo IN002052306	001-434.0000.63011	-216.25
<b>Dept 434 Total:</b>					<b>2,010.63</b>
Dept: 441 Urban Forestry					
<a href="#">C220</a>	Coleman Oil Co				
APMWB	Check	<a href="#">CL44464</a>	Fuel	001-441.0000.64030	421.54
<a href="#">N001</a>	Napa Auto Parts				
APMWB	Check	<a href="#">3688-197600</a>	Vehicle Cleaning Supplies	001-441.0000.67010	27.06
<a href="#">R251</a>	Serights Ace Hardware				
APMWB	Check	<a href="#">338429/1</a>	Chainsaw Parts	001-441.0000.67010	68.78
<b>Dept 441 Total:</b>					<b>517.38</b>
Dept: 442 Cemetery					
<a href="#">C220</a>	Coleman Oil Co				
APMWB	Check	<a href="#">CL44464</a>	Fuel	001-442.0000.64030	209.39
<a href="#">I0131</a>	ICCFA				
APMWB	Check	<a href="#">7181-2023</a>	ICCFA membership dues	001-442.0000.62060	99.00
<a href="#">R251</a>	Serights Ace Hardware				
APMWB	Check	<a href="#">338298/1</a>	Chain and hooks	001-442.0000.67030	78.81
<b>Dept 442 Total:</b>					<b>387.20</b>
Dept: 443 Parks					
<a href="#">A228</a>	A-L Compressed Gases, Inc.				
APMWB	Check	<a href="#">0003010572</a>	Acetylene	001-443.0000.64030	9.08
<a href="#">A365</a>	American On-Site Services				
APMWB	Check	<a href="#">493604</a>	Corbin Portables	001-443.0000.65050	159.00
		<a href="#">493607</a>	White Pine Portable	001-443.0000.65050	132.50
		<a href="#">493606</a>	Skate Park Portable	001-443.0000.65050	132.50
		<a href="#">493625</a>	Falls Portable	001-443.0000.65050	79.50
		<a href="#">493609</a>	Tullamore Portable	001-443.0000.65050	79.50
		<a href="#">493608</a>	Kiwanis Portable	001-443.0000.65050	79.50
		<a href="#">493603</a>	Q'emiln Portable	001-443.0000.65050	484.00
		<a href="#">493605</a>	Black Bay Portable	001-443.0000.65050	79.50
<a href="#">C210</a>	City of Post Falls				
APMWB	Check	<a href="#">INV0145145</a>	54-0265-01	001-443.0000.65004	921.73
<a href="#">C220</a>	Coleman Oil Co				
APMWB	Check	<a href="#">CL44464</a>	Fuel	001-443.0000.64030	1,929.36
<a href="#">C410</a>	Country Lock & Key, Inc.				
APMWB	Check	<a href="#">10811</a>	Keys for Chase	001-443.0000.67030	8.97
<a href="#">F020</a>	Fastenal Company				
APMWB	Check	<a href="#">IDCOE171859</a>	Hardware for Stock	001-443.0000.67030	1.28
		<a href="#">IDCOE171663</a>		001-443.0000.67030	1.38
<a href="#">G098</a>	Grainger				
APMWB	Check	<a href="#">9562781048</a>	Coveralls	001-443.4000.72000	58.77
<a href="#">N001</a>	Napa Auto Parts				
APMWB	Check	<a href="#">3688-204800</a>	Die Grinder	001-443.0000.66190	130.99
<a href="#">VEN05363</a>	North 40 Outfitters				
APMWB	Check	<a href="#">041627/E</a>	Antifreeze for Winterization	001-443.0000.68220	45.48
<a href="#">R251</a>	Serights Ace Hardware				
APMWB	Check	<a href="#">338632/1</a>	Kneepads for Safety	001-443.0000.63110	30.59
		<a href="#">338608/1</a>	Torx Set	001-443.0000.67090	49.48
<a href="#">S135</a>	Shenango Signs and Designs				
APMWB	Check	<a href="#">2049</a>	Signs for Parks	001-443.0000.63260	196.06
<a href="#">T106</a>	Titan Truck Equipment				

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
		APMWB	Check	<a href="#">1323275</a>	P131 Utility bed with pass thru and rack	001-443.0000.90050	22,142.92
<a href="#">Z026</a>	Ziegler Lumber Co #017	APMWB	Check	<a href="#">384192</a>	Pegboard for Shop	001-443.0000.67030	87.90
<b>Dept 443 Total:</b>							<b>26,839.99</b>
Dept: 445 Recreation							
<a href="#">A0071</a>	ASCAP	APMWB	Check	<a href="#">1.9.23</a>	Music Copyright Subscription	001-445.0000.62170	210.00
<a href="#">VEN14549</a>	DaySmart Recreation	APMWB	Check	<a href="#">INV00858747</a>	Subscription	001-445.1445.62190	1,167.52
<a href="#">P4835</a>	ProPrint	APMWB	Check	<a href="#">61199</a>	Business Cards	001-445.0000.63060	87.00
				<a href="#">59861</a>		001-445.0000.63060	29.00
<a href="#">VEN02670</a>	SESAC LLC	APMWB	Check	<a href="#">10616025</a>	Music Performance License	001-445.0000.62170	1,104.00
<b>Dept 445 Total:</b>							<b>2,597.52</b>
Dept: 451 Planning & Zoning							
<a href="#">C291</a>	Coeur d' Alene Press	APMWB	Check	<a href="#">0000003942-122320</a>	Text Amendment Publication	001-451.0000.62000	81.92
				<a href="#">0000003388-120920</a>	Annexation Publication	001-451.0000.62000	199.73
				<a href="#">0000003890-122120</a>	Text Amendment Publication	001-451.0000.62000	43.42
				<a href="#">0000003939-122320</a>		001-451.0000.62000	45.73
				<a href="#">0000003636-121620</a>	Zone Change Publication	001-451.0000.62000	259.79
				<a href="#">0000003637-121620</a>	Text Amendment Publication	001-451.0000.62000	48.04
<a href="#">C220</a>	Coleman Oil Co	APMWB	Check	<a href="#">CL44464</a>	Fuel	001-451.0000.64030	48.76
<b>Dept 451 Total:</b>							<b>727.39</b>
Dept: 452 Building Inspector							
<a href="#">C220</a>	Coleman Oil Co	APMWB	Check	<a href="#">CL44464</a>	Fuel	001-452.0000.64030	480.51
<b>Dept 452 Total:</b>							<b>480.51</b>
Dept: 453 Engineering							
<a href="#">C220</a>	Coleman Oil Co	APMWB	Check	<a href="#">CL44464</a>	Fuel	001-453.0000.64030	120.16
<a href="#">VEN02035</a>	Staples, Inc	APMWB	Check	<a href="#">3526837789</a>	Office Supplies-Engineering	001-453.0000.63060	49.26
<b>Dept 453 Total:</b>							<b>169.42</b>
Dept: 481 Capital Improvements/Contracts							
<a href="#">N001</a>	Napa Auto Parts	APMWB	Check	<a href="#">3688-202132</a>	Credit for returned item - Lift cylinder	001-481.0000.68395	-798.00
<a href="#">VEN03694</a>	Otis Elevator Company	APMWB	Check	<a href="#">100401012778</a>	Elevator maintenance for 1/1/2023 to 3/31/202	001-481.0000.68060	651.15
<b>Dept 481 Total:</b>							<b>-146.85</b>
<b>Fund 001 Total:</b>							<b>103,737.16</b>
<b>Fund: 002 - COMPREHENSIVE LIABILITY</b>							
Dept: 410 General Government Services							
<a href="#">B160</a>	Body By Scotty Towing	APMWB	Check	<a href="#">2113</a>	Tow for police car ref crash	002-410.0000.62280	145.00
<a href="#">VEN14316</a>	Reliable Towing	APMWB	Check	<a href="#">22-66519</a>	Tow for PD vehicle - PFPD141	002-410.0000.62280	172.00
<b>Dept 410 Total:</b>							<b>317.00</b>
<b>Fund 002 Total:</b>							<b>317.00</b>
<b>Fund: 003 - PERSONNEL BENEFIT POOL</b>							

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Dept: 482 Personnel Pool					
<a href="#">VEN04994</a>	Gallagher Benefit Services Inc.				
APMWB	Check	<a href="#">271837</a>	Consulting Services	003-482.0000.62040	2,500.00
<b>Dept 482 Total:</b>					<b>2,500.00</b>
<b>Fund 003 Total:</b>					<b>2,500.00</b>
<b>Fund: 037 - STREETS IMPACT FEES</b>					
Dept: 431 Streets					
<a href="#">VEN07815</a>	LaRiviere, Inc				
APMWB	Check	<a href="#">Pay App #8 Spokane</a>	Pay App #8 Spokane/Prairie Project	037-431.0000.95200	159,511.23
<b>Dept 431 Total:</b>					<b>159,511.23</b>
<b>Fund 037 Total:</b>					<b>159,511.23</b>
<b>Fund: 650 - RECLAIMED WATER OPERATING</b>					
Dept: 463 Wastewater Operating					
<a href="#">A090</a>	Accurate Testing Labs LLC				
APMWB	Check	<a href="#">127553</a>	Comp Biosoilds	650-463.0000.68360	560.00
<a href="#">A424</a>	Anatek Labs, Inc.				
APMWB	Check	<a href="#">2222980</a>	BLM Testing at Corbin Park	650-463.0000.68360	330.00
<a href="#">VEN03129</a>	Barr Tech LLC				
APMWB	Check	<a href="#">8600</a>	Bio Solida Disposal Dec 2022	650-463.0000.62150	47,964.24
<a href="#">B250</a>	Brown Bearing Company, Inc.				
APMWB	Check	<a href="#">9502865270</a>	Ball Bearing, Mechanical Seals	650-463.0000.68025	701.71
<a href="#">C280</a>	Coeur d'Alene Power Tool				
APMWB	Check	<a href="#">2-227357</a>	12' Step Ladder, Penlight 100 Lumens	650-463.0000.67090	353.98
<a href="#">C220</a>	Coleman Oil Co				
APMWB	Check	<a href="#">CL44464</a>	Fuel	650-463.0000.65005	414.48
<a href="#">C3090</a>	Columbia Electric Supply				
APMWB	Check	<a href="#">1120-1011821</a>	Power Flex Comm	650-463.0000.68025	833.04
<a href="#">C360</a>	Consolidated Supply Co.				
APMWB	Check	<a href="#">S011133972.001</a>	3" PVC Slip Cap, Spears	650-463.0000.68025	46.57
<a href="#">C3818</a>	Cooper Fabrication, Inc.				
APMWB	Check	<a href="#">24896</a>	Snowdogg Cylinder	650-463.0000.68010	453.09
		<a href="#">24776</a>	Hydraulic Fluid	650-463.0000.68025	25.00
<a href="#">VEN03982</a>	Dally Environmental LLC				
APMWB	Check	<a href="#">2673</a>	Avista Contract No. R-39492 Dec1-31/2022	650-463.0000.62040	598.52
<a href="#">VEN11813</a>	Endress & Hauser, Inc				
APMWB	Check	<a href="#">6002375195</a>	Orbisint CPS11D Memosens	650-463.0000.63400	841.45
		<a href="#">6002395660</a>	RAS flowmeter	650-463.3122.68400	6,237.05
<a href="#">G098</a>	Grainger				
APMWB	Check	<a href="#">9558110715</a>	Lockout Cabinet	650-463.0000.63110	161.13
		<a href="#">9557891018</a>	Lockout Cable, Locks & Key	650-463.0000.63110	493.13
<a href="#">N001</a>	Napa Auto Parts				
APMWB	Check	<a href="#">3688-206397</a>	WWTP Battery	650-463.0000.67170	146.46
<a href="#">N040</a>	NCL of Wisconsin, Inc.				
APMWB	Check	<a href="#">480233</a>	Nitrite TNT, Tape	650-463.0000.63400	94.50
		<a href="#">480014</a>	Lab Supplies	650-463.0000.63400	1,386.51
<a href="#">N130</a>	North Coast Electric Company				
APMWB	Check	<a href="#">S012270961.001</a>	Pliers & Switch	650-463.0000.68025	360.23
<a href="#">VEN04172</a>	Northwest Scientific, Inc.				
APMWB	Check	<a href="#">5163648</a>	Electrode Storage Solution	650-463.0000.63400	120.39
		<a href="#">5163691</a>	Prepared Agar Plates	650-463.0000.63400	321.85
		<a href="#">5163641</a>	VOA Vials w/ Closed Cap	650-463.0000.63400	178.03
<a href="#">V040</a>	ODP Business Solutions				
APMWB	Check	<a href="#">285101351001</a>	Office Supplies-Water	650-463.0000.63060	102.76
<a href="#">P079</a>	Panhandle Health District				
APMWB	Check	<a href="#">8509 12.15.2022</a>	Hep A & Hep B Lorenzo D & Naomi J	650-463.0000.63110	350.00
<a href="#">P451</a>	Premier Electric Motors, Inc.				
APMWB	Check	<a href="#">10168</a>	WEG Fan	650-463.0000.68025	40.00

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>P4835</u>	ProPrint				
APMWB	Check	<a href="#">62411</a>	Business Cards	650-463.0000.63060	260.40
<u>Q001</u>	Quality Control Services Inc.				
APMWB	Check	<a href="#">69544</a>	Lab on Site Service, Calibration & Balance Ser	650-463.0000.63400	895.00
<u>R251</u>	Serights Ace Hardware				
APMWB	Check	<a href="#">338513/1</a>	Drill Bits - Treatment	650-463.0000.67090	90.87
		<a href="#">338227/1</a>	Shop Tools/Supplies	650-463.0000.67090	334.18
		<a href="#">338330/1</a>	Wire 18/5	650-463.0000.68025	17.00
		<a href="#">338539/1</a>	Treatment Supplies	650-463.0000.68025	29.72
		<a href="#">338663/1</a>	Garden Sprayer	650-463.0000.68025	41.38
		<a href="#">338259/1</a>	Shop Supplies	650-463.0000.68025	45.41
		<a href="#">338531/1</a>	Heat Cable 15ft, Thread Rod	650-463.0000.68025	52.71
		<a href="#">338251/1</a>	Thermostat, Lighter & Shop Supplies	650-463.0000.68025	57.58
		<a href="#">338461/1</a>	Shop Supplies	650-463.0000.68025	77.63
		<a href="#">338480/1</a>	Storage Cabinet 48"	650-463.0000.68025	404.99
<u>VEN06538</u>	SGS AXYS Analytical Services Ltd				
APMWB	Check	<a href="#">11556977</a>	PCB Samples	650-463.0000.68360	1,063.36
<u>VEN05954</u>	Toby's Battery & Auto Electric, LLC				
APMWB	Check	<a href="#">22120703</a>	AC Port Plug 2	650-463.0000.68025	32.95
<u>U142</u>	UPS				
APMWB	Check	<a href="#">1629658692</a>	Shipper Hazloc Heaters	650-463.0000.68025	75.50
<u>U145</u>	USABlue Book				
APMWB	Check	<a href="#">193057</a>	Hatch Nitrate Test	650-463.0000.63400	32.95
		<a href="#">193058</a>	Skimming Net Shallow Bag	650-463.0000.68025	86.27
		<a href="#">201400</a>	Skimming Net	650-463.0000.68025	94.39
<u>W0226</u>	Walter E Nelson Co				
APMWB	Check	<a href="#">487837</a>	Safety & Office Supplies	650-463.0000.63400	421.55
<u>VEN13163</u>	Wapiti Consulting, LLC				
APMWB	Check	<a href="#">367</a>	EQ breaker	650-463.0000.68025	6,133.24
<u>W095</u>	Welding Fabrication Services				
APMWB	Check	<a href="#">24049</a>	Drill 8 Holes	650-463.0000.68025	27.50
<b>Dept 463 Total:</b>					<b>73,388.70</b>
Dept: 466 Wastewater - Collections					
<u>C210</u>	City of Post Falls				
APMWB	Check	<a href="#">INV0145145</a>	54-0265-01	650-466.0000.65081	248.98
<u>C280</u>	Coeur d'Alene Power Tool				
APMWB	Check	<a href="#">2-218105 Dup Pymt</a>	Duplicate payment - (2-218651)	650-466.0000.67090	-135.00
<u>C220</u>	Coleman Oil Co				
APMWB	Check	<a href="#">CL44464</a>	Fuel	650-466.0000.65005	1,522.35
<u>N001</u>	Napa Auto Parts				
APMWB	Check	<a href="#">3688-205156</a>	Battery Brush & Terminal	650-466.0000.63006	16.10
		<a href="#">3688-204794</a>	Fuel Filter	650-466.0000.68021	16.94
		<a href="#">3688-204138</a>	Radiator Cap- Highlands	650-466.0000.68021	14.26
<u>VEN14559</u>	One Call Concepts, Inc				
APMWB	Check	<a href="#">2125023</a>	Locates	650-466.0000.62320	189.81
<u>P125</u>	Paramount Supply Company				
APMWB	Check	<a href="#">615840</a>	1 1/4" PVC Ball Check	650-466.0000.68021	225.01
<u>P310</u>	Platt Electric Supply				
APMWB	Check	<a href="#">3013103</a>	Shop Supplies	650-466.0000.63006	116.00
		<a href="#">3025504</a>		650-466.0000.63006	128.35
<u>R251</u>	Serights Ace Hardware				
APMWB	Check	<a href="#">338331/1</a>	Cersamic Heater, Map Pro Gas	650-466.0000.63006	129.55
		<a href="#">338245/1</a>	Car Charger	650-466.0000.63330	15.29
		<a href="#">338292/1</a>	Extension Cord, Pliers 10"	650-466.0000.67090	66.57
<u>W180</u>	Western States Equipment				
APMWB	Check	<a href="#">IN002242437</a>	Repair Generator at 319 Coho Rd	650-466.0000.68021	588.31
		<a href="#">IN002242438</a>	Travel to/from 319 Coho Rd Generator Repair	650-466.0000.68021	437.50
<u>W2066</u>	Whitney Equipment Co. Inc.				
APMWB	Check	<a href="#">PS-INV103524</a>	portable comp sampler	650-466.0000.80240	6,123.00

Dept 466 Total: 9,703.02

Packet: APPKT10069 - Check Run 1.18.23

Check Date: 1/18/2023

Vendor Set: 01 - Vendor Set 01

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Dept: 468 Wastewater - Surface Water					
<a href="#">C210</a>	City of Post Falls				
APMWB	Check	<a href="#">INV0145145</a>	54-0265-01	650-468.0000.65081	1,284.18
<a href="#">C220</a>	Coleman Oil Co				
APMWB	Check	<a href="#">CL44464</a>	Fuel	650-468.0000.65005	339.19
<b>Dept 468 Total:</b>					<b>1,623.37</b>
<b>Fund 650 Total:</b>					<b>84,715.09</b>
Fund: 651 - RECLAIMED WATER CAPITAL - WWTP					
Dept: 463 Wastewater Operating					
<a href="#">VEN14291</a>	Sletten Construction Company				
APMWB	Check	<a href="#">Pay App #25</a>	Tertiary Upgrade Sletten Pay App #7	651-463.3213.90015	282,808.34
<b>Dept 463 Total:</b>					<b>282,808.34</b>
<b>Fund 651 Total:</b>					<b>282,808.34</b>
Fund: 652 - RECLAIMED WATER CAPITAL - COLLECTOR					
Dept: 463 Wastewater Operating					
<a href="#">J105</a>	J-U-B Engineers, Inc.				
APMWB	Check	<a href="#">0159045</a>	Inv #0159045 - Spokane/Prairie	652-463.3220.95520	7,024.71
<a href="#">VEN07815</a>	LaRiviere, Inc				
APMWB	Check	<a href="#">Pay App #8 Spokane</a>	Pay App #8 Spokane/Prairie Project	652-463.3226.95520	17,805.00
<a href="#">VEN14614</a>	Strider Construction Co, Inc				
APMWB	Check	<a href="#">Pay App #7</a>	Ponderosa Lift Station Strider Pay App #7	652-463.3214.95520	39,900.00
<a href="#">T11390</a>	T-O Engineers, Inc.				
APMWB	Check	<a href="#">210583-7</a>	Bentley Lift Station T-O Invoice Aug	652-463.3230.95520	2,002.50
<b>Dept 463 Total:</b>					<b>66,732.21</b>
<b>Fund 652 Total:</b>					<b>66,732.21</b>
Fund: 700 - SANITATION					
Dept: 461 Sanitation					
<a href="#">C2150</a>	City of Spokane				
APMWB	Check	<a href="#">111897300 122822</a>	Drug burn	700-461.0000.65050	105.30
<b>Dept 461 Total:</b>					<b>105.30</b>
<b>Fund 700 Total:</b>					<b>105.30</b>
Fund: 750 - WATER OPERATING					
Dept: 462 Water Operating					
<a href="#">VEN13104</a>	Bluejay Industrial Inc				
APMWB	Check	<a href="#">29037</a>	Portable Gas Powered Winch & Case	750-462.0000.66190	1,448.00
<a href="#">C1161</a>	CDA Garbage				
APMWB	Check	<a href="#">1737183</a>	recycle bin	750-462.0000.65050	38.50
<a href="#">C210</a>	City of Post Falls				
APMWB	Check	<a href="#">INV0145145</a>	54-0265-01	750-462.0000.65004	80.60
<a href="#">C220</a>	Coleman Oil Co				
APMWB	Check	<a href="#">CL44464</a>	Fuel	750-462.0000.64030	1,448.58
<a href="#">C3814</a>	Co-op Supply. INC.				
APMWB	Check	<a href="#">296363</a>	Grain Scoop Poly	750-462.0000.63280	42.99
<a href="#">H215</a>	Core & Main LP				
APMWB	Check	<a href="#">S086267</a>	METER GASKETS	750-462.0000.63280	50.00
<a href="#">VEN14305</a>	General Pacific, Inc				
APMWB	Check	<a href="#">1453473</a>	Magnetic Mount Base & Antenna	750-462.0000.63280	258.00
		<a href="#">1453721</a>	Remote Orion Install Kit, Wall Cover Enclosure	750-462.0000.63280	382.40
<a href="#">G098</a>	Grainger				
APMWB	Check	<a href="#">9554520545</a>	cordless Spotlight & Batteries, Impact Driver	750-462.0000.63280	544.43
		<a href="#">9544554448</a>	T Strip Connector	750-462.0000.63280	8.34

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>H003</u>	H.D. Fowler Company				
APMWB	Check	<a href="#">I6155473</a>	2" Poly Pipe, 1" Meter Adapter	750-462.0000.63280	683.84
<u>K080</u>	Knudtsen Chevrolet and GMAC				
APMWB	Check	<a href="#">5510678</a>	Key/Josh Water	750-462.0000.63280	47.55
		<a href="#">5510703</a>	Key/ W120	750-462.0000.63280	47.55
		<a href="#">6239777</a>	Program Key FOB- 2021 3500 Josh B	750-462.0000.67170	150.00
<u>N001</u>	Napa Auto Parts				
APMWB	Check	<a href="#">3688-204912</a>	DEF Fluid for Backhoe	750-462.0000.63280	30.28
<u>V040</u>	ODP Business Solutions				
APMWB	Check	<a href="#">285101351001</a>	Office Supplies-Water	750-462.0000.63060	17.60
<u>VEN14559</u>	One Call Concepts, Inc				
APMWB	Check	<a href="#">2125023</a>	Locates	750-462.0000.62320	189.81
<u>P4835</u>	ProPrint				
APMWB	Check	<a href="#">62411</a>	Business Cards	750-462.0000.63060	111.60
		<a href="#">62370</a>	Hang Tags (Red Utility Shut Offs)	750-462.0000.63280	285.00
		<a href="#">61110</a>	Sheets Hang Tags (Red - Utility Shut Offs)	750-462.0000.63280	180.00
<u>R251</u>	Serights Ace Hardware				
APMWB	Check	<a href="#">336458/1</a>	Shop Supplies	750-462.0000.63280	36.14
		<a href="#">338265/1</a>	Well #6 Miox Parts	750-462.0000.68025	13.70
		<a href="#">338482/1</a>	Well 6 Roof Repair	750-462.0000.68025	14.38
<u>VEN02035</u>	Staples, Inc				
APMWB	Check	<a href="#">3526837790</a>	Office Supplies-Water	750-462.0000.63060	48.04
<b>Dept 462 Total:</b>					<b>6,157.33</b>
<b>Fund 750 Total:</b>					<b>6,157.33</b>

Fund: 753 - WATER CAPITAL  
 Dept: 462 Water Operating

<u>J105</u>	J-U-B Engineers, Inc.				
APMWB	Check	<a href="#">0157428</a>	Well House 11 JUB October	753-462.3224.95550	1,321.10
<u>VEN07815</u>	LaRiviere, Inc				
APMWB	Check	<a href="#">Pay App #8 Spokane</a>	Pay App #8 Spokane/Prairie Project	753-462.3218.95550	13,200.00
<b>Dept 462 Total:</b>					<b>14,521.10</b>
<b>Fund 753 Total:</b>					<b>14,521.10</b>
<b>Report Total:</b>					<b>721,104.76</b>



Fund	Account	Amount
001 - GENERAL FUND		
	001-22080	1,000.00
	001-22110	584.40
	001-22115	6,000.00
	001-415.0000.62000	133.04
	001-417.0000.62170	210.00
	001-418.0000.63060	55.00
	001-421.0000.62040	475.00
	001-421.0000.62260	26.00
	001-421.0000.63060	303.24
	001-421.0000.63070	177.05
	001-421.0000.64020	750.00
	001-421.0000.64030	4,731.53
	001-421.0000.65030	75.60
	001-421.0000.66044	6,313.40
	001-421.0000.67020	236.73
	001-421.0000.67090	27.86
	001-421.0000.67100	1,596.89
	001-421.0000.67170	100.00
	001-421.0000.68060	651.15
	001-421.4000.72000	188.68
	001-423.1153.68400	3,033.15
	001-424.0000.64030	56.69
	001-427.0000.63000	290.83
	001-427.0000.63151	198.64
	001-427.0000.64030	136.47
	001-427.4000.72000	141.22
	001-431.0000.63000	71.79
	001-431.0000.63260	2,888.34
	001-431.0000.63525	10,170.00
	001-431.0000.64030	24,107.28
	001-431.0000.66016	539.10
	001-431.0000.68080	1,771.16
	001-431.0000.68090	1,461.79
	001-431.0000.68110	32.50
	001-431.0000.68140	26.98
	001-433.0000.63140	172.04
	001-433.0000.63150	274.70
	001-433.0000.64030	370.93
	001-433.0000.68010	774.79
	001-434.0000.63011	695.81
	001-434.0000.63012	5.25
	001-434.0000.63013	5.25
	001-434.0000.63160	135.97
	001-434.0000.64030	225.36
	001-434.0000.67090	389.14
	001-434.0000.67170	553.85
	001-441.0000.64030	421.54
	001-441.0000.67010	95.84
	001-442.0000.62060	99.00
	001-442.0000.64030	209.39
	001-442.0000.67030	78.81
	001-443.0000.63110	30.59
	001-443.0000.63260	196.06
	001-443.0000.64030	1,938.44
	001-443.0000.65004	921.73
	001-443.0000.65050	1,226.00

001-443.0000.66190	130.99
001-443.0000.67030	99.53
001-443.0000.67090	49.48
001-443.0000.68220	45.48
001-443.0000.90050	22,142.92
001-443.4000.72000	58.77
001-445.0000.62170	1,314.00
001-445.0000.63060	116.00
001-445.1445.62190	1,167.52
001-451.0000.62000	678.63
001-451.0000.64030	48.76
001-452.0000.64030	480.51
001-453.0000.63060	49.26
001-453.0000.64030	120.16
001-481.0000.68060	651.15
001-481.0000.68395	-798.00
<b>Fund 001 Total:</b>	<b>103,737.16</b>
002 - COMPREHENSIVE LIABILITY	
002-410.0000.62280	317.00
<b>Fund 002 Total:</b>	<b>317.00</b>
003 - PERSONNEL BENEFIT POOL	
003-482.0000.62040	2,500.00
<b>Fund 003 Total:</b>	<b>2,500.00</b>
037 - STREETS IMPACT FEES	
037-431.0000.95200	159,511.23
<b>Fund 037 Total:</b>	<b>159,511.23</b>
650 - RECLAIMED WATER OPERATING	
650-463.0000.62040	598.52
650-463.0000.62150	47,964.24
650-463.0000.63060	363.16
650-463.0000.63110	1,004.26
650-463.0000.63400	4,292.23
650-463.0000.65005	414.48
650-463.0000.67090	779.03
650-463.0000.67170	146.46
650-463.0000.68010	453.09
650-463.0000.68025	9,182.82
650-463.0000.68360	1,953.36
650-463.3122.68400	6,237.05
650-466.0000.62320	189.81
650-466.0000.63006	390.00
650-466.0000.63330	15.29
650-466.0000.65005	1,522.35
650-466.0000.65081	248.98
650-466.0000.67090	-68.43
650-466.0000.68021	1,282.02
650-466.0000.80240	6,123.00
650-468.0000.65005	339.19
650-468.0000.65081	1,284.18
<b>Fund 650 Total:</b>	<b>84,715.09</b>
651 - RECLAIMED WATER CAPITAL - WWTP	
651-463.3213.90015	282,808.34
<b>Fund 651 Total:</b>	<b>282,808.34</b>
652 - RECLAIMED WATER CAPITAL - COLLECTOR	
652-463.3214.95520	39,900.00
652-463.3220.95520	7,024.71
652-463.3226.95520	17,805.00
652-463.3230.95520	2,002.50
<b>Fund 652 Total:</b>	<b>66,732.21</b>
700 - SANITATION	
700-461.0000.65050	105.30
<b>Fund 700 Total:</b>	<b>105.30</b>
750 - WATER OPERATING	
750-462.0000.62320	189.81
750-462.0000.63060	177.24
750-462.0000.63280	2,596.52



	750-462.0000.64030	1,448.58
	750-462.0000.65004	80.60
	750-462.0000.65050	38.50
	750-462.0000.66190	1,448.00
	750-462.0000.67170	150.00
	750-462.0000.68025	28.08
	<b>Fund 750 Total:</b>	<b>6,157.33</b>
753 - WATER CAPITAL		
	753-462.3218.95550	13,200.00
	753-462.3224.95550	1,321.10
	<b>Fund 753 Total:</b>	<b>14,521.10</b>
	<b>Report Total:</b>	<b>721,104.76</b>

ACCOUNTS PAYABLE HANDCHECK ACCOUNTABILITY FOR CHECK RUN 1.18.23

12/29/2022	\$75.48	90625	AT&T- Long Distance	Pay Before Due Date	001-431.0000.65030
12/29/2022	\$139.98	90626	Charter Communications	Pay Before Due Date	001-412.0000.65040
12/29/2022	\$28.20	90627	H&H Buisness Systems	Pay Before Due Date	001-431.0000.63060
12/29/2022	\$41.70	90628	Kootenai Electric	Pay Before Due Date	001-443.0000.65021
12/29/2022	\$541.11	90629	Level 3 Communications	Pay Before Due Date	Various
12/29/2022	\$2,491.03	90630	Level 3 Communications	Pay Before Due Date	Various
12/29/2022	\$501.32	90631	Ricoh USA Inc	Pay Before Due Date	001-421.0000.66050
12/29/2022	\$473.61	90632	Verizon Wireless	Pay Before Due Date	Various
12/29/2022	\$82.63	90633	Ziplay Fiber	Pay Before Due Date	001-445.0000.65030
12/29/2022	\$1,779.78	90634	ODP Business Solutions	Past Due	Various
12/29/2022	\$183.12	90636	Staples	Past Due	001-418.0000.63060
1/6/2023	\$836.00	90669	H & H Business Systems, Inc.	Pay Before Due Date	001-451.1901.66140
1/6/2023	\$25,918.00	90670	Parker Toyota	Pay Before Due Date	001-434.0000.90010
1/6/2023	\$697.07	90671	AT&T Mobility	Pay Before Due Date	650-466.0000.65030
1/6/2023	\$10.77	90672	AT&T Mobility	Pay Before Due Date	750-462.0000.65030
1/6/2023	\$523.92	90673	AT&T Mobility	Pay Before Due Date	650-463.0000.65030
1/6/2023	\$397.74	90674	AVISTA Utilities	Pay Before Due Date	Various
1/6/2023	\$134.98	90675	Charter Communications	Pay Before Due Date	001-443.0000.65030
1/6/2023	\$169.98	90676	Charter Communications	Pay Before Due Date	001-443.0000.65030
1/6/2023	\$5,562.20	90677	East Greenacres Irrigation	Pay Before Due Date	Various
1/6/2023	\$350.00	90678	East Greenacres Irrigation Water Shut-offs	Pay Before Due Date	750-462.3317.33610
1/6/2023	\$500.70	90679	Kootenai Electric	Pay Before Due Date	Various
1/6/2023	\$245.00	90680	Ross Point Water	Pay Before Due Date	750-462.3317.33610
1/6/2023	\$120.03	90681	Verizon Wireless	Pay Before Due Date	001-424.0000.65030
1/6/2023	\$170.22	90682	Verizon Wireless	Pay Before Due Date	001-443.0000.65030
1/6/2023	\$120.03	90683	Verizon Wireless	Pay Before Due Date	001-453.0000.65030
1/6/2023	\$1.35	90684	Verizon Wireless	Pay Before Due Date	650-463.0000.65030
1/6/2023	\$80.02	90685	Verizon Wireless	Pay Before Due Date	001-452.0000.65030
1/6/2023	\$71.67	90686	Ziplay Fiber	Pay Before Due Date	650-463.0000.65030
1/6/2023	\$53.60	90687	Ziplay Fiber	Pay Before Due Date	001-481.0000.68390
	<b>\$42,301.24</b>				

MEMORANDUM

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To: Mayor and Council Members  
From: Jason Faulkner, Finance Director  
Date: 01/06/2023  
Subject: Cash and Investments

**Agenda Item**

Consent Calendar

**Summary**

The Finance Department is providing the cash and investment balances for each month to be in compliance with the following: Idaho Code 50-208, Idaho Code 50-708 and Idaho Code 57-135. Please let me know if you have any questions and the details are available upon request.

**Recommended Action or Motion**

Approve.

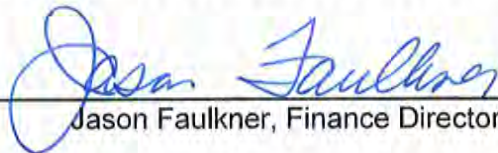
**Fiscal Impact**

None.

City of Post Falls  
Cash and Investments  
10/31/2022

Description	City's Balance
<u>Idaho State Investment Pool</u>	
LGIP Acct 1399	68,196,417.84
LGIP Acct 1441	263,463.79
<u>First Financial Equity Corporation</u>	
General Accts Investments	22,640,224.59
Contingency Accts	5,817,546.31
Replacement & Reserve Accts	50,416,977.31
<u>Moreton Capital Investments</u>	
Moreton Securities	19,307,351.59
<u>Mountain West bank</u>	
Repurchase Sweep Account	1,733,999.49
Checking Account	75,000.60
<u>Cash on Hand</u>	
Finance	400.00
Animal Control	150.00
Police	525.00
Recreation	205.00
Park	203.00
Planning and Zoning	150.00
Total	<u>\$ 168,452,614.52</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.



Jason Faulkner, Finance Director, City of Post Falls, Idaho

CITY OF POST FALLS  
 BUDGET STATUS REPORT  
 FOR MONTH ENDED October 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGET	YTD EXPENDITURE	PERCENT EXPENDED
411 - MAYOR COUNCIL	Operating	\$ 97,542.00	\$ 33,735.28	34.6%
	Personnel	<u>103,412.46</u>	<u>3,911.71</u>	3.8%
		200,954.46	37,646.99	18.7%
412 - INFORMATION SYSTEMS	Operating	114,868.00	13,489.19	11.7%
	Capital	-	-	0.0%
	Personnel	<u>302,007.25</u>	<u>12,448.48</u>	4.1%
		416,875.25	25,937.67	6.2%
413 - GENERAL SERVICES	Operating	14,950.00	309.40	2.1%
	Personnel	<u>262,043.22</u>	<u>10,895.64</u>	4.2%
		276,993.22	11,205.04	4.0%
414 - FINANCE	Operating	238,893.00	46,294.35	19.4%
	Personnel	<u>567,328.98</u>	<u>23,620.20</u>	4.2%
		806,221.98	69,914.55	8.7%
415 - CITY CLERK	Operating	10,450.00	228.00	2.2%
	Capital	-	-	0.0%
	Personnel	<u>72,137.91</u>	<u>3,097.64</u>	4.3%
		82,587.91	3,325.64	4.0%
417 - MEDIA/CABLE FRANCHISE	Operating	7,200.00	142.15	2.0%
	Capital	-	-	0.0%
	Personnel	<u>133,622.19</u>	<u>5,536.98</u>	4.1%
		140,822.19	5,679.13	4.0%
418 - HUMAN RESOURCES	Operating	7,950.00	1,092.93	13.7%
	Personnel	<u>239,077.70</u>	<u>10,877.37</u>	4.5%
		247,027.70	11,970.30	4.8%
419 - LIBRARY	Operating	<u>-</u>	<u>-</u>	
		-	-	
421 - POLICE	Operating	646,105.48	39,184.55	6.1%
	Capital	186,000.00	15,181.94	8.2%
	Personnel	<u>6,507,818.65</u>	<u>234,179.79</u>	3.6%
		7,339,924.13	288,546.28	3.9%
423 - OASIS	Operating	4,000.00	379.82	9.5%
	Personnel	<u>124,978.71</u>	<u>6,152.31</u>	4.9%
		128,978.71	6,532.13	5.1%
424 - LEGAL (PROSECUTING)	Operating	56,750.00	4,911.17	8.7%
	Capital	25,000.00	-	0.0%
	Personnel	<u>736,149.10</u>	<u>31,157.27</u>	4.2%
		817,899.10	36,068.44	4.4%
427 - ANIMAL CONTROL	Operating	17,250.00	549.71	3.2%
	Personnel	<u>162,597.58</u>	<u>6,829.51</u>	4.2%
		179,847.58	7,379.22	4.1%
431 - STREETS	Operating	1,987,099.30	119,409.71	6.0%
	Capital	235,000.00	35,937.78	0.0%
	Personnel	<u>1,074,995.66</u>	<u>39,656.47</u>	3.7%
		3,297,094.96	195,003.96	5.9%

CITY OF POST FALLS  
BUDGET STATUS REPORT  
FOR MONTH ENDED October 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGET	YTD EXPENDITURE	PERCENT EXPENDED
432 - PUBLIC WORKS ADMIN.	Operating	8,850.00	284.01	3.2%
		<u>8,850.00</u>	<u>284.01</u>	3.2%
433 - FACILITY MAINTENANCE	Operating	33,650.00	393.42	1.2%
	Capital	2,000.00	171.57	0.0%
	Personnel	<u>269,505.65</u>	<u>8,947.88</u>	3.3%
		305,155.65	9,512.87	3.1%
434 - FLEET MAINTENANCE	Operating	165,812.00	28,980.99	17.5%
	Capital	690,000.00	12,699.00	1.8%
	Personnel	<u>363,300.47</u>	<u>14,391.28</u>	4.0%
		1,219,112.47	56,071.27	4.6%
435 - -GIS	Operating	44,734.00	12,316.70	27.5%
	Personnel	<u>167,995.10</u>	<u>6,962.77</u>	4.1%
		212,729.10	19,279.47	9.1%
441 - URBAN FORESTRY	Operating	45,530.00	3,889.41	8.5%
	Capital	151,300.00	53,046.29	0.0%
	Personnel	<u>184,150.59</u>	<u>5,302.10</u>	2.9%
		380,980.59	62,237.80	16.3%
442 - CEMETERY	Operating	109,395.00	7,318.47	6.7%
	Capital	16,650.00	-	0.0%
	Personnel	<u>164,263.17</u>	<u>7,587.07</u>	4.6%
		290,308.17	14,905.54	5.1%
443 - PARKS	Operating	690,894.74	33,003.99	4.8%
	Capital	545,700.00	315.72	0.0%
	Personnel	<u>1,116,114.64</u>	<u>44,428.58</u>	4.0%
		2,352,709.38	77,748.29	3.3%
444 - PARKS CONSTRUCTION	Operating	-	-	0.0%
	Capital	<u>893,000.00</u>	-	0.0%
		893,000.00	-	0.0%
445 - RECREATION	Operating	199,199.00	7,404.15	3.7%
	Personnel	<u>859,831.75</u>	<u>25,529.50</u>	3.0%
		1,059,030.75	32,933.65	3.1%
451 - PLANNING & ZONING	Operating	36,519.00	644.93	1.8%
	Personnel	<u>303,384.37</u>	<u>12,599.14</u>	4.2%
		339,903.37	13,244.07	3.9%
452 - BUILDING INSPECTOR	Operating	29,750.00	2,015.03	6.8%
	Personnel	618,701.99	27,294.78	4.4%
	Capital	-	-	-
		<u>648,451.99</u>	<u>29,309.81</u>	4.5%
453 - ENGINEERING	Operating	40,800.00	784.84	1.9%
	Capital	-	-	0.0%
	Personnel	<u>651,766.84</u>	<u>26,566.93</u>	4.1%
		692,566.84	27,351.77	3.9%

CITY OF POST FALLS  
 BUDGET STATUS REPORT  
 FOR MONTH ENDED October 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGET	YTD EXPENDITURE	PERCENT EXPENDED
454 - Community Development Admin	Operating	9,680.00	154.85	1.6%
	Personnel	195,131.63	7,989.23	4.1%
		<u>204,811.63</u>	<u>8,144.08</u>	4.0%
465 - STREET LIGHTS	Operating	620,000.00	20,476.51	3.3%
		<u>620,000.00</u>	<u>20,476.51</u>	3.3%
481 - CAPITAL IMPROVMENTS/CONTRACTS	Operating	1,826,447.92	53.93	0.0%
	Capital	580,000.00	-	0.0%
		<u>2,406,447.92</u>	<u>53.93</u>	0.0%
482 - PERSONNEL POOL	Operating	3,300,000.00	-	0.0%
	Personnel	263,212.33	10,990.74	4.2%
		<u>3,563,212.33</u>	<u>10,990.74</u>	0.3%
497 - TRANSFERS OUT	Operating	375,000.00	-	0.0%
		<u>375,000.00</u>	<u>-</u>	0.0%
<b>TOTAL GENERAL FUND</b>		<b><u>29,507,497.38</u></b>	<b><u>1,081,753.16</u></b>	<b>3.7%</b>
002 - INSURANCE FUND	Operating	338,249.38	150,539.50	44.5%
		<u>338,249.38</u>	<u>150,539.50</u>	44.5%
003 - PERSONNEL FUND	Operating	112,152.00	4,322.79	3.9%
	Capital	-	-	0.0%
	Personnel	4,448,700.00	322,109.73	7.2%
		<u>4,560,852.00</u>	<u>326,432.52</u>	7.2%
007 - DRUG SEIZURE FUND	Operating	135,000.00	4,100.16	3.0%
		<u>135,000.00</u>	<u>4,100.16</u>	3.0%
008 - 911 FUND	Operating	452,763.74	1,692.88	0.4%
	Capital	-	-	0.0%
	Personnel	74,742.80	3,486.76	4.7%
		<u>527,506.54</u>	<u>5,179.64</u>	1.0%
011 - FACILITY BUILDING RESERVE FUND	Operating	1,807,000.00	-	0.0%
	Capital	-	653,466.55	0.0%
		<u>1,807,000.00</u>	<u>653,466.55</u>	0.0%
017 - ANNEXATION FUND	Operating	1,900,000.00	14,774.75	0.8%
	Capital	1,000,000.00	-	
		<u>2,900,000.00</u>	<u>14,774.75</u>	0.5%
023 - SPECIAL EVENTS FUND	Operating	46,248.00	-	0.0%
		<u>46,248.00</u>	<u>-</u>	0.0%
029 - CEMETERY IMPROVEMENTS FUND	Operating	202,500.00	-	0.0%
	Capital	-	-	
		<u>202,500.00</u>	<u>-</u>	0.0%
035 - PUBLIC SAFETY IMPACT FEES FUND	Operating	1,463,000.00	-	0.0%
	Capital	-	-	0.0%
		<u>1,463,000.00</u>	<u>-</u>	0.0%

CITY OF POST FALLS  
 BUDGET STATUS REPORT  
 FOR MONTH ENDED October 31, 2022

FUND OR DEPARTMENT	TYPE OF EXPENDITURE	TOTAL BUDGET	YTD EXPENDITURE	PERCENT EXPENDED
037 - STREET IMPACT FEE FUND	Operating	475,000.00	-	0.0%
	Capital	24,720,984.00	99,739.30	
		<u>25,195,984.00</u>	<u>99,739.30</u>	0.0%
038 - PARK IMPACT FEE FUND	Operating	1,885,000.00	-	0.0%
	Capital	2,375,000.00	417,599.33	17.6%
		<u>4,260,000.00</u>	<u>417,599.33</u>	9.8%
039 - STREET CAPITAL PROJECTS	Operating	-	-	0.0%
		-	-	0.0%
402 - LID 99-1 FUND	Operating	-	-	0.0%
		-	-	0.0%
410 - LID 2004	Operating	528,000.00	-	0.0%
		<u>528,000.00</u>	-	0.0%
450 - LID GUARANTEE FUND	Operating	150.00	-	0.0%
		<u>150.00</u>	-	0.0%
650 - RECLAIMED WATER OPERATING FUND incl: wwo, collections, recycled, surface	Operating	11,305,311.52	83,405.77	0.7%
	Capital	215,000.00	-	0.0%
	Personnel	1,853,787.83	84,028.49	4.5%
		<u>13,374,099.35</u>	<u>167,434.26</u>	1.3%
651 - RECLAIMED WATER - CAPITAL WWTP FUND	Operating	923,389.00	-	0.0%
	Capital	22,620,000.00	1,870.36	0.0%
		<u>23,543,389.00</u>	<u>1,870.36</u>	0.0%
652 - RECLAIMED WATER CAPITAL - COLLECTOR FUND	Capital	1,800,000.00	267,094.50	14.8%
		<u>1,800,000.00</u>	<u>267,094.50</u>	14.8%
700 - SANITATION FUND	Operating	3,553,481.24	1,583.67	0.0%
		<u>3,553,481.24</u>	<u>1,583.67</u>	0.0%
750 - WATER OPERATING FUND	Operating	1,943,076.31	48,688.69	2.5%
	Capital	424,316.00	-	
	Personnel	720,293.80	36,161.36	5.0%
		<u>3,087,686.11</u>	<u>84,850.05</u>	2.7%
753 - WATER CAPITAL FUND	Operating	-	-	0.0%
	Capital	1,100,000.00	-	0.0%
		<u>1,100,000.00</u>	-	0.0%
GRAND TOTAL		<u>\$ 117,930,643.00</u>	<u>\$ 3,276,417.75</u>	2.8%

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

  
 Jason Faulkner, Finance Director, City of Post Falls, Idaho.



City of Post Falls  
Treasurer's Report of Cash and Investment Transactions  
As Of 10/31/2022

FUND	BALANCE 09/30/2022	RECEIPTS	DISBURSEMENTS	BALANCE 10/31/2022
001 - GENERAL FUND	\$ 42,401,079.27	\$ 6,860,267.94	\$ 3,338,529.36	\$ 45,922,817.85
002 - COMPREHENSIVE LIABILITY	323,387.88	\$ 63,439.66	\$ 384.73	386,442.81
003 - PERSONNEL BENEFIT POOL	(530,913.54)	\$ 11,532.08	\$ 329,308.38	(848,689.84)
004 - STREET LIGHTS	128,794.00	\$ 444.33	\$ 229.31	129,009.02
007 - DRUG SEIZURE PROGRAM	176,101.52	\$ 3,679.66	\$ 6,503.11	173,278.07
008 - 911 SUPPORT	2,210,348.53	\$ 23,330.16	\$ 23,200.66	2,210,478.03
011 - FACILITY BUILDING RESERVE	2,059,265.12	\$ 5,944.72	\$ 655,971.48	1,409,238.36
017 - ANNEXATION FEES	3,428,134.05	\$ 17,834.79	\$ 7,611.44	3,438,357.40
023 - SPECIAL EVENTS	282,114.97	\$ 3,514.14	\$ 506.81	285,122.30
029 - CEMETERY CAPITAL IMPROVEMENT	333,291.67	\$ 8,414.81	\$ 607.39	341,099.09
035 - PUBLIC SAFETY IMPACT FEES	2,206,625.09	\$ 25,655.50	\$ 5,799.58	2,226,481.01
037 - STREETS IMPACT FEES	5,221,878.59	\$ 961,804.08	\$ 1,513,382.43	4,670,300.24
038 - PARKS IMPACT FEES	4,562,527.73	\$ 383,260.90	\$ 487,647.21	4,458,141.42
039 - STREETS CAPITAL PROJECTS	20,844.46	\$ 71.91	\$ 37.11	20,879.26
402 - LID 99-1	(30,979.88)	\$ -	\$ -	(30,979.88)
410 - LID 2004	(96,076.47)	\$ 953.40	\$ -	(95,123.07)
450 - LID GUARANTEE	17,398.35	\$ 60.03	\$ 30.98	17,427.40
650 - RECLAIMED WATER OPERATING	46,964,160.27	\$ 7,701,461.89	\$ 2,061,392.04	52,604,230.12
651 - RECLAIMED WATER CAPITAL - WWTP	14,632,304.33	\$ 723,407.16	\$ 380,735.53	14,974,975.96
652 - RECLAIMED WATER CAPITAL - COLLECTOR	8,368,548.76	\$ 436,411.59	\$ 191,633.66	8,613,326.69
700 - SANITATION	1,036,848.21	\$ 330,615.73	\$ 307,867.68	1,059,596.26
750 - WATER OPERATING	19,473,165.85	\$ 2,371,637.13	\$ 852,078.30	20,992,724.68
753 - WATER CAPITAL	4,716,150.24	\$ 781,974.01	\$ 4,642.91	5,493,481.34
<b>GRAND TOTAL:</b>	<b>\$ 157,904,999.00</b>	<b>\$ 20,715,715.62</b>	<b>\$ 10,168,100.10</b>	<b>\$ 168,452,614.52</b>

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



Jason Faulkner, Finance Director, City of Post Falls, Idaho

**CITY OF POST FALLS**  
**AGENDA REPORT**  
Consent Calendar  
**MEETING DATE: 01/17/2023**

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**DATE:** 01/09/2023  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** Shannon Howard  
**SUBJECT:** ICRMP Consent to Electronic Communications

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**ITEM AND RECOMMENDED ACTION:**

With approval of the Consent Calendar, City Council authorizes the mayors signature on the ICRMP Consent to Electronic Communications form.

**DISCUSSION:**

Approval of this will allow ICRMP to contact staff on matters via email when needed. Per ICRMP's bylaws they need this request to be approved by City Council as an action item. Staff is in support of this.

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:**

This item has not been reviewed by council

**APPROVED OR DIRECTION GIVEN:**

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING:**

N/A

**BUDGET CODE:**

N/A



## CONSENT TO ELECTRONIC COMMUNICATIONS

By checking the "ACCEPT" line below, you are giving us your informed consent for electronic delivery of all ICRMP Communications as defined below. This means that you acknowledge that you have read and understand the information provided below regarding electronic delivery of documents and that you agree to the conditions outlined below governing our electronic delivery of ICRMP Communications to you.

"ICRMP Communications" means invoices, notices, disclosures, policies, endorsements to the policies and other notices and documents related to your insurance policy.

We will deliver ICRMP Communications to you by making them available in the member portal or by email. We will notify you by email when ICRMP Communications are posted on the member portal. All email notifications of ICRMP Communications will be sent to your designated primary contact email address of record. ICRMP Communications delivered electronically may be printed or downloaded by you and retained for your permanent records.

Your consent will be effective as of the date this form is received by us and will remain in effect until you revoke your consent in writing. You understand that it may take up to three business days to process a revocation of consent to electronic delivery, and that you may receive electronic notifications in the interim. If your consent is revoked, we will provide ICRMP Communications to you through non-electronic means.

If your designated primary contact email address of record changes, you agree to immediately notify us of the new email address.

To revoke your consent or notify us of a change of your email address, or if you are unable to access your ICRMP Communications, please notify us by mail or email us at [intake@icrmp.org](mailto:intake@icrmp.org).

\_\_\_\_\_ ACCEPT

\_\_\_\_\_ DECLINE

\_\_\_\_\_  
Governing Board Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Member Name

**CITY OF POST FALLS**  
**AGENDA REPORT**  
Consent Calendar  
**MEETING DATE: 01/17/2023 08:00:00**

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**DATE:** 01/09/2023 23:56:25  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** Laura Claffey  
**SUBJECT:** Approval of Grant Use Agreement - PD security doors

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**ITEM AND RECOMMENDED ACTION:**

The Police Department requests approval of the grant agreement with Kootenai County/Idaho Office of Emergency Management for the upgrade of security doors at the police department. Due to the ever-increasing risk of cyber-attacks, City Council supported staff looking at implementing cyber-security measures. Funding through the SHSP grant would allow the Post Falls Police Department to increase internal security and increase our defense against attack and protecting key components of our infrastructure.

The initial quote for the security door upgrade was \$55,642. The granting agency has approved \$39,642. The balance of the upgrade will be funded out of Capital Facility Maintenance fund. If approved, the Mayor will sign the agreement.

**DISCUSSION:**

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:**

**APPROVED OR DIRECTION GIVEN:**

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING:**

2023

**BUDGET CODE:**

001-481.0000.68395

## GRANT USE AGREEMENT

THIS AGREEMENT (hereinafter "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between Kootenai County, a political subdivision of the State of Idaho, (hereinafter "COUNTY") and Post Falls Police Department. (hereinafter "BENEFITING AGENCY.")

**WHEREAS**, COUNTY is authorized and required by Idaho Code § 46-1009 to maintain a county-wide disaster preparedness agency; and

**WHEREAS**, in furtherance of those duties, COUNTY has received a grant award, Grant No. 22SHSP055 from the Idaho Office of Emergency Management ("IOEM"), as a pass-through entity, from the U.S. Department of Homeland Security (Federal Grant Award No. EMW-2022-SS-00109/97.067) for the purposes of implementation of strategies to address identified planning, organization, equipment, training, and exercise needs to prevent, protect against, respond to, and recover from natural and other catastrophic events. The grant award document is attached as Exhibit "A" and incorporated herein by reference; and

**WHEREAS**, COUNTY desires to enter into this Agreement with BENEFITING AGENCY to build and sustain regional core emergency management capabilities as described in Exhibit "B" utilizing the funds described in Exhibit "A" while ensuring compliance with state and federal grant requirements.

**NOW, THEREFORE**, the parties agree as follows:

1. REGIONAL CORE CAPABILITIES PURPOSE. COUNTY and BENEFITING AGENCY agree that the federal funding and distribution will be used for the purpose of building or sustaining high priority regional core capabilities that address prioritized threats, hazards, vulnerabilities, and/or risks. BENEFITING AGENCY shall allow use of grant-purchased equipment in support of emergency management functions, consistent with existing mutual aid or resource sharing agreements, for any local government first response agency or their various public or private sector partners with emergency management missions.

2. COMPLIANCE WITH TERMS OF GRANT. BENEFITING AGENCY shall comply with the terms of Exhibit "A" for so long as BENEFITING AGENCY has possession of property purchased with funds provided pursuant to this Agreement. This covenant shall survive the termination of this agreement.

3. TERM. This Agreement is to be effective for a period of one (1) year, from December 1, 2022, through December 1, 2023. This Agreement may be renewed for three (3) additional one (1) fiscal year terms by a mutually executed writing.

4. DEFAULT. Upon default by either party, the nondefaulting party may cancel this Agreement with no notice and may pursue any and all legal, equitable, and other available remedies. Default occurs if either party fails to perform any of the covenants, conditions, or services of this Agreement and such defects in performance are not cured within ten (10) working days after receipt of written notice of default.

5. STATUS REPORT. BENEFITING AGENCY agrees to keep COUNTY informed of BENEFITING AGENCY's progress on the core capability targets throughout the term of this Agreement in a manner and at such times as both parties shall agree.

6. CONFIDENTIALITY. Both parties agree to maintain confidentiality of all information utilized or gained in performance under this agreement to the extent such information is exempt from disclosure under Federal, State or local law, rules, or regulations.

7. FISCAL RECORDS. BENEFITING AGENCY shall maintain all fiscal records, including its books, audit papers, documents, and any other evidence of accounting procedures and practices, which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement, for a period of three (3) years from the date of submission of final expenditure report/reimbursement request pursuant to Grant No. 22SHSP055/ EMW-2022-SS-00109/97.067. Additionally, a copy of all fiscal records shall be provided to OEM. The fiscal records maintained by BENEFITING AGENCY pursuant to this Agreement shall be available for and subject to inspection, review, or audit and copying by the COUNTY, and any person duly authorized by the COUNTY, at all reasonable times.

8. VIOLATION OF AGREEMENT OR GRANT TERMS. When federal, state or COUNTY audits indicate that payments to BENEFITING AGENCY do not meet the applicable federal, state or local laws, regulations, or rules, BENEFITING AGENCY shall return, refund and/or pay to the COUNTY any equipment acquired or costs of training provided, plus any additional costs, including audit costs, arising from BENEFITING AGENCY's ineligible or improper receipt or use of grant funds, and the COUNTY must refund such payments to the applicable funding agency.

9. NOTICES. For the purposes of this Agreement, including, without any limitation, all notices required or authorized herein shall be as follows:

For the COUNTY:

Kootenai County Board of County Commissioners  
(Currently Chris Fillios, Leslie Duncan, and Bill Brooks)  
451 Government Way  
P.O. Box 9000  
Coeur d'Alene, ID 83816-9000  
Phone: (208) 446-1600  
Fax: (208) 446-2178  
E-mail: [kcbocc@kcgov.us](mailto:kcbocc@kcgov.us)

And

Kootenai County Office of Emergency Management  
(Currently Tiffany Westbrook, Director)  
5500 N. Government Way  
P.O. Box 9000  
Coeur d'Alene, ID 83816-9000  
Phone: (208) 446-1775  
Fax: (208) 446-1780  
E-mail: [twestbrook@kcgov.us](mailto:twestbrook@kcgov.us)

For the BENEFITING AGENCY:

Post Falls Police Department

1717 E. Polston Avenue

Post Falls, Idaho 83854

(208)773-6391 MBrantl@postfallspolice.com

10. LOBBYING. BENEFITING AGENCY hereby certifies that none of the grant funding under this Agreement has been paid or will be paid by or on behalf of the BENEFITING AGENCY to any person for influencing or attempting to influence an officer or employee of any governmental agency, a member, officer or employee of Congress or the Idaho Legislature in connection with the awarding, continuation, renewal, amendment, or modification of any contract, grant, loan, or cooperative agreement.

If any funds, other than funds provided by this Agreement, have been paid or will be paid by BENEFITING AGENCY to any person for influencing or attempting to influence an officer or employee of any governmental agency, a member, officer or employee of Congress or the Idaho Legislature in connection with this Agreement, the BENEFITING AGENCY shall complete and submit Federal Standard Form LLL, "Disclosure of Lobbying Activities" form, pursuant to 31 U.S.C. 1352, and to report lobbying, in accordance with its instructions, and submit a copy of such form to the COUNTY.

11. SINGLE AUDIT ACT. BENEFITING AGENCY agrees to comply with the provisions of OMB Circular A-133, which sets forth audit requirements of states, local governments, and non-profit organizations.

12. COMPLETE AGREEMENT. This Agreement is the full and complete agreement of the parties hereto. This Agreement may be modified or amended only if such modification or amendment is in writing and agreed to by both parties.

13. USE, MANAGEMENT, AND DISPOSITION OF PROPERTY PURCHASED UNDER THIS AGREEMENT. BENEFITING AGENCY shall comply with the terms of Exhibit "A" and the following regarding use, management, and disposal of "Property" purchased under this Agreement:

A. Definitions.

- i. "Equipment" shall be defined as, generally, an article of non-expendable, tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.



Equipment is not a replacement part or component which returns a piece of Equipment to its original condition. If, however, a component increases the capability of the original Equipment and has an acquisition cost of \$5,000 or more, it is considered Equipment.

- ii. "Property" shall be defined as generally, an article of non-expendable, tangible personal property, and includes, but is not limited to, Equipment.
- iii. "Supplies" shall be defined as generally, expendable non-capital items such as paper, ink, toner, gauze, steri-strips, antibacterial wash, and so on.

B. Use.

- i. Property and Supplies shall be used by the COUNTY and BENEFITING AGENCY in the program or project for which it was acquired for as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a Federal agency.
- ii. The parties may make equipment and supplies available for use on other projects or programs currently or previously supported by the Federal government, providing such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use shall be given to other programs or projects supported by the awarding agency.
- iii. BENEFITING AGENCY shall not use Property or Supplies acquired under this Agreement to provide services for a fee to compete unfairly with private companies that provide equivalent services.

- iv. BENEFITING AGENCY may use Equipment to be replaced as a trade-in or sell the Property and use the proceeds to offset the cost of the replacement Property, subject to the approval of the awarding agency.
- v. Upon termination of this Agreement, through default or other termination for reasons other than expiration of this Agreement, the BENEFITING AGENCY shall return to COUNTY all Property and Supplies purchased with grant funds.

### C. Property Management Requirements.

Procedures for managing Property will, at a minimum, meet the following requirements:

- i. Property records must be maintained to include a description of the Property, a serial number or other identification number, the source of Property, who holds title, the acquisition date, and cost of the Property, percentage of Federal participation in the cost of the Property, (i.e. from funds provided under this agreement), the location, use and condition of the Property, and any ultimate disposition data including the date of disposal and sale price of the Property. BENEFITING AGENCY shall affix both an awarding agency security tag and a Kootenai County asset tag (provided by OEM) to the property. A photograph of the property with the awarding agency security tag and Kootenai County asset tag shall be sent to OEM. Property inventory reports tracking each item of Property acquired with grant funds continue to the end of the life cycle of each property item.
- ii. A physical inventory of all Equipment purchased in total or in part with grant funds must be taken and the results reconciled with the property records at least once every two years. The COUNTY will distribute to BENEFITING AGENCY a copy of its last property report for BENEFITING AGENCY's reconciliation and update. The reconciliation, including condition and location of all Equipment,

must be provided to OEM promptly after completion, but in any event by December 31 of each calendar year in which the task is to be completed.

- iii. A control system must be developed by BENEFITING AGENCY to ensure adequate safeguards to prevent loss, damage, or theft of all Property acquired with grant funds. Any loss, damage, or theft shall be investigated.
- iv. Adequate maintenance procedures must be developed to keep Property in good condition. At all times relevant herein, BENEFITING AGENCY shall be responsible for maintaining Property in good and operating condition.
- v. BENEFITING AGENCY shall maintain documents such as receipts for repairs, vehicle titles, insurance policies, and lease agreements with the records required pursuant to paragraph (13)(C)(i) of this agreement.
- vi. BENEFITING AGENCY shall document all Equipment and Property loss, damages, and or thefts and promptly notify COUNTY of any such loss, damage or theft.
- vii. When equipment acquired via a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, except as otherwise provided, the BENEFITING AGENCY shall notify COUNTY and request disposition instructions from the federal awarding agency if required by the terms and conditions of the federal award. If BENEFITING AGENCY sells the Property, proper sales procedures must be established to ensure the highest possible return.
- viii. COUNTY shall conduct annual monitoring visits at such times as OEM may designate to ensure compliance with the terms of this Agreement. OEM may conduct other audits or onsite visits at the request of the Board of Kootenai County Commissioners.

BENEFITING AGENCY shall comply with all reasonable audit or monitoring visit requests of OEM, the Board of County Commissioners or their designee, and/or the IOEM.

D. Disposition.

When original or replacement Property or Supplies acquired under this Agreement is no longer needed for the original project or program or for other activities currently or previously supported by a Federal agency, disposition of the Property shall be made as follows:

- i. Items of Property with a then current per-unit fair market value of less than five thousand dollars (\$5,000.00) may be retained, sold, or otherwise disposed of with no further obligation to the U.S. Department of Homeland Security, IOEM, or COUNTY.
- ii. Items of Property with a then current per-unit fair market value in excess of five thousand dollars (\$5,000.00) may be retained or sold and the COUNTY shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the COUNTY's funded share of the equipment.

[Example: A generator purchased under this agreement is no longer needed for the original purpose. It has a current fair market value of \$12,000. BENEFITING AGENCY paid \$22,000 for the equipment and received \$18,000 from the COUNTY through this Agreement. BENEFITING AGENCY wishes to sell the equipment. Upon sale for \$12,000, BENEFITING AGENCY would reimburse the COUNTY \$9,800 (82% of the purchase price was paid for with federal grant funds).]

The COUNTY will forward all funds received from BENEFITING AGENCY as a result of equipment sale or other disposition back to the awarding agency.

E. Supplies.

- i. Management: BENEFITING AGENCY shall keep track of supplies on a property inventory by description, quantity, date of purchase, and location.
- ii. Disposition: If there is a residual inventory of unused Supplies exceeding five thousand dollars (\$5,000.00) in total aggregate fair market value upon termination or completion of this Agreement, and if the supplies are not needed for any other federally sponsored programs or projects, BENEFITING AGENCY shall compensate the COUNTY for its share, as calculated in paragraph 13(D)(ii) above.

14. INDEMNIFICATION: To the extent provided by Idaho law, BENEFITING AGENCY shall defend, indemnify, and hold the COUNTY and its officers, agents, and employees, harmless for all claims, losses, actions, damages, judgments, costs, expenses, and/or injuries to persons or property arising out of or in connection with any activities, acts, or omissions of the BENEFITING AGENCY, and its officers, agents or employees. In the event COUNTY is alleged to be solely liable on account of any activities, acts, or omissions of the BENEFITING AGENCY, and/or its officers, agents or employees, then BENEFITING AGENCY shall defend such allegations. BENEFITING AGENCY shall bear all costs, fees, and expenses of such defense, including, but not limited to, all attorney fees and expenses, court costs, and expert witness fees and expenses.

15. CHOICE OF LAW: This Agreement and its performance shall be construed in accordance with and governed by the laws of the State of Idaho, with venue for any action brought pursuant to this Agreement to be in the First Judicial District, Kootenai County, State of Idaho

16. THIRD PARTY BENEFICIARIES: Nothing contained herein shall create any relationship, contractual or otherwise, with, or any rights in favor of, any third party.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Board of Kootenai County Commissioners**

By:

\_\_\_\_\_  
Leslie Duncan, Chairman

By:

\_\_\_\_\_  
Chris Fillios, Commissioner

By:

\_\_\_\_\_  
Bill Brooks, Commissioner

ATTEST:

\_\_\_\_\_  
Deputy Clerk

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**BENEFITING AGENCY**

\_\_\_\_\_  
By: \_\_\_\_\_  
Name  
\_\_\_\_\_  
Title

ATTEST:  
  
\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**CITY OF POST FALLS  
AGENDA REPORT  
CONSENT AGENDA  
MEETING DATE: JANUARY 17<sup>TH</sup>, 2023**

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**DATE: JANUARY 9<sup>TH</sup>, 2023**  
**TO: HONORABLE MAYOR AND CITY COUNCIL**  
**FROM: BILL MELVIN – CITY ENGINEER**  
**SUBJECT: NORTH PLACE EAST 1<sup>ST</sup> ADDITION SUBDIVISION PLAT APPLICATION**

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**ITEM AND RECOMMENDED ACTION: With approval of the Consent Agenda, City Council authorizes the Mayor’s signature of the final plat for the North Place East 1<sup>st</sup> Addition Subdivision.**

**DISCUSSION: The Developer has provided surety for the remaining improvements.**

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: N/A**

**APPROVED OR DIRECTION GIVEN: Under the Subdivision Ordinance the plat application is returned to Council, for authorization of the Mayor’s signature. Certification is required from the Engineering Division that infrastructure improvements have been completed, or that surety has been provided to guarantee the completion of the improvements.**

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING: N/A**

**BUDGET CODE: N/A**

**SUPPORTING DOCUMENTS: A copy of the plat application, surety, and engineer’s estimate are available in the Community Development Department for review.**



**CITY OF POST FALLS**  
**AGENDA REPORT**  
Consent Calendar  
**MEETING DATE: 01/17/2023**

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**DATE:** 01/10/2023  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** Jason Faulkner  
**SUBJECT:** FY 2022 Road and Street Report

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**ITEM AND RECOMMENDED ACTION:**

Approve, as presented.

**DISCUSSION:**

Idaho Law 40-708 establishes how the Highway Distribution Funds (HDA) may be spent and accounted for by local jurisdictions. This money is primarily made up of gas tax and registration fees. House Bill 312 (HB312) increased revenues and reporting requirements on the Road and Street Financial Report.

The State of Idaho compiles the street maintenance and construction information from each jurisdiction and publishes the information on their website. The attached document is the reporting requirements in order to avoid disruption of future funds that are disbursed by the State of Idaho.

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:**

N/A

**APPROVED OR DIRECTION GIVEN:**

N/A

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING:**

N/A

**BUDGET CODE:**

N/A

**Annual Road and Street Financial Report**

Reporting Entity Name - Enter below by entity type		Please return, <b>not later than December 31</b> , to: <b>BRANDON D. WOOLF</b> <b>IDAHO STATE CONTROLLER</b> <b>ATTN: HIGHWAY USERS</b> <b>STATEHOUSE MAIL</b> <b>BOISE, ID 83720</b>
City <b>or</b> <b>City of Post Falls</b>	County of City <b>Kootenai</b>	
County <b>or</b>		
Highway District	County of Hwy. District	

This certified report of dedicated funds is hereby submitted to the State Auditor as required by 40-708, *Idaho code*.

**Dated this: 29th day of December, 2022.**

ATTEST:

<b>Jason Faulkner, Treasurer</b>	<b>Ronald G. Jacobson, Mayor</b>
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City Clerk/County Clerk/District Secretary <b>(type or print name &amp; sign)</b>	Commissioners or Mayor <b>(type or print name &amp; sign)</b>
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Contact Phone Number: **(208) 457-3310**

**FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022**

Line 1	BEGINNING BALANCE AS OF OCTOBER 1 PREVIOUS YEAR	\$	6,694,753.51
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**RECEIPTS**

**LOCAL FUNDING SOURCES**

Line 2	Property tax levy (for roads, streets and bridges) . . . . .		
Line 3	Sale of assets . . . . .	\$	58,229.50
Line 4	Interest income . . . . .	\$	(805,498.15)
Line 5	Fund transfers from non-highway accounts. . . . .	\$	836,410.93
Line 6	Proceeds from sale of bonds (include LIDs) . . . . .		
Line 7	Proceeds from issue of notes (include loans) . . . . .	\$	-
Line 8	Local impact fees . . . . .	\$	2,283,080.08
Line 9	Local option registration fee . . . . .		
Line 10	All other LOCAL receipts or transfers in. . . . .	\$	2,440,314.12
<b>Line 11</b>	<b>Total Local Funding (sum lines 2 through 10). . . . .</b>	<b>\$</b>	<b>4,812,536.48</b>

**STATE FUNDING SOURCES**

Line 12	Highway user revenue . . . . .	\$	2,836,652.96
Line 13	Sales tax/Inventory replacement tax . . . . .		
Line 14	Sales tax/Revenue sharing . . . . .		
Line 15	State Exchange funds. . . . .		
Line 16	All other STATE receipts or transfers. . . . .		
<b>Line 17</b>	<b>Total State Funding (sum lines 12 through 16). . . . .</b>	<b>\$</b>	<b>2,836,652.96</b>

**FEDERAL FUNDING SOURCES**

Line 18	Secure Rural Schools . . . . .		
Line 19	Federal-aid Bridge . . . . .		
Line 20	Federal-aid Rural . . . . .		
Line 21	Federal-aid Urban. . . . .	\$	23,333.42
Line 22	Federal Lands Access Funds and All other FEDERAL receipts or transfers . . . . .	\$	-
<b>Line 23</b>	<b>Total Federal Funding (sum lines 18 through 22) . . . . .</b>	<b>\$</b>	<b>23,333.42</b>

<b>Line 24</b>	<b>TOTAL RECEIPTS (sum lines 11, 17, 23) . . . . .</b>	<b>\$</b>	<b>7,672,522.86</b>
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DISBURSEMENTS		
NEW CONSTRUCTION		
Line 25	Roads . . . . .	\$ 6,640,222.82
Line 26	Bridges, culverts and storm drainage . . . . .	
Line 27	RR Crossing . . . . .	
Line 28	Other (specify - including salaries and benefits). . . . .	
<b>Line 29</b>	<b>Total New Construction (sum lines 25 through 28).</b> . . . . .	<b>\$ 6,640,222.82</b>
RECONSTRUCTION/REPLACEMENT/REHABILITATION		
Line 30	Roads (rebuilt, realign, or 2" overlay upgrade). . . . .	\$ 362,076.64
Line 31	Bridges, culverts and storm drainage . . . . .	
Line 32	RR Crossing. . . . .	
Line 33	Other (specify - including salaries and benefits). . . . .	\$ 590,463.10
<b>Line 34</b>	<b>Total Reconstruction/Replacement (sum lines 30 through 33).</b> . . . . .	<b>\$ 952,539.74</b>
ROUTINE MAINTENANCE		
Line 35	Chip sealing or seal coating. . . . .	\$ 452,884.70
Line 36	Patching . . . . .	\$ 4,865.33
Line 37	Winter Maintenance . . . . .	\$ 71,491.10
Line 38	Grading/blading . . . . .	
Line 39	Bridge. . . . .	
Line 40	Other (specify - including salaries and benefits). . . . .	\$ 590,463.10
<b>Line 41</b>	<b>Total Routine Maintenance (sum lines 35 through 40)</b> . . . . .	<b>\$ 1,119,704.23</b>
EQUIPMENT		
Line 42	Equipment purchase - automotive, heavy, other. . . . .	\$ 673,943.71
Line 43	Equipment lease / purchase . . . . .	\$ -
Line 44	Equipment maintenance. . . . .	\$ 205,445.35
Line 45	Other (specify). . . . .	\$ 415,093.15
<b>Line 46</b>	<b>Total Equipment (sum lines 42 through 45)</b> . . . . .	<b>\$ 1,294,482.21</b>
ADMINISTRATION		
<b>Line 47</b>	<b>Administrative salaries and expenses.</b> . . . . .	<b>\$ 221,612.29</b>
OTHER		
Line 48	Right-of-way and property purchases . . . . .	
Line 49	Property leases . . . . .	
Line 50	Street lighting . . . . .	\$ 257.66
Line 51	Professional services - audit, clerical, and legal. . . . .	
Line 52	Professional services - engineering. . . . .	
Line 53	Interest - bond (include LIDs). . . . .	\$ 819.22
Line 54	Interest - notes (include loans). . . . .	
Line 55	Redemption - bond (include LIDs) . . . . .	\$ -
Line 56	Redemption - notes (include loans) . . . . .	
Line 57	Payments to other local government. . . . .	
Line 58	Fund transfers to non-highway accounts. . . . .	
Line 59	All other local expenditures . . . . .	
<b>Line 60</b>	<b>Total Other (sum lines 48 through 59)</b> . . . . .	<b>\$ 1,076.88</b>
<b>Line 61</b>	<b>TOTAL DISBURSEMENTS (sum lines 29, 34, 41, 46, 47, 60).</b> . . . . .	<b>\$ 10,229,638.17</b>
<b>Line 62</b>	<b>RECEIPTS OVER DISBURSEMENTS (line 24 - line 61).</b> . . . . .	<b>\$ (2,557,115.31)</b>
<b>Line 63</b>	<b>OTHER ADJUSTMENTS (Audit adjustment and etc.).</b> . . . . .	<b>\$ -</b>
<b>Line 64</b>	<b>CLOSING BALANCE (sum lines 1, 62, 63)</b> . . . . .	<b>\$ 4,137,638.20</b>
<b>Line 65</b>	<b>Funds on Line 64 obligated for specific future projects.</b> . . . . .	<b>\$ 5,404,890.37</b>
<b>Line 66</b>	<b>Funds on Line 64 retained for general funds and operations.</b> . . . . .	
<b>Line 67</b>	<b>ENDING BALANCE (line 64 minus the sum of lines 65, 66)</b> . . . . .	<b>\$ (1,267,252.17)</b>

REPORTING MEASURES		Page 3 of 3
<b><u>NEW CONSTRUCTION</u></b>		
Line 68	Total lane miles constructed . . . . .	0.00
Line 69	Total square feet of bridge deck constructed . . . . .	0.00
<b><u>RECONSTRUCTION/REPLACEMENT/REHABILITATION</u></b>		
Line 70	Total lane miles rebuilt, realigned, or overlay . . . . .	1.26
Line 71	Total square feet of bridge deck reconstructed or rehabilitated. . . . .	0.00
<b><u>ROUTINE MAINTENANCE</u></b>		
Line 72	Total lane miles with surface treatments, chip sealed, seal coated etc. on line 35. . . . .	6.88
Line 73	Total lane miles graded or bladed on line 38 . . . . .	0.00
<b>PROJECTS</b>		
<b><u>NEW PROJECTS</u></b>		
Line 74	Available Funds (From line 65). . . . .	\$ 5,404,890.37
	Project List	Start Year
		Projected Cost
	<b>Prairie and Zorros Roundabout</b>	<b>FY 2023</b>
		<b>\$770,000.00</b>
	<b>Chase Road UP RR-Xing</b>	<b>FY 2023</b>
		<b>\$377,140.00</b>
	<b>Chase Road BNSF RR-Xing</b>	<b>FY 2023</b>
		<b>\$157,973.00</b>
	<b>Spokane and Prairie Improvements</b>	<b>FY 2023</b>
		<b>\$2,788,734.00</b>
Line 75	Estimated Cost of future projects. . . . .	\$ 4,093,847.00
<b>Line 76</b>	<b>Available for Other Projects (line 76 minus line 77)</b> . . . . .	<b>\$ 1,311,043.37</b>

<b><u>MANDATORY Section must be completed on HB312 Revenue</u></b>		
Reporting is required on the highway user revenue from HG312. Make sure you list how much you received in additional revenue on line 77. Starting on line 78, check the maintenance that was completed with the additional funds, provide how much was spent on each item, and a general description including quantity of length.		
Line 77	<b>Total amount of Highway User Revenue from HB312</b> . . . . .	<b>\$ 423,099.88</b>
Line 78	Maintenance performed	Amount Spent      Description of Work
Line 79	Rehabilitation of Road	\$ 362,076.64
Line 80	Rehabilitation and maintenance of bridge	\$ -
Line 81	Chip Sealing / Seal Coating	\$ 452,884.70
Line 82	Grading / Blading	\$ -
Line 83	Striping	\$ -
Line 84	Traffic Control	\$ -
Line 84	All other maintenance	\$ -
	Total amount spent on maintenance or replacement	\$ 814,961.34
Line 85	Deferred maintenance cost over the last 5 years (in dollars)	\$ -

**CITY OF POST FALLS  
AGENDA REPORT  
CONSENT AGENDA  
MEETING DATE: JANUARY 17<sup>TH</sup>, 2023**

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**DATE:** JANUARY 10TH, 2023  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** BILL MELVIN – CITY ENGINEER  
**SUBJECT:** FOXTAIL 8<sup>TH</sup> ADDITION SUBDIVISION PLAT APPLICATION

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**ITEM AND RECOMMENDED ACTION:** With approval of the Consent Agenda, City Council authorizes the Mayor’s signature of the final plat for the Foxtail 8<sup>th</sup> Addition Subdivision.

**DISCUSSION:** The Developer has provided surety for the remaining improvements.

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:** N/A

**APPROVED OR DIRECTION GIVEN:** Under the Subdivision Ordinance the plat application is returned to Council, for authorization of the Mayor’s signature. Certification is required from the Engineering Division that infrastructure improvements have been completed, or that surety has been provided to guarantee the completion of the improvements.

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING:** N/A

**BUDGET CODE:** N/A

**SUPPORTING DOCUMENTS:** A copy of the plat application, surety, and engineer’s estimate are available in the Community Development Department for review.

**CITY OF POST FALLS**  
**AGENDA REPORT**  
Consent Calendar  
**MEETING DATE: 1/17/2023**

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**DATE:** 1/12/2023 1:42 PM  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** Victoria Howell  
**SUBJECT:** Non-depreciable Asset Disposal

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**ITEM AND RECOMMENDED ACTION:**

The Finance department has requested the disposal of a non-functional Formax FD 340 Document Folder . This item has exceeded its useful life and can no longer serve the needs of the City of Post Falls.

**DISCUSSION:**

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:**

None

**APPROVED OR DIRECTION GIVEN:**

None

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING:**

None

**BUDGET CODE:**

None

CITY OF POST FALLS

FIXED ASSET DISPOSAL

DEPT. NAME Finance DEPT.# 414 DATE: \_\_\_\_\_  
OF DISPOSAL

CATEGORY OF ASSET:

- LAND
- BUILDING
- MACHINERY & EQUIPMENT
- VEHICLE (Enter Mileage) \_\_\_\_\_
- OTHER IMPROVEMENTS \_\_\_\_\_

CONTROLLABLE ASSETS (UNDER \$5,000 COST)

- MACHINERY & EQUIPMENT
- OTHER \_\_\_\_\_

ASSET DESCRIPTION AND EXPLANATION FOR DISPOSAL: \_\_\_\_\_

Formax FD 340 Document Folder.

Item is no longer used and has exceeded useful life for the City of Post Falls

TAG# 5414 SERIAL # J80621 MODEL# FD 340

REASON FOR DISPOSAL (MANDATORY):

- ABANDONED IN PLACE
- DESTROYED / DISPOSED
- SOLD AT AUCTION
- SOLD
- TRADED IN

SELLING PRICE \_\_\_\_\_  
 SELLING PRICE \_\_\_\_\_  
 CASH VALUE/TRADE IN \_\_\_\_\_

OTHER: \_\_\_\_\_

- LOST  
Please attach police report
- STOLEN  
Please attach police report

REPLACED YES - - NO   
 USEFUL LIFE OF ASSET INCREASED YES - - NO

ESTIMATED REMAINING USEFUL LIFE 0 years

  
 AUTHORIZED SIGNATURE

\_\_\_\_\_  
 ASSET MANAGER SIGNATURE

(PLEASE ATTACH FIXED ASSET ACQUISITION FORM)

CITY OF POST FALLS  
AGENDA REPORT  
CONSENT AGENDA

MEETING DATE: January 17<sup>th</sup>, 2023

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DATE: January 17, 2023  
TO: HONORABLE MAYOR AND CITY COUNCIL  
FROM: Ross Junkin, Public Works Maintenance Manager  
SUBJECT: Request to approve the order of (2) new 2024 Freightliner Dump trucks, each with a plow package

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ITEM AND RECOMMENDED ACTION:

City Staff requests that the Mayor and Council approve the award for the bid of (2) new 2024 Freightliner Dump trucks with plow packages to Freightliner NW. They will replace existing dump trucks (S218 and S209) which are identified in our schedule for replacement. Both trucks will be assigned to our Streets division. City staff requests that Council approve the bid of (2) new 2024 Freightliner Dump trucks and approve the purchase of said trucks in the total amount of \$513,635.12.

City Council authorizes the Mayor to sign the Notice of Award and subsequent Contract Documents.

DISCUSSION:

The FY23 approved budget includes replacement funds for (2) Street department dump trucks. In September of 2022 Public Works advertised for bids for two dump trucks. We received (1) bid from Freightliner NW.

If ordered now, these trucks are expected to be delivered during FY24. City staff recommends ordering these trucks as soon as possible. The dump trucks to be replaced are S218: 2006 Hino single-axle dump truck/non-operational and S209: 1999 Sterling single-axle dump truck.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: N/A

APPROVED OR DIRECTION GIVEN: N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

Funds for each truck ordered will come out of the vehicle and equipment replacement fund:  
001-434.0000.90010

**TOTAL for both trucks: \$ 513,635.12**





**Legal Services**  
**Phone: (208) 773-0215**  
**Fax: (208) 773-0214**

## Memorandum of Legal Counsel

**To:** Ross Junkin  
**From:** Field K. Herrington, Deputy City Attorney  
**Date:** December 23, 2022  
**Re:** November 15, 2022, Bid Opening – Two New Single Axle Dump Trucks

---

My review and analysis are based purely on the legal aspects of the bid as authorized by the Idaho purchasing statutes, particularly Idaho Code § 67-2806, and the required information contained in the notice inviting bids. On or about November 15, 2022, I received copies of one (1) bid that was received and opened by the City Clerk, Shannon Howard at or about 11:00 on November 15, 2022.

The bid consisted of a bid from Freightliner (\$513,635.12).

I have reviewed the submittal from the apparent low bidder, Freightliner. Based upon the bid total sheet, Freightliner appears to be the lowest, and only, responsive bidder.

My review of the Freightliner bid leads me to conclude, on a purely legal level, that Freightliner is the lowest responsive bidder, and if the City intends to award the bid, then the bid should be awarded to Freightliner. My conclusion is based upon the following information:

1. I have reviewed the Bid Total Sheet and bid submittals from the City Clerk. It appears that the submittal by Freightliner was timely.
2. The submittal was provided on the required form and with the required attachments:
  - a. Completed proposal;
  - b. Bidder information;
  - c. A representative of Freightliner executed the attestations and documents.

Based upon my review Freightliner is compliant with Idaho Law, the City of Post Falls Procurement standards, and is the lowest, and only, responsive bidder at \$528,635.12. I did not review the details of the specifications and will defer to you on the technical aspects of the bid, as I lack the requisite knowledge to comment on the minimum specifications needed by the Streets Department.

Should you have any questions, please feel free to contact me.

Very Truly Yours,

A handwritten signature in black ink that reads "Field K. Herrington".

Field K. Herrington  
Deputy City Attorney

CITY OF POST FALLS  
AGENDA REPORT  
CONSENT AGENDA  
MEETING DATE: January 17<sup>th</sup>, 2023

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DATE: January 17, 2023  
TO: HONORABLE MAYOR AND CITY COUNCIL  
FROM: Ross Junkin, Public Works Maintenance Manager  
SUBJECT: Request to approve the order of (1) new John Deere 210 P-Tier tractor

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ITEM AND RECOMMENDED ACTION:

City Staff requests that the Mayor and Council approve the purchase of (1) new John Deere 210 P-Tier tractor from Pape Machinery, Inc. using Sourcewell cooperative purchasing pricing. The new tractor will replace an existing (S331) 1992 Ford 345C tractor. The new replacement tractor will be assigned to our Streets division. City staff requests that Council ratify the purchase of (1) new John Deere 210 P-Tier tractor in the total amount of \$114,674.43.

DISCUSSION:

The FY23 approved budget includes replacement funds for (1) Street department replacement tractor.

The existing 1992 Ford 345C tractor is currently not operational and sits in the Street Division's yard. In 2022, the Streets Division resulted to renting a tractor of this type to facilitate operations.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: N/A

APPROVED OR DIRECTION GIVEN: N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

Funds for this purchase will come out of the vehicle and equipment replacement fund:  
001-434.0000.90010

**TOTAL for John Deere 210 P-Tier tractor: \$ 114,674.43**



**MACHINERY**

Quote Id: 27607849

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Prepared For:  
**CITY OF POST FALLS**

Prepared By: **PATRICK MORRIS**

Pape Machinery, Inc.  
W 6210 Rowand Road  
Spokane, WA 99224

Tel: 509-838-5252

Fax: 509-558-2485

Email: [pmorris@papemachinery.com](mailto:pmorris@papemachinery.com)

Date: 12 October 2022

Offer Expires: 29 December 2022

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*Confidential*

**Quote Summary**

**Prepared For:**

CITY OF POST FALLS  
 2002 WEST SELTICE WAY  
 POST FALLS, ID 83854  
 Business: 208-773-1438

**Prepared By:**

PATRICK MORRIS  
 Pape Machinery, Inc.  
 W 6210 Rowand Road  
 Spokane, WA 99224  
 Phone: 509-838-5252  
 pmorris@papemachinery.com

*This sale is subject to Papé's Terms and Conditions of Sale effective on the date hereof, which are incorporated in full by this reference. The Terms and Conditions of Sale are available at [www.pape.com/terms](http://www.pape.com/terms), and will also be sent by mail or e-mail to the purchaser upon request.*

**Quote Id:** 27607849  
**Created On:** 12 October 2022  
**Last Modified On:** 22 November 2022  
**Expiration Date:** 29 December 2022

<b>Equipment Summary</b>	<b>Selling Price</b>	<b>Qty</b>	<b>=</b>	<b>Extended</b>
JOHN DEERE 210 P-tier Tractor Loader - 17078201	\$ 114,674.43	1	=	\$ 114,674.43

**Equipment Total** **\$ 114,674.43**

<b>Trade In Summary</b>	<b>Qty</b>	<b>Each</b>	<b>Extended</b>
FORD 345c	1	\$ 1,500.00	\$ 1,500.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 1,500.00

**Trade In Total** **\$ 1,500.00**

**Quote Summary**

Equipment Total	\$ 114,674.43
Trade In	\$ (1,500.00)
SubTotal	\$ 113,174.43
Total	\$ 113,174.43
Down Payment	(0.00)
Rental Applied	(0.00)
<b>Balance Due</b>	<b>\$ 113,174.43</b>

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

# Selling Equipment



MACHINERY

Quote Id: 27607849

Customer: CITY OF POST FALLS

## JOHN DEERE 210 P-tier Tractor Loader - 17078201

Hours:

Stock Number:

				Selling Price
				\$ 114,674.43
Code	Description	Qty	Unit	Extended
17J0T	210 P-tier Tractor Loader	1	\$ 129,625.00	\$ 129,625.00
Standard Options - Per Unit				
183E	JDLink™	1	\$ 0.00	\$ 0.00
0202	United States	1	\$ 0.00	\$ 0.00
0259	English	1	\$ 0.00	\$ 0.00
1002	Canopy (ROPS/FOPS)	1	\$ 0.00	\$ 0.00
1054	Seat - Suspension Vinyl Enhanced with Tilt Steering for Canopy	1	\$ 586.00	\$ 586.00
3005	Powershift Transmission - Mechanical Front Wheel Drive (MFWD) with Limited Slip Differential	1	\$ 1,088.00	\$ 1,088.00
6153	Dual Battery	1	\$ 311.00	\$ 311.00
6522	Dual Tilt Cylinders	1	\$ 1,687.00	\$ 1,687.00
7040	Three-Function Loader Hydraulics, Single Lever with EH Control	1	\$ 3,268.00	\$ 3,268.00
7856	86 in. (2.18 m.) Wide, 1.25 cu. yd. (0.96 cu. m.) Multi-Purpose Bucket	1	\$ 9,663.00	\$ 9,663.00
8030	Fire Extinguisher Mounting Bracket	1	\$ 100.00	\$ 100.00
8053	On-Board Grade Indication	1	\$ 1,693.00	\$ 1,693.00
8115	MFWD Driveshaft Guard	1	\$ 366.00	\$ 366.00
8159	Machine Security (Software Installed)	1	\$ 462.00	\$ 462.00
8269	Deluxe Electrical	1	\$ 559.00	\$ 559.00
8272	Rear Weight - 1,500 lb.	1	\$ 2,993.00	\$ 2,993.00
8273	Wheel Weights	1	\$ 2,045.00	\$ 2,045.00
8278	88 in. (2.24 m.) Box Blade	1	\$ 6,230.00	\$ 6,230.00
8283	Hand Throttle	1	\$ 263.00	\$ 263.00
8284	Transmission Guard	1	\$ 446.00	\$ 446.00
SOURCEWELL	032119-JDC SOURCEWELL DISCOUNT 39%	1	\$ -62,940.54	\$ -62,940.54
<b>Standard Options Total</b>				<b>\$ -31,180.54</b>
<b>Value Added Services Total</b>				<b>\$ 0.00</b>
Other Charges				
	Freight	1	\$ 5,800.00	\$ 5,800.00
	Setup	1	\$ 975.00	\$ 975.00
	Deliver Charge	1	\$ 750.00	\$ 750.00
<b>Other Charges Total</b>				<b>\$ 7,525.00</b>

# Selling Equipment



**MACHINERY**

Quote Id: 27607849

Customer: CITY OF POST FALLS

Customer Discounts		
Customer Discounts Total	\$ 8,704.97	\$ 8,704.97
<b>Total Selling Price</b>		<b>\$ 114,674.43</b>



# Trade In



**MACHINERY**

Quote Id: 27607849

Customer: CITY OF POST FALLS

**FORD 345c**

**Machine Details**

Description	Net Trade Value
FORD 345c	\$ 1,500.00
<b>Your Trade In Description</b>	
Does Not run	
<b>Total</b>	<b>\$ 1,500.00</b>





*Legal Services*  
**Phone: (208) 773-0215**  
**Fax: (208) 773-0214**

## Memorandum of Legal Counsel

**To:** City Council  
**From:** Field K. Herrington, Deputy City Attorney  
**Date:** January 3, 2023  
**Re:** Cooperative Purchasing – John Deere 210 P-tier Tractor

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My review and analysis are based purely on the legal aspects of the cooperative purchasing procurement as authorized by the Idaho purchasing statutes, particularly Idaho Code § 67-2807. Idaho Code §67-2807 allows the City Council to approve participation in cooperative purchasing agreements with the state of Idaho, other Idaho political subdivisions, other government entities, or associations of such public entities. The city may also take part in cooperative purchasing programs established by any association that offers its goods or services as a result of competitive solicitation processes.

The legal department is tasked with reviewing purchases using cooperative purchasing to determine if the entity meets the requirements of state code and whether the entity used a competitive solicitation process for the item(s) the department intends to purchase. Once the determination is made, the department must then complete the purchase using the same approval process that would ordinarily be required based on the cost of the purchase.

On or about December 1, 2022, I received copies of contract documents that were received by Streets and Fleet from Pape Machinery, a John Deere dealer, using a Sourcewell Contract Discount.

Sourcewell is a local government unit, public corporation, and public agency under the laws of the state of Minnesota. Sourcewell was created by state law as a service cooperative to supply programs and services to education and government. Sourcewell is authorized to establish competitively awarded cooperative purchasing contracts on behalf of itself and its participating agencies. Sourcewell follows the competitive contracting law process to solicit, evaluate, and award cooperative purchasing contracts for goods and services. Sourcewell cooperative purchasing contracts are made available through the joint exercise of powers law to participating agencies. As such, Sourcewell qualifies as a governmental entity or association thereof.

I have reviewed the submittal and researched the competitive solicitation process that the Sourcewell used. Sourcewell published a request for proposals (“RFP”) on January 31, 2019 and opened the proposals on March 22, 2019 and awarded the contract to John Deere Construction Retail Sales on May 10, 2019. The associated RFP, Proof of Publication, Evaluation, Comment & Review and other documents can be viewed on Sourcewell’s [website](#). Based upon my evaluation of those

documents, I conclude that awarded contract was a result of competitive solicitation processes completed by Sourcewell.

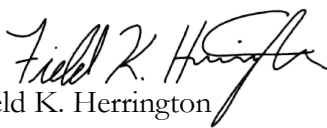
Because the contract amount is over \$100,000, the contract, along with a staff memo explaining the reason for the procurement must be presented for approval by City Council and signed by Mayor.

My review of the competitive solicitation processes completed by Sourcewell leads me to conclude, on a purely legal level, that Pape Machinery a John Deere Construction Retail Sales dealer, is offering the goods or services as a result of a competitive solicitation process completed by a government entity or association thereof and is in accordance with the requirements of Idaho Code and the city of Post Falls procurement standards.

Therefore, the city of Post Falls may proceed with the procurement of the John Deere 210 p-tier Tractor Loader as indicated on the quote from Pape Machinery.

Should you have any questions, please feel free to contact me.

Very Truly Yours,

  
Field K. Herrington  
Deputy City Attorney

**CITY OF POST FALLS**  
**AGENDA REPORT**  
Public Hearings  
**MEETING DATE: 1/17/2023**

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**DATE:** 1/12/2023 11:15 AM  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** Jason Faulkner  
**SUBJECT:** Budget amendment for fiscal year 2023

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**ITEM AND RECOMMENDED ACTION:**

Upon completion of the public hearing, direct staff to return to the next council meeting with the appropriate ordinance.

Fiscal year 2022 was a busy year for city departments, as a result budgeted projects weren't able to be completed and budgeted capital purchases were unable to be made. I have combined all of the various departmental requests that need to be brought forward into fiscal year 2023. I have attached an individual item request and will be presenting these items during the next public hearing.

**DISCUSSION:**

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:**

**APPROVED OR DIRECTION GIVEN:**

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING:**

\$15,653,491

**BUDGET CODE:**

Various

CITY OF POST FALLS  
AMENDING THE BUDGET AND APPROPRIATION ORDINANCE

Notice is hereby given that the City Council of Post Falls will hold a public hearing for consideration of an amendment to the 2022-2023 fiscal year budget by appropriating additional monies received by the City of Post Falls, said hearing to be held at City Hall at 6:00 p.m. on the 17th day of January, 2023.

**PROPOSED EXPENDITURES**

	Proposed FY 2022-2023
GENERAL FUND:	
STREETS	\$ 293,463
FLEET MAINTENANCE	\$ 1,007,358
PARKS	\$ 32,000
OTHER/CONTINGENCY/CAP IMPROV	\$ 6,779,290
SUBTOTAL-GF DEPT EXPEND	\$ 8,112,111
ANNEXATION FEE ACCOUNT	\$ -
SUBTOTAL-DED GF ACCOUNTS	\$ -
 TOTAL GENERAL FUND	 \$ 8,112,111
CAPITAL PROJECTS FUNDS:	
STREETS IMPACT FEES	\$ 2,921,707
TOTAL CAPITAL PROJECTS FUND EXP.	\$ 2,921,707
ENTERPRISE FUNDS:	
SEWER (OPERATING)	\$ 523,373
SEWER - COLLECTOR	\$ 550,000
SEWER CONST - WWTP	\$ 2,567,506
WATER CONSTRUCTION	\$ 978,794
TOTAL ENTERPRISE FUND EXP.	\$ 4,619,673
 <b>TOTAL ALL FUND EXPENDITURES</b>	 <b>\$ 15,653,491</b>

**PROPOSED REVENUES/FUNDING RESOURCES**

GENERAL FUND:	
GENERAL FUND DEDICATED ACCOUNTS:	
FUND BALANCE REBUDGETED	\$ 1,343,911
TOTAL GENERAL FUND RESOURCES	\$ 1,343,911
CAPITAL PROJECTS FUNDS:	
OTHER FINANCING SOURCES	\$ 6,731,803
FUND BALANCE REBUDGETED	\$ 2,921,707
TOTAL CAPITAL PROJECTS RESOURCES	\$ 9,653,510
ENTERPRISE FUNDS:	
OTHER FINANCING SOURCES	\$ 36,397
FUND EQUITY REBGTD./BOND	\$ 4,619,673
TOTAL ENTERPRISE FUND RESOURCES	\$ 4,656,070
 <b>TOTAL ALL ESTIMATED RESOURCES</b>	 <b>\$ 15,653,491</b>

Expenditure of the monies will be in accordance with the provisions by the Funding source and will not affect property taxes.

Dated: December 20th, 2022

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City Treasurer

**FY 2023  
CITY OF POST FALLS  
PROPOSED BUDGET AMENDMENT #1**

DESCRIPTION	ACCT #	AMOUNT	DESCRIPTION	ACCT #	AMOUNT
1 ITD new interchange with ROW	753-462.1710.9520	\$ 650,000.00	Cash Carryover	753-462.1920.37201	\$ 650,000.00
2 ITD new interchange with ROW	651-463.1710.95520	\$ 50,000.00	Cash Carryover	651-463.1920.37201	\$ 50,000.00
3 Well Upgrades @ Q'emiln Park	001-443.1658.62330	\$ 32,000.00	Cash Carryover	001-410.1920.37201	\$ 32,000.00
4 City Hall HVAC heat pump replacements	001-481.0000.68390	\$ 11,090.00	Cash Carryover	001-410.1920.37201	\$ 11,090.00
5 Fleet Shop lifts and installed	001-434.0000.90010	\$ 103,371.00	Cash Carryover	001-410.1920.37201	\$ 103,371.00
6 Fleet shop floor replacement project	001-434.0000.68010	\$ 125,000.00	Cash Carryover	001-410.1920.37201	\$ 125,000.00
7 Fleet Trailer	001-434.0000.90010	\$ 12,699.00	Cash Carryover	001-410.1920.37201	\$ 12,699.00
8 Replacement tractor for parks maintenance	001-434.0000.90010	\$ 26,870.00	Cash Carryover	001-410.1920.37201	\$ 26,870.00
9 Freightliner 114SD Single Axle Dump Truck	001-434.0000.90010	\$ 317,258.00	Cash Carryover	001-410.1920.37201	\$ 317,258.00
10 Streets signal camera	001-431.0000.68140	\$ 3,539.00	Cash Carryover	001-410.1920.37201	\$ 3,539.00
11 Streets signal light backplates	001-431.0000.68140	\$ 4,523.00	Cash Carryover	001-410.1920.37201	\$ 4,523.00
12 Salt storage facility electrical work	001-431.0000.93010	\$ 23,115.00	Cash Carryover	001-410.1920.37201	\$ 23,115.00
13 Street sweeper brooms	001-431.0000.63520	\$ 4,350.00	Cash Carryover	001-410.1920.37201	\$ 4,350.00
14 Freightliner Tandem Axle Dump Truck	001-434.0000.90010	\$ 375,414.10	Cash Carryover	001-410.1920.37201	\$ 375,414.10
15 Toyota SUV passenger vehicles	650-463.0000.90010	\$ 23,373.00	Cash Carryover	650-463.1920.37200	\$ 23,373.00
16 Toyota SUV passenger vehicles	001-434.0000.90010	\$ 46,746.00	Cash Carryover	001-410.1920.37201	\$ 46,746.00
17 Salt for PFWD and City	001-431.0000.68080	\$ 50,000.00	Cash Carryover	001-410.1920.37201	\$ 50,000.00
18 Bentley Project	652-463.3230.95520/65	\$ 750,000.00	Cash Carryover	652-463.1920.37201	\$ 750,000.00
19 Chase Road BNSF RR-xing	037-431.0000.95134	\$ 132,973.00	Cash Carryover	037-431.1920.37200	\$ 132,973.00
20 Spokane and Prairie Improvements	001-431.0000.68130	\$ 207,936.00	Cash Carryover	001-410.1920.37201	\$ 207,936.00
21 Spokane and Prairie Improvements	652-463.3220.95520	\$ 19,830.00	Cash Carryover	652-463.1920.37201	\$ 19,830.00
22 Spokane and Prairie Improvements	753-462.3218.95550	\$ 78,794.00	Cash Carryover	753-462.1920.37201	\$ 78,794.00
23 Spokane and Prairie Improvements	037-431.0000.95200	\$ 2,771,104.00	Cash Carryover	037-431.1920.37200	\$ 2,771,104.00
24 Spokane and Prairie Improvements	037-431.0000.95134	\$ 17,630.00	Cash Carryover	037-431.1920.37200	\$ 17,630.00

FY 2023  
CITY OF POST FALLS  
PROPOSED BUDGET AMENDMENT #1

25 Utilities lab redesign	652-463.3235.95520	\$ 300,000.00	Cash Carryover	652-463.1920.37201	\$ 300,000.00
26 Outfall project	651-463.6505.95520	\$ 500,000.00	Cash Carryover	651-463.1920.37201	\$ 500,000.00
27 Ponderosa Project	652-463.3214.95520	\$ 1,497,676.00	Cash Carryover	652-463.1920.37201	\$ 1,497,676.00
28 Vactor Truck purchase	650-466.0000.90040	\$ 500,000.00	Cash Carryover	650-463.1920.37200	\$ 500,000.00
29 Well No. 11	753-462.3224.95550	\$ 250,000.00	Cash Carryover	753-462.1920.37201	\$ 250,000.00
30 Transfer to Street Impact Fees Frontage Deposits	001-481.1903.69037	\$ 731,803.06	Transfer from General Fund	037-431.1903.37001	\$ 731,803.06
31 Transfer to Sewer (652) for Frontage Deposits	001-481.1903.69652	\$ 36,396.77	Transfer from General Fund	652-463.1903.37001	\$ 36,396.77
32 Transfer to the Facility Building Reserve	001-481.1903.69011	\$ 6,000,000.00	Transfer from General Fund	011-497.1903.37001	\$ 6,000,000.00
		\$ 15,653,490.93			\$ 15,653,490.93

Subtotals

\$ 15,653,490.93

\$ 15,653,490.93

\$ -

City Administrator

 Date 12/16/22

\*Approves to advertise for Public Hearing

**CITY OF POST FALLS  
AGENDA REPORT  
PUBLIC HEARING  
MEETING DATE: January 17, 2023**

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**DATE:** January 11, 2023  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** JON MANLEY, PLANNING MANAGER  
[jmanley@postfalls.gov](mailto:jmanley@postfalls.gov) / 208-457-3344  
**SUBJECT:** ZONING CRITERIA ORDINANCE

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**ITEM AND RECOMMENDED ACTION:**

The Planning Division is seeking to amend Title 18 to accomplish attaining more clarity within the Zone Change review criteria. The proposed language is in line with State's LLUPA Title 67 (Exhibit S-2).

The following are the current review criteria:

- A. Amendments to the zoning map should be in accordance with the Future Land Use Map.
- B. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.
- C. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
- D. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
- E. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
- F. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning

The proposed review criteria are the following:

1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?
2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration.
3. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, the Post Falls School District.

In addition to the Zone Map Amendment criteria stated above, the City Council will also consider the following criteria when the request is for initial zoning upon annexation:

1. Is annexation of the property in the best interest of the city (Legislative Decision).

**DISCUSSION:** Exhibit S-5 (Updated Draft Ordinance), details the code sections that are being requested to be modified, the underlined text represents the proposed new language and the ~~striketrough~~ text being removed.

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:** The proposed Zone Change Review Criteria was brought to City Council on August 16, 2022; of which, the City council directed staff to complete a workshop and bring back at a later date. On November 1, 2022, City Staff brought this topic before City Council as part of a workshop and discussed further. The attached updated Exhibit S-5 (Updated Draft Ordinance), should address the concerns discussed within the workshop.

**APPROVED OR DIRECTION GIVEN:** On July 12, 2022, the Planning and Zoning Commission forwarded a recommendation of approval for the proposed changes.

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING: N/A**

**BUDGET CODE: N/A**

**SUPPORTING DOCUMENTS:**

**STAFF EXHIBITS:**

- Exhibit S-3 Planning and Zoning Commission Staff Report
- Exhibit S-1 Draft Ordinance
- Exhibit S-2 State Zone change Requirements
- Exhibit PA-1 PFHD Comments
- Exhibit S-4 Minutes 7-12-2022
- Exhibit PA-2 PFHD Comments
- Exhibit S-5 Updated Draft Ordinance
- Exhibit S-6 Minutes 8-16-2022
- Exhibit S-7 Minutes 11-1-2022
- Exhibit PA-2 PFHD Comments
- Exhibit PA-3 DEQ Comments
- Exhibit PA-4 YPL Comments
- Exhibit PC-1 Burns Comments



**CITY OF POST FALLS  
STAFF REPORT**

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**DATE:** July 8, 2022

**TO:** POST FALLS PLANNING & ZONING COMMISSION

**FROM:** JON MANLEY, PLANNING MANAGER, 457-3344, [jmanley@postfallsidaho.org](mailto:jmanley@postfallsidaho.org)

**SUBJECT:** STAFF REPORT FOR THE JULY 12, 2022 P&Z MEETING  
ZONING CRITERIA ORDINANCE

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**FILE NUMBER/NAME:** TA-22-5 / ZONING CRITERIA ORDINANCE

**APPLICANT:** Post Falls Planning Division

**REQUESTED ACTION:** The Planning Division is seeking to amend Title 18 to accomplish attaining more clarity within the Zone Change review criteria. The proposed language is in line with State's LLUPA Title 67 (Exhibit S-2).

The following are the current review criteria:

1. Amendments to the zoning map should be in accordance with the Future Land Use Map.
2. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.
3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning

The proposed review criteria are the following:

1. Is the proposed zoning district consistent with the vision for the area contained in the currently adopted Post Falls Comprehensive Plan;
2. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, the Post Falls School District.

**PROPOSED CHANGES:** Exhibit S-1 (Draft Ordinance), details the code sections that are being requested to be modified, with the underlined text being the proposed new language and the ~~strike through~~ text being removed. The following is an overview of the proposed changes:

**OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:**

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irr. District
Kootenai County Fire	Kootenai Electric	Time Warner Cable
PF Highway District	Ross Point Water	PF Police Department
PF School District	Verizon	Utilities (W/WW)
Avista Corp. (WWP-3)	Idaho Department of Lands	Urban Renewal Agency
Department of Environmental Quality	Panhandle Health District	Kootenai County Planning
Conoco, Inc. (Pipeline Co.)	NW Pipeline Corp.	KMPO
Yellowstone Pipeline Co.	TransCanada GTN	TDS

- **Post Falls Highway District (Exhibit PA-1)** – Responded with no comment.

**MOTION OPTIONS:** The Planning Commission must provide a recommendation pertaining to the requested amendment to City Council, of which at a later date, an additional Public Hearing will be heard by City Council. Should the Commission need additional information or wish to hear additional testimony, it may wish to move to continue the public hearing to a later date certain. If the Commission has heard sufficient testimony but needs additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a later date certain.

**ATTACHMENTS:**

Staff Submittals:

- Exhibit S-1 Draft Ordinance
- Exhibit S-2 State Zone Change Requirements

Testimony:

- Exhibit PA-1 PFHD Comments

**ORDINANCE NO.** [Category]

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR [PROVISION]; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

**WHEREAS**, the Mayor and City Council find that [INSERT]; and

**WHEREAS**, after public hearing on the hereinafter provided, and after recommendation of the Community Development Department, it is deemed by the Mayor and City Council to be in the best interests of the citizens of the City of Post Falls that the following be adopted.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Post Falls as follows:

**SECTION 1.** That the third paragraph of Post Falls Municipal Code Section 18.16.010 is amended to read as follows:

**18.16.010: ESTABLISHMENT OF ZONING DISTRICTS:**

Zoning districts are tools created to aid implementation of land use policies found within the comprehensive plan. Through the provision of standards, zoning districts regulate the height, bulk, and placement of buildings, establish residential densities, and regulate the uses of land and buildings. The following zoning districts are established and shall be applied and depicted upon the official zoning map of the City. Every lot and parcel of land, within the incorporated City of Post Falls shall be classified in one of the zoning districts established by this section.

The regulations for each district shall apply uniformly to each type of land use, except as otherwise provided. No building, structure or land shall be used or occupied and no building or structure or

part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations specified in this title. No yard area or lot existing at the time of passage of this title shall be reduced in dimension or area below the minimum requirements set forth in this title. Yards or lots created after the effective date hereof shall meet at least the minimum requirements set forth in this title.

Zoning is assigned following consideration of the criteria contained in Section 18.20.100 ~~such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features. Commercial and high density residential zoning is typically assigned along streets with a higher road classification. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.~~

**SECTION 2.** That Post Falls Municipal Code Section 18.20.100 is amended to read as follows:

**18.20.100: AMENDMENT OF ZONING MAP:**

An amendment of the zoning map may consist of the amending, supplementing, changing or repealing of the regulations, restrictions and/or boundaries of the zone classification of land by ordinance in accordance with applicable provisions of Idaho Code. ~~Amendments to the zoning map should be in accordance with the future land use map and the goals and policies found in the Post Falls Comprehensive Plan.~~

A. Application: Any application for a zone map amendment or zoning upon annexation shall include the information required by the application forms supplied by the Zoning Administrator, the information required by State law and information otherwise required by this title or by the Zoning Administrator, commission or Council. In addition, the application shall provide a description of the amendment or zoning requested along with a statement that

describes the rationale for the request, how it conforms to the Comprehensive Plan, and why the City should consider the amendment or establish the zone.

B. Public Hearing: Public hearing(s) shall be held before the Planning and Zoning Commission, and City Council, using the hearing and notice procedure required by law.

C. Zone Map Amendment Review and Approval Criteria: At the close of the required public hearings, the Planning and Zoning Commission and the City Council will evaluate whether the requested zoning meets each of the following criteria:

1. Is the proposed zoning district consistent with the vision for the area contained in the currently adopted Post Falls Comprehensive Plan;

2. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, the Post Falls School District.

D. In addition to the Zone Map Amendment criteria contained in subsection C of this section, the City Council will also consider the following criteria when the request is for initial zoning upon annexation:

1. Is annexation of the property in the best interest of the city (Legislative Decision).

EE. Decision: The City Council, upon receipt of a recommendation from the Planning and Zoning Commission, and after review of the record, staff report, and materials received at the public hearing shall render a decision to adopt, modify, or reject the amendment. Upon granting or denying an application, the Council shall specify the reasons for approval or denial. An amendment, if approved, shall be made part of this title upon the preparation and passage of an ordinance. If an amendment of the zoning map, submitted by parties other than staff or a City commission or board, is denied by the City Council, a subsequent application for amendment of the zoning map for the subject property cannot be submitted to the City within one year of such denial unless a request for application consideration is received and approved by the City

Council. Such request shall be submitted to the Community Development Department, with the appropriate fee, and shall provide the City Council with reasons why the application should be accepted and processed. The City Council will review the request, determine whether or not the proposal is significantly different than the one denied and permit an application to be accepted and processed or deny the request.

**SECTION 3.** All provisions of the current Post Falls Municipal Code or ordinances of the City of Post Falls and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 4.** Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Post Falls City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

**SECTION 5.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

**SECTION 6.** 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 Post Falls, 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 Post Falls at a regular session of the City Council on June \_\_\_ 2022.*

APPROVED, ADOPTED and SIGNED this            day of June, 2022.

\_\_\_\_\_  
Ronald G. Jacobson, Mayor

ATTEST:

\_\_\_\_\_  
Shannon Howard, City Clerk

DRAFT

**SUMMARY OF POST FALLS ORDINANCE NO. [Category]**

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR [PROVISION]; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

The City of Post Falls, Kootenai County Idaho hereby gives notice of the adoption of Post Falls Ordinance No. [Category], which [DESCRIPTION]; providing repeal of conflicting ordinances and providing severability. The ordinance is effective upon publication of this summary. The full text of Ordinance No. [Category] is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the City Clerk. Dated this \_\_\_\_ day of June, 2022.

/s/

Shannon Howard, City Clerk



**STATEMENT OF LEGAL ADVISOR**

I, Warren J. Wilson, the legal advisor for the City of Post Falls, I have examined the attached summary of Ordinance No. [Category], which [DESCRIPTION], and find it to be a true and complete summary of said ordinance and provides adequate notice of the contents to the public.

Dated this \_\_\_\_ day of June, 2022.

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Warren J. Wilson, City Attorney

DRAFT



# Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

## TITLE 67

### STATE GOVERNMENT AND STATE AFFAIRS

#### CHAPTER 65

##### LOCAL LAND USE PLANNING

67-6511. ZONING ORDINANCE. (1) Each governing board shall, by ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided under section 67-6509, Idaho Code, establish within its jurisdiction one (1) or more zones or zoning districts where appropriate. The zoning districts shall be in accordance with the policies set forth in the adopted comprehensive plan.

(a) Within a zoning district, the governing board shall where appropriate establish standards to regulate and restrict the height, number of stories, size, construction, reconstruction, alteration, repair or use of buildings and structures; percentage of lot occupancy, size of courts, yards, and open spaces; density of population; and the location and use of buildings and structures. All standards shall be uniform for each class or kind of buildings throughout each district, but the standards in one (1) district may differ from those in another district.

(b) Within an overlay zoning district, the governing board shall establish clear and objective standards for the overlay zoning district while ensuring that application of such standards does not constitute a regulatory taking pursuant to Idaho or federal law.

(2) Ordinances establishing zoning districts shall be amended as follows:

(a) Requests for an amendment to the zoning ordinance shall be submitted to the zoning or planning and zoning commission which shall evaluate the request to determine the extent and nature of the amendment requested. Particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction. An amendment of a zoning ordinance applicable to an owner's lands or approval of conditional rezoning or denial of a request for rezoning may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.

(b) After considering the comprehensive plan and other evidence gathered through the public hearing process, the zoning or planning and zoning commission may recommend and the governing board may adopt or reject an ordinance amendment pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code, provided that in the case of a zoning district boundary change, and notwithstanding jurisdictional boundaries, additional notice shall be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that

may be impacted by the proposed change as determined by the commission. Notice shall also be posted on the premises not less than one (1) week prior to the hearing. When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be provided by local ordinance in lieu of posted or mailed notice. In the absence of a locally adopted alternative notice procedure, sufficient notice shall be deemed to have been provided if the city or county provides notice through a display advertisement at least four (4) inches by two (2) columns in size in the official newspaper of the city or county at least fifteen (15) days prior to the hearing date, in addition to site posting on all external boundaries of the site. Any property owner entitled to specific notice pursuant to the provisions of this subsection shall have a right to participate in public hearings before a planning commission, planning and zoning commission or governing board subject to applicable procedures.

(c) The governing board shall analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction, the governing board may require the request to be submitted to the planning or planning and zoning commission or, in absence of a commission, the governing board may consider an amendment to the comprehensive plan pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code. After the plan has been amended, the zoning ordinance may then be considered for amendment pursuant to paragraph (b) of this subsection.

(d) If a governing board adopts a zoning classification pursuant to a request by a property owner based upon a valid, existing comprehensive plan and zoning ordinance, the governing board shall not subsequently reverse its action or otherwise change the zoning classification of said property without the consent in writing of the current property owner for a period of four (4) years from the date the governing board adopted said individual property owner's request for a zoning classification change. If the governing body does reverse its action or otherwise change the zoning classification of said property during the above four (4) year period without the current property owner's consent in writing, the current property owner shall have standing in a court of competent jurisdiction to enforce the provisions of this section.

#### History:

[67-6511, added 1975, ch. 188, sec. 2, p. 515; am. 1983, ch. 121, sec. 1, p. 314; am. 1985, ch. 141, sec. 1, p. 384; am. 1987, ch. 329, sec. 1, p. 688; am. 1992, ch. 269, sec. 4, p. 833; am. 1999, ch. 396, sec. 8, p. 1105; am. 2003, ch. 142, sec. 1, p. 411; am. 2011, ch. 89, sec. 3, p. 194; am. 2013, ch. 216, sec. 1, p. 507.]

How current is this law?

**Search the Idaho Statutes and Constitution**

## Amber Blanchette

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**From:** jonie@postfallshd.com  
**Sent:** Tuesday, July 5, 2022 2:36 PM  
**To:** Amber Blanchette  
**Subject:** File No TA-22-5; Zoning Approval Criteria

**Follow Up Flag:** Follow up  
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PFHD has no comment



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*The consent calendar includes items which require formal Commission action, but which are typically routine or not of great controversy. Individual Commission members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Commission agenda packet regarding these items and any contingencies are part of the approval.*

**ACTION ITEMS:**

- a. Minutes – June 29, 2022, Planning and Zoning Commission Meeting
- b. Zoning Recommendation – Douglass Properties Annexation File No. ANNX-0002-2022

Motion to approve as presented Hampe  
2<sup>nd</sup> by Steffensen  
Vote Steffensen – Yes; Carey – Yes; Kimball – Abstain; Davis – Abstain; Ward – Yes;  
Hampe - Yes  
Moved

**2. CITIZEN ISSUES**

*This section of the agenda is reserved for citizens wishing to address the Commission on an issue that is not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, by subsequent appointment. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring action must be placed on the agenda of an upcoming meeting. As such, the Commission cannot take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.*

None

**3. UNFINISHED / OLD BUSINESS**

*This section of the agenda is to continue consideration of items that have been previously discussed by the Planning and Zoning Commission.*

None

**4. PUBLIC HEARINGS**

*There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.*

**ACTION ITEMS:**

- A. **Recommendation** to amend the Zoning Approval Criteria (File No. TA-22-5) in Title 18 Chapter 16 and 20 to facilitate new Zone Change criteria that are clearer and more

concise to City Council – Bob Seale, Community Development Director, to present – The requested action is to review and approve the requested amendment to Title 18 to accomplish attaining more clarity within the Zone Change review criteria. The proposed language is in line with State’s LLUPA Title 67. There are 6 current review criteria that speak to the Comp Plan with the last three typically viewed as not applicable. Staff proposes the 2 new criteria to replace the current 6 as follows:

1. Is the proposed zoning district consistent with the vision for the area contained in the currently adopted Post Falls Comprehensive Plan;
2. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, the Post Falls School District.

The proposed changes in Title 18 are: PFMC section 18.16.010: Establishment of Zoning Districts, third paragraph is amended to read as follows: Zoning is assigned following consideration of the criteria contained in Section 18.20.100. and in section 18.20.100 the first paragraph is amended to read: An amendment of the zoning map may consist of the amending, supplementing, changing, or repealing of the regulations, restrictions and/or boundaries of the zone classification of land by ordinance in accordance with applicable provisions of Idaho Code. Subsection C is amended to read as follows: C. Zone Map Amendment Review and Approval Criteria: At the close of the required public hearings, the Planning and Zoning Commission and the City Council will evaluate whether the requested zoning meets each of the following criteria:

1. Is the proposed zoning district consistent with the vision for the area contained in the currently adopted Post Falls Comprehensive Plan;
2. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, the Post Falls School District.

Subsection D is added and amended to read as follows: D. In addition to the Zone Map Amendment criteria contained in subsection C of this section, the City Council will also consider the following criteria when the request is for initial zoning upon annexation:

1. Is annexation of the property in the best interest of the city (Legislative Decision).

Then the subsection C is amended and renumbered to read as follows: E. Decision:

Idaho Statutes Title 67 is where we pulled the proposed language from as it reads: Requests for an amendment to the zoning ordinance particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction. After considering the comprehensive plan and other evidence gathered through the public hearing process. The governing board shall analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts.

All agencies have been notified and the Post Falls Highway District responded with no comment.

**Kimball** – It comes down to the demonstrable par; the burden is upon whom to demonstrate the adverse impact.

**Seale** – For example, a larger user was intended to go into an area that would never receive the type of sewer services that would be needed for that which could potentially

be considered a demonstrable adverse impact to an area. Or if the traffic volumes were higher due to putting a high intense commercial development into an area that can't handle those types of traffic volumes wouldn't work. So, who is supposed to indicate that, staff reviews all of that.

**Kimball** - So, I look at it from a project action, things that generally have impact not zoning. So, if its zoned R1 but there's 2 houses instead of 20 houses the zoning doesn't necessarily dictate the impact. We live in a world of mitigation of impact verses adverse impact, and we don't talk about any mitigation in this. We have the Fire Department here tonight and I think any new building permit has the ability to have an adverse effect on their ability to provide services because that means more call volumes. So, you can see how this will snowball quickly if someone raises their hand and says any type of zoning will slow down any response time to my house. How do we address that?

**Seale** – Looking back at the Comprehensive Plan; we went through a long public process to create it that addresses the long-term growth of the area and we tried to fit everything within it. So, it comes down to whether or not it is outside of our Master Plans; are our Master Plans reflecting the potential for zoning classifications within an area. Has it been planned for, is it prepared for that? You are correct where anyone can say it will have an effect on them and they can say they have to wait for 4 cars now to get out of their driveway. Does that meet the criteria, does it exceed what would be anticipated for that area; it comes down to the impact upon delivery of services as opposed to individuals being impacted, i.e., fire, sewer, water, school districts. Is it planned for or is it to be mitigated through the process? Most gets mitigate through the process as we are referring to our Master Plans for the overall development of those areas.

**Kimball** – Right, the City has some great Master Plans and are very in-depth and so are the Capital Improvement Plans. But not every political subdivision necessarily does, the School District struggles with planning, they do their best, but they struggle. The Highway District etc. they're all beyond the scope, the Fire Department has struggled in the past and they finally have their impact fee stuff. The questions are, who has to demonstrate the impact? Is it the Fire Department coming here and saying there is going to be a problem or is it the public that has burden or the applicant?

**Seale** – When it comes to demonstrable impact we always ask for input from the other jurisdictions and agencies and see if they have any input regarding a change to the zoning or development and they have the opportunity to provide comments. Sometimes they do have comments however, a lot of the time there is no response because it falls inline with what they've anticipated in the area. We have also had individuals of the public make comment that caused a pause in the process to seek out additional information to verify the validity of the issue or the impact of the issue. For example, the zone change off of Pleasant View that information was brought forward that it used to be a dump site. So, the question was can this be developed on? You can develop on a dump site however, there are certain remediations prior to development which lead to the applicant withdrawing the application. So, either can bring forward information that may be applicable in order to make the best decision possible.

**Kimball** – I guess I want to understand that we are not going to leave it to lay people to claim adverse impact versus those actual political subdivisions having the comment.

**Seale** – If there is something that is brought into question and is something that we need to make sure they are aware of and it's not just a blank comment. As staff we are aware of a lot of the different issues that all of the different agencies face, and we want to make



sure they are informed. It is ultimately up to the agencies to demonstrate that they can or cannot meet those services that are required.

**Hampe** – I kind of get where it's going with this conversation but, can you tell me exactly what is meant by political subdivision.

**Seale** – Herrington, would you mind defining that.

**Herrington** – The city and all cities are incorporated political subdivisions of the state of Idaho as well as most water and sewer districts are kind of a subsection of political subdivisions. Basically, any entity that provides public services.

**Hampe** – I kind of gathered that but I wanted to be clear. In the discussion with Kimball and his point of how or when it's brought to us and we ask if it demonstrates adverse impact how do we determine that. Is it from entities like the police department or is it from public comment, but we can't really say that because it could be from any of those, correct?

**Seale** – Potentially it could be, however, I would always recommend relying on the professionals within the field that happen to have expertise within that area to be able to provide comment. Staff does try and provide as much information as possible in the staff reports that relate to potential impact of zoning, annexations, etc. There have been situations where the applications never make it forward because the annexation was determined to not have services to it anytime in the near future.

**Hampe** – Which brings up a good point, by the time it's brought to Planning and Zoning or to City Council it's already been vetted and has a stamp of approval from city staff, correct?

**Seale** – Yeah, I would say majority of the time, we do meet with people that are looking to annex and sometimes they just can't meet the criteria. They do come in with proposals and there are conversations that recommend them to go a different route and they can decide whether or not to follow staff's recommendations and still try and make an argument that they meet all the criteria based on their existing proposals. Yes, we have a lot of different conversations and we wouldn't allow for an annexation or zoning application to come before the Commission or the Council without having been essentially vetted through the process. It has to meet the minimum criteria to make it that far typically and if it is making that far without staff's stamp of approval it will be noted in the staff reports that there are questions or adverse issues that we would want to address prior to development.

**Hampe** – Some of those are in conditions, I can only remember once in the years I've sat up here that the city staff didn't approve it I think it was a proposed annexation that didn't touch city at all. They still brought it forward and staff and the attorney said, this doesn't meet and that is the only time I can think of. The point is even though staff has done their homework and vetted it there is reason why it comes to us. This has to be in part from comment and from testimony it can't just rely on staff, otherwise there wouldn't be this process.

**Seale** – Right.

**Davis** – You can go back and look at a couple different times that we've had public comment that said I'm not sure if you are aware of this or not but there

**Hampe** – Yes, we have had that, yes.

**Davis** – Right, that's the process.

**Seale** – There are different situations where staff is evaluating it against the Comp Plan, and it can be somewhat general. Certain areas could be looked at a little closer and determine whether or not it meets the vision of what is considered the people. Looking at

the city as a whole, we do look at all of that these are professional staff that have been trained and educated.

**Hampe** – I just want to be sure that everyone is being heard and if this is only a matter of once it's brought to us, if there isn't an expert in the field that doesn't get up and say I don't think this will work, then we don't listen to anything else because obviously if there is public testimony and there is public comment we have to take some of that into consideration otherwise it's not really the process that it's supposed to be, right. I'm not arguing that I just want to make sure that I feel like it's understood.

**Seale** – I think what the criteria changes are providing you is a little more flexibility as you are looking at it. The older criteria, a lot of the time as you read them, you realized that the proposal had nothing to do with some of them, like industrial zoning therefore it wasn't applicable. Most of the time you were only really considering 3 criteria out of the 6 essentially. And would talk about the same points as you would with just these 2.

**Hampe** – Okay, makes sense.

**Herrington** – Going back to Kimball's comment on the demonstrable adverse impact on the delivery of services, I think the best evidence on that will be the letters from ITD, Fire, I think the burden is on those political subdivisions who provide those services to make those claims that there will be an adverse impact on their services, and I think that it's an unmitigated impact. When we consider subdivisions, we talk about impact fees and the cost of development paying for itself I think it is similar analysis there as far as if there are ways to mitigate that impact, they're going have an objection about access or something like that. There's a way to mitigate that by having them fund a roundabout or some other higher intersection. I think that is what the criteria is getting at.

**Seale** – That is a good point, the Post Falls Highway District had provided a comment for a recent annexation that restricted access onto Prairie so therefore it was conditioned that any development of the site did not enter onto Prairie.

**Kimball** – Should we add some sort of language with regards to mitigation; unmitigated adverse impact, I'm asking the question because I think it kind of leads us down a path to not consider mitigation.

**Herrington** – Other jurisdictions have added some of that unmitigated adverse impact language so that would be something to consider.

**Kimball** – For instance, Ross Point Water District have will-serve letters but most of our annexation agreements say that all water rights go to the water purveyor that's one of those things where it's an adverse impact and it's how we have taken care of it in the past. I think adding the language is appropriate it leads everyone down a path of making sure if there is an adverse impact there's mitigation involved.

**Herrington** – I think we can explore some of that language and it forward.

**Seale** – I like the idea of adding the potential use of the word unmitigated.

**Hampe** – What exactly is unmitigated?

**Seale** – As Herrington stated, impact fees help to mitigate a lot of those issues and cap fees help to mitigate future issues. So, you have a narrow little 2-lane road that can't handle a whole lot of traffic however there is a large development coming in and part of that mitigation could be road widening to allow for the additional volume of traffic. So, by widening the road to help increase the volume of traffic it can handle is mitigating the potential impact.

**Hampe** – Unmitigated, so the discussion is by adding unmitigated there's a way to correct it then that's okay. So, number 2 is that still??

**Seale** - If there's an adverse impact anticipated from a development or an annexation that can't be mitigated, that's the demonstrable adverse impact. If it could be mitigated maybe that doesn't fall under a demonstrable adverse impact so adding the word unmitigated it allows for that ability to make those modifications in order to correct the potential future problem.

**Hampe** – I understand now.

### Testimony

#### In Favor

**Neutral – Samantha Steigleder** – I am neutral, I think the language is getting a lot vaguer and I don't like that as much. I think it will make citizen comment less impactful with the additional vagueness and the way it's been talked about. We talked about what demonstrable and what it means but what does it really mean, do we need to have slide up here to show traffic statistics, do we need to go through a neighborhood and get 100 people to agree with something, or have a certain percentage of people that we ask the question say that it will have an adverse impact, so I think demonstrable at least in my line of work there has to be a goal set. I think it is increasingly vague. I also think that to the point of having the services be the ones to demonstrate the issue, they don't respond, I am sorry, but Fire always says that their issues will be looked at during the time of building permit or something. But no one else responds, not even the School District, that had to vote twice for levee. So, I would ask why we would do that because they don't respond in the regular process, why would they come up here after hours and talk about these issues. Mitigated or unmitigated how, so, yes, the road is too small, and we make them make it wider when they're building its mitigated at the time of building but if we consider impact fees that doesn't at the time of putting people in houses or apartments actually solve the problem that we don't have enough services. Maybe that impact fee isn't enough to hire another Firefighter or buy another rig or build another building so that impact fee isn't really mitigating the issues of the new building. I just think that is a little narrow. Hampe, you talked about staff recognizing the issue and if it is on the staff, it's already been talked about before it gets to public hearing right, they generally don't bring things that have issues so if it's on the staff to find the issues, I don't think that is appropriate either. The Comprehensive Plan contains the goals and policies, correct, I would love more language about what meets a goal or a policy. Others including myself have come up here and explained how it doesn't meet certain goals and policies, yet staff says it does so who wins? I would love more clear language about what are our top five goals or the most important five policies or maybe citizens have 10 policies for every 3 the city staff has. What are other cities doing in the area, this change was from a state change, I think is great we are trying to keep the laws similar. What is Rathdrum, Athol, or Hayden doing, if state laws are changing are we the only ones that are changing what we are looking at.

**Chris Wag, Fire Chief** – I think there is some misunderstanding about the Fire Departments involvement, I want you to understand we're involved from the get go on any project. So, when we get to the comment phase I think we often, due to already mitigating all of our problems our Fire Marshals when someone brings a new subdivision or a new project forward, we have been involved since step one. We have already made sure the drive lanes are wide enough and those things are done with city staff, oftentimes you never see the original plan turns into the final plan that you all approve or disapprove or recommend for approval. I think it is important for everyone to understand this isn't

something where we write a form letter at the end and say no worries it's something that we feel comfortable writing that letter because we've been involved. So, if it didn't meet the fire codes, access codes and we had significant concerns early on or there weren't enough hydrants to cover an area, or the street wasn't wide enough to get a fire apparatus down and put our jacks out for our ladder truck that all been done in the planning process long before it ever comes to you in a public hearing. I also want to remind you that impact fees do not pay for operations impact fees pay for capital new capital items only.

**In Opposition**

**Davis** – That is a good point in the sense of the number of agencies because if you throw that up there, I think you'd see a vast number of them that have been or are involved from ground zero.

**Carey** - And if they don't respond it's pretty much our assumption that they don't have any problem, or everything is okay with their department or their division.

**Seale** – Correct, that is typically how it goes. We occasionally receive notice to jurisdiction from Spokane and we will review on whether or not we want to respond. Typically, we don't unless it happens to impact our city. As a note, I have been in regular contact with the School District regarding all the annexations and applications, they do remain neutral and I have indicated that I have been working with Dena and she has provided us a letter that indicates that the School District does remain neutral but that they reserve the right to come back with a comment if they review something that is outside of their typical neutral set standing. We do work closely with them to help them find locations for land and help to talk about that with the developments that do come in. Again, this is zoning and annexation criteria, so this is very broad in terms of the delivery of public services. Most of it is not looking at development specifically that comes later at the subdivision or site plan phase. So, is it within the Post Falls Fire Districts area and do they have it planned for serving and when it comes to widening of streets that just follows those Master Plans? So, it is very broad and why keeping these general allows for that wide range of discussion but again it's a very broad decision already when you are looking at what zone to choose and whether or not to annex.

**Herrington** – I'd also like to add that the State Code is broad and most other cities and other jurisdictions do have similar codes like this. There's nothing wrong with our existing zoning criteria we're not changing to be more in line or anything like that we are just trying to simplify because right now at least in our code it is in 2 different places, it isn't consolidated into 1 area.

**Seale** - I also want to note that there were no changes to the state code we are just modifying it.

**Kimball** – Can we go to item D, the legislative part. In speaking about the demonstrable part, is more concrete of the decision however, in D I think this is where the public has their clout so to speak. Is it in the best interest of the city; I think this is where it's the subjective part not the objective part where an opinion has more weight than fact.

**Davis** – So, you are saying this section has more opportunity for impact when it comes to public comment.

**Kimball** – Right, I don't think we are necessarily stripping the power away from the public by talking about the impacts. I think this is the part where the public and the public's opinion of whether they want it or not and whether it's in the best interests of them as citizens of the city is probably their power lies.

**Comments:**

**Kimball** – In all honesty my feelings are a little mixed; I like solid criteria because I am trying to be as black and white as possible. I understand the generality and why we are doing it and it's following state code to mimic the requirements. I think we should add the unmitigated part to the language, so it gives a route forward and gives the agencies the ability to create mitigation and the ability to move something forward which is important for all the citizens. If there are problems created, then being able to mitigate them is important.

**Hampe** – I have issues understanding that we should only rely primarily on the experts; city staff, engineers, of course this has to carry a lot of weight I just feel like we are being told that we can't listen to what anybody has to say except the experts, and I don't like that.

**Cary** – Where are you hearing that?

**Davis** – I didn't hear it, but?

**Hampe** – I think the City Attorney said something to that effect.

**Herrington** – I don't think anyone is limiting comment or anything.

**Hampe** – No not comment but consideration of that comment.

**Herrington** – What I was saying was to the demonstrable adverse impact upon the delivery of services by any political subdivision. I was saying the best evidence is probably going to come from that political subdivision so, if there is an issue with the road it would be coming from ITD.

**Hampe** – I thought you said it needed to.

**Herrington** – It doesn't need to I'm just saying that is the best evidence.

**Hampe** – What I heard was obviously not correct, when I heard that I thought it was being said that that is where we need to take our consideration from.

**Herrington** – No, I was just saying that for the adverse impact, if there was going to be an adverse impact to access onto Highway 41 that letter is going to come from ITD.

Which will be the best evidence that there is a demonstrable adverse impact; if ITD is saying access can't be made to this particular parcel that would be a demonstrable adverse impact. I am not saying that is all the evidence, I am saying that is likely the best source of evidence from that political subdivision. The criteria is specific to the services by a political subdivision.

**Hampe** – So, the current criteria is.

**Herrington** – The proposed.

**Hampe** – So, that's the point, you want to change it from where that is not the language to it being the language where it needs to come...

**Davis** – Again, I don't think you are saying it needs to come. The best source of that information would be from, in that case, ITD, the expert, the best source. I feel honestly in any case the best source generally comes from an expert in that field however, it does not take away from anybody's ability and I would encourage anyone to come up and speak. They always have that opportunity, is don't just come up and say I don't like apartments they cause crime, bring data, bring information. In Boise, we have seen xyz so data and information are always going to important, and citizens can bring those up. I don't think anyone is saying it can only come from experts its just in most cases or in many cases that expert information realistically should be what we're basing a lot of our decision on not all of it but a lot of it.

**Ward** – Like having a fire inspection having the guy from the convenience store show up and the chief I'd listen to the chief.

**Hampe** – I am not arguing that, what I am saying is this process is for nothing if that's what we're going to look at. If all we are going to look at is was that adverse impact shown by ITD, or by another services provider if it has to come from there and we are looking at number 2 and we say nope that was already determined it has an adverse impact and if there was no adverse impact reported by any of those agencies then number 2 is ago. I feel like it is being really restrictive.

**Seale** – I just want to say that most of what you are wanting to consider from the public comment falls under number 1. Is it consistent with the vision area contained in the comprehensive plan? Again, digging into the comprehensive plan and reading those area in particular can help guide your decision-making process.

**Herrington** – To follow up that language from 2 comes straight out of the State Code and again it is the delivery of services by a political subdivision providing public services. To the crime thing, crime is not a public service. I think you're right it is restrictive by design.

**Hampe** – Because it is supposed to be.

**Herrington** – It is for that prevision of public services.

**Hampe** – Whether I like it or not, if it's supposed to be that way then I have to play by the rules. I just want to make sure that I am not saying let's change something that is more restrictive and not something that we absolutely need to do.

**Kimball** – I can tell you as a person who stood on the other side of the podium in this jurisdiction and others, the knife cuts both ways when it comes to agency comment. If an agency makes a comment that the applicant doesn't like, they have to prove the agency is wrong or that their mitigating it. If an agency has no problems and a la person gets up there and says no there's a problem, but I don't have evidence to that effect then we should also weigh that in the same manner.

**Hampe** – I do understand what you are saying, I have had questions on traffic maybe putting high density on Highway 41 before there were improvements. Obviously, it's a mess, but the engineer has come up and talking about trips per day, etc. however, I drive down the road and it's terrible I can see it from driving down the road and people pulling out in front of others, do we really want to add to that? Maybe that kind of congestion is allowed by whatever standard there is. But does it have adverse impact, yeah, I think so. Sometimes what's allowed isn't the most comfortable thing or safest thing but its allowed, there is a minimum and a maximum and were hanging out along the maximum its not comfortable for most people. So, I've heard the engineer come up and say its allowed but you can see that it's a mess and I just sometimes have to questions whether common sense is being used.

Motion to recommend approval to City Council amending the language to include the word unmitigated with the respect to the demonstrable impact. It would read does the proposed zoning district create an unmitigated demonstrable adverse impact and the reasoning for that being explained in our deliberations earlier. - Kimball

2<sup>nd</sup> by Ward

Vote Hampe – No; Ward – Yes; Davis – Yes; Kimball – Yes; Carey – Yes; Steffensen - Yes

Moved

## 5. ADMINISTRATIVE / STAFF REPORTS

None

**ORDINANCE NO.** [Category]

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR [PROVISION]; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

**WHEREAS**, the Mayor and City Council find that [INSERT]; and

**WHEREAS**, after public hearing on the hereinafter provided, and after recommendation of the Community Development Department, it is deemed by the Mayor and City Council to be in the best interests of the citizens of the City of Post Falls that the following be adopted.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Post Falls as follows:

**SECTION 1.** That a new definition of *Demonstrable Adverse Impact* is added to Section 18.12.010 as follows:

*Demonstrable Adverse Impact:* For the purpose of the zoning review criteria contained in Section 18.20.100, a *Demonstrable Adverse Impact* is a provable or verifiable negative impact created by the change in zoning classification impacting the ability of a public agency to provide services within the city beyond those created by the current zoning classification.

**SECTION 2.** That the third paragraph of Post Falls Municipal Code Section 18.16.010 is amended to read as follows:

**18.16.010: ESTABLISHMENT OF ZONING DISTRICTS:**

Zoning districts are tools created to aid implementation of land use policies found within the comprehensive plan. Through the provision of standards, zoning districts regulate the height, bulk, and placement of buildings, establish residential densities, and regulate the uses of land and buildings. The following zoning districts are established and shall be applied and depicted upon the official zoning map of the City. Every lot and parcel of land, within the incorporated City of Post Falls shall be classified in one of the zoning districts established by this section.

The regulations for each district shall apply uniformly to each type of land use, except as otherwise provided. No building, structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations specified in this title. No yard area or lot existing at the time of passage of this title shall be reduced in dimension or area below the minimum requirements set forth in this title. Yards or lots created after the effective date hereof shall meet at least the minimum requirements set forth in this title.

Zoning is assigned following consideration of the criteria contained in Section 18.20.100 ~~such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.~~ Commercial and high density residential zoning is typically assigned along streets with a higher road classification. ~~Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.~~

**SECTION 3.** That Post Falls Municipal Code Section 18.20.100 is amended to read as follows:

**18.20.100: AMENDMENT OF ZONING MAP:**

An amendment of the zoning map may consist of the amending, supplementing, changing or repealing of the regulations, restrictions and/or boundaries of the zone classification of land by ordinance in accordance with applicable provisions of Idaho Code. ~~Amendments to the zoning map~~



~~should be in accordance with the future land use map and the goals and policies found in the Post Falls Comprehensive Plan.~~

- A. Application: Any application for a zone map amendment or zoning upon annexation shall include the information required by the application forms supplied by the Zoning Administrator, the information required by State law and information otherwise required by this title or by the Zoning Administrator, commission or Council. In addition, the application shall provide a description of the amendment or zoning requested along with a statement that describes the rationale for the request, how it conforms to the Comprehensive Plan, and why the City should consider the amendment or establish the zone.
- B. Public Hearing: Public hearing(s) shall be held before the Planning and Zoning Commission, and City Council, using the hearing and notice procedure required by law.
- C. Zone Map Amendment Review and Approval Criteria: At the close of the required public hearings, the Planning and Zoning Commission and the City Council will evaluate whether the requested zoning meets each of the following criteria:
  - 1. Is the proposed zoning district consistent with the vision for the area contained in the currently adopted Post Falls Comprehensive Plan;
  - 2. Does the proposed zoning district create a *Demonstrable Adverse Impact* upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, the Post Falls School District.
- D. In addition to the Zone Map Amendment criteria contained in subsection C of this section, the City Council will also consider the following criteria when the request is for initial zoning upon annexation:
  - 1. Is annexation of the property in the best interest of the city (Legislative Decision).

E. Decision: The City Council, upon receipt of a recommendation from the Planning and Zoning Commission, and after review of the record, staff report, and materials received at the public hearing shall render a decision to adopt, modify, or reject the amendment. Upon granting or denying an application, the Council shall specify the reasons for approval or denial. An amendment, if approved, shall be made part of this title upon the preparation and passage of an ordinance. If an amendment of the zoning map, submitted by parties other than staff or a City commission or board, is denied by the City Council, a subsequent application for amendment of the zoning map for the subject property cannot be submitted to the City within one year of such denial unless a request for application consideration is received and approved by the City Council. Such request shall be submitted to the Community Development Department, with the appropriate fee, and shall provide the City Council with reasons why the application should be accepted and processed. The City Council will review the request, determine whether or not the proposal is significantly different than the one denied and permit an application to be accepted and processed or deny the request.

**SECTION 4.** All provisions of the current Post Falls Municipal Code or ordinances of the City of Post Falls and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 5.** Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Post Falls City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

**SECTION 6.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances.

It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

**SECTION 7.** After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Post Falls, 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 Post Falls at a regular session of the City Council on July \_\_\_ 2022.*

APPROVED, ADOPTED and SIGNED this            day of July, 2022.

\_\_\_\_\_  
Ronald G. Jacobson, Mayor

ATTEST:

\_\_\_\_\_  
Shannon Howard, City Clerk

**SUMMARY OF POST FALLS ORDINANCE NO. [Category]**

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR [PROVISION]; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

The City of Post Falls, Kootenai County Idaho hereby gives notice of the adoption of Post Falls Ordinance No. [Category], which [DESCRIPTION]; providing repeal of conflicting ordinances and providing severability. The ordinance is effective upon publication of this summary. The full text of Ordinance No. [Category] is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the City Clerk. Dated this \_\_\_\_ day of July, 2022.

/s/

Shannon Howard, City Clerk

**STATEMENT OF LEGAL ADVISOR**

I, Warren J. Wilson, the legal advisor for the City of Post Falls, I have examined the attached summary of Ordinance No. [Category], which [DESCRIPTION], and find it to be a true and complete summary of said ordinance and provides adequate notice of the contents to the public.

Dated this \_\_\_\_ day of July, 2022.

---

Warren J. Wilson, City Attorney

DRAFT

## Amber Blanchette

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**From:** jonie@postfallshd.com  
**Sent:** Tuesday, August 2, 2022 1:11 PM  
**To:** Amber Blanchette  
**Subject:** RE: Zoning Approval Criteria TA-22-5

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Post Falls Highway District has no comment.

Jonie Anderson  
Administrative Assistant 1  
Post Falls Highway District  
p 208.765.3717  
f 208.765.0493  
[contactus@postfallshd.com](mailto:contactus@postfallshd.com)



**From:** Amber Blanchette <amberb@postfalls.gov>  
**Sent:** Friday, July 29, 2022 2:42 PM  
**To:** Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Chad Polak <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellie Hilbert <ehilbert@cdapress.com>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eport@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfalls.gov>; J McMillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mbylton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krono@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <lJones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor,

AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfallsidaho.org>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Robin Bekkedahl <robin.bekkedahl@avistacorp.com>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Teresa Benner <tbenner@postfallsidaho.org>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallop@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Ryan Davis <rlDavis208@gmail.com>; Vicky Jo Carey <vjcarey@aol.com>

**Subject:** Zoning Approval Criteria TA-22-5

Good afternoon,

Attached is the notice to jurisdiction for the Zoning Approval Criteria Amendment for City Council on August 16<sup>th</sup>. The draft staff report will be on the city's website shortly.

**Please Note** my new email address is [amberb@postfalls.gov](mailto:amberb@postfalls.gov)

Thank you,

Amber Blanchette  
Planning Specialist  
Phone: 208-457-3338  
Email: [amberb@postfalls.gov](mailto:amberb@postfalls.gov)



*Fear is an illusion, ready to be overcome...*

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The City of Post Falls will be changing our domain soon to POSTFALLS.GOV, Be watching for it.

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Privileged / confidential information may be contained in this message. If you are not the addressee indicated in this message ( or responsible for delivery of the message to such person), you may not copy or send this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply e-mail. Although this email has been scanned for the possible presence of computer viruses prior to dispatch, we cannot be held responsible for any viruses or other material transmitted with, or as part of, this email without our knowledge.

**ORDINANCE NO.** [Category]

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR [PROVISION]; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

**WHEREAS**, the Mayor and City Council find that [INSERT]; and

**WHEREAS**, after public hearing on the hereinafter provided, and after recommendation of the Community Development Department, it is deemed by the Mayor and City Council to be in the best interests of the citizens of the City of Post Falls that the following be adopted.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Post Falls as follows:

**SECTION 1.** That a new definition of *Demonstrable Adverse Impact* is added to Section 18.12.010 as follows:

*Demonstrable Adverse Impact:* For the purpose of the zoning review criteria contained in Section 18.20.100, a *Demonstrable Adverse Impact* is a provable or verifiable negative impact created by the change in zoning classification impacting the ability of a public agency to provide services within the city beyond those created by the current zoning classification.

Exhibit S-5



**SECTION 2.** That the third paragraph of Post Falls Municipal Code Section 18.16.010 is amended to read as follows:

**18.16.010: ESTABLISHMENT OF ZONING DISTRICTS:**

Zoning districts are tools created to aid implementation of land use policies found within the comprehensive plan. Through the provision of standards, zoning districts regulate the height, bulk, and placement of buildings, establish residential densities, and regulate the uses of land and buildings. The following zoning districts are established and shall be applied and depicted upon the official zoning map of the City. Every lot and parcel of land, within the incorporated City of Post Falls shall be classified in one of the zoning districts established by this section.

The regulations for each district shall apply uniformly to each type of land use, except as otherwise provided. No building, structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations specified in this title. No yard area or lot existing at the time of passage of this title shall be reduced in dimension or area below the minimum requirements set forth in this title. Yards or lots created after the effective date hereof shall meet at least the minimum requirements set forth in this title.

Zoning is assigned following consideration of the criteria contained in Section 18.20.100 ~~such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features. Commercial and high density residential zoning is typically assigned along streets with a higher road classification. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.~~

**SECTION 3.** That Post Falls Municipal Code Section 18.20.100 is amended to read as follows:

**18.20.100: AMENDMENT OF ZONING MAP:**

An amendment of the zoning map may consist of the amending, supplementing, changing or repealing of the regulations, restrictions and/or boundaries of the zone classification of land by ordinance in accordance with applicable provisions of Idaho Code. ~~Amendments to the zoning map should be in accordance with the future land use map and the goals and policies found in the Post Falls Comprehensive Plan.~~

- A. Application: Any application for a zone map amendment or zoning upon annexation shall include the information required by the application forms supplied by the Zoning Administrator, the information required by State law and information otherwise required by this title or by the Zoning Administrator, commission or Council. In addition, the application shall provide a description of the amendment or zoning requested along with a statement that describes the rationale for the request, how it conforms to the Comprehensive Plan, and why the City should consider the amendment or establish the zone.
- B. Public Hearing: Public hearing(s) shall be held before the Planning and Zoning Commission, and City Council, using the hearing and notice procedure required by law.
- C. Zone Map Amendment Review and Approval Criteria: At the close of the required public hearings, the Planning and Zoning Commission and the City Council will evaluate the criteria contained in this subsection. No other criteria may be considered.
  - 1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?
  - 2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration;

3. Does the proposed zoning district create a *Demonstrable Adverse Impact* upon the delivery of services by any political subdivision providing public services within the city.

D. In addition to the Zone Map Amendment criteria contained in subsection C of this section, the City Council will also consider the following criteria when the request is for initial zoning upon annexation:

1. Is annexation of the property in the best interest of the city (Legislative Decision).

E. Decision: The City Council, upon receipt of a recommendation from the Planning and Zoning Commission, and after review of the record, staff report, and materials received at the public hearing shall render a decision to adopt, modify, or reject the amendment. Upon granting or denying an application, the Council shall specify the reasons for approval or denial. An amendment, if approved, shall be made part of this title upon the preparation and passage of an ordinance. If an amendment of the zoning map, submitted by parties other than staff or a City commission or board, is denied by the City Council, a subsequent application for amendment of the zoning map for the subject property cannot be submitted to the City within one year of such denial unless a request for application consideration is received and approved by the City Council. Such request shall be submitted to the Community Development Department, with the appropriate fee, and shall provide the City Council with reasons why the application should be accepted and processed. The City Council will review the request, determine whether or not the proposal is significantly different than the one denied and permit an application to be accepted and processed or deny the request.

**SECTION 4.** All provisions of the current Post Falls Municipal Code or ordinances of the City of Post Falls and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 5.** Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any

such ordinance or in any manner affect the validity of any action heretofore taken by the City of Post Falls City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

**SECTION 6.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

**SECTION 7.** After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Post Falls, 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 Post Falls at a regular session of the City Council on December \_\_\_ 2022.*

APPROVED, ADOPTED and SIGNED this                      day of December, 2022.

\_\_\_\_\_  
Ronald G. Jacobson, Mayor

ATTEST:

DRAFT

**SUMMARY OF POST FALLS ORDINANCE NO. [Category]**

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR [PROVISION]; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

The City of Post Falls, Kootenai County Idaho hereby gives notice of the adoption of Post Falls Ordinance No. [Category], which [DESCRIPTION]; providing repeal of conflicting ordinances and providing severability. The ordinance is effective upon publication of this summary. The full text of Ordinance No. [Category] is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the City Clerk. Dated this \_\_\_\_ day of December, 2022.

/s/

Shannon Howard, City Clerk

**STATEMENT OF LEGAL ADVISOR**

I, Warren J. Wilson, the legal advisor for the City of Post Falls, I have examined the attached summary of Ordinance No. [Category], which [DESCRIPTION], and find it to be a true and complete summary of said ordinance and provides adequate notice of the contents to the public.

Dated this \_\_\_\_ day of December, 2022.

---

Warren J. Wilson, City Attorney

DRAFT

Warren: I think you spoke of this with #2.

5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.

Not Applicable

6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

Not Applicable

**Motion by Thoreson to Approve Bel Cielo III Annexation File No. ANNX-22-6 with a R-3 zoning and have staff prepare the final ordinance for annexation.**

**Second by none.**

**Motion Died**

**Motion by Malloy to Deny the Bel Cielo III Annexation File No. ANNX-22-6.**

**Second by Ziegler.**

**Vote: Thoreson-Nay, Walker-Aye, Malloy-Aye, Ziegler-Aye, Borders-Aye, Shove-Aye**

**Motion Carried**

- e. Zoning Approval Criteria File No. TA-22-5

**Public Hearing opened at 8:31 pm.**

### **Staff Report**

Jon Manley, Planning Manager presenting: The requested action is to review and approve the requested amendment to the Title 18 to accomplish attaining more clarity within the Zone Change review criteria. The proposed language is in line with State's LLUPA Title 67.

The Proposed Review Criteria:

1. Is the proposed zoning district consistent with the vision for the area contained in the currently adopted Post Falls Comprehensive Plan?
2. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public service within the city including, but not limited to, the Post Falls School District?

Planning & Zoning suggested adding the definition of what a demonstrable adverse impact was. Demonstrable Adverse Impact: For the purpose of the zoning review criteria contained in Section 18.20.100, a Demonstrable Adverse Impact **is a provable or verifiable negative impact created by the change in zoning classification impacting the ability of a public agency to provide services** within the city beyond those created by the current zoning classification.

The rest of the changes would be to clean up the code. We end up at the same place with fewer criteria.

Malloy: I think the change is great. The issue I have is demonstrable and has to be provable, what is the burden of proof? What constitutes proof? What level of mitigation is required?

Wilson: It would depend by case. There needs to be something in the record that shows there is a verifiable impact.

### **Testimony**



In Favor  
None  
Neutral  
None  
In Opposition

Samantha Steigleder (Post Falls): My main issue is the change in these criteria takes out the ability for the public to have an open discussion on a variety of points on what zone changing does

### **Rebuttal**

Wilson: Your yard stick is your Comprehensive Plan. When you apply zoning, it should comply with your Comprehensive Plan. When you go through zoning you have to go through your criteria and apply only the criteria.

**Public Hearing closed at 8:56 pm.**

**Motion by Malloy to table this till a workshop for more discussion can be scheduled.**

**Second by Thoreson.**

**Vote: Borders-Aye, Walker-Aye, Malloy-Aye, Shove-aye, Thoreson-Aye, Ziegler-Aye**

**Motion Carried**

### **3. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS**

*This section of the agenda is to continue consideration of items that have been previously discussed by the City Council and to formally adopt ordinances and resolutions that were previously approved by the Council. Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.*

#### **ACTION ITEMS:**

- a. Utilities Impact Fee Methodology Memorandum

Craig Borrenpohl, Utilities Manager presenting: This memorandum has been developed as part of the ongoing Water Reclamation Facility Planning Study effort. It is intended to introduce the topic of impact fees for utility infrastructure and how they differ from the existing capitalization fee. The goal of the memorandum is to present enough information for the City Council to determine if further effort to formalize an impact fee for adoption is warranted. Impact fees, permissible by Idaho Code, allow for the collection of fees to recover an equitable share of development related future system expansion costs whereas capitalization fees are limited to collecting funds relative to existing infrastructure. Post Falls currently collects capitalization fees for cost recovery with the fee updated annually. The methodology for calculating our capitalization fee was developed in 2017 by the FCS Group to ensure the fee is in line with the Idaho Supreme Court decision NIBCA vs. City of Hayden (2015). While impact fees allow for cost recovery related to future infrastructure needs, they also increase administrative requirements for the city. Regular calculation of the impact fee requires detailed planning and cost estimating for all future system improvements relative to developable areas. Further pursuit of an impact fee methodology would not require adoption of the fee; any methodology would come back before City council for consideration. A potential impact fee could be used instead of capacity fees or as two separate fees intended to capture the current and future impacts of growth more completely. There are additional costs to develop the methodology. These costs were included in the Facility Planning Study scope as an optional item with a budgeted



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**CITY COUNCIL  
MINUTES AGENDA**

**November 1, 2022  
6:00 PM**

**Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854**

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**WORKSHOP – 5:00 pm Basement Conference Room**

**ROLL CALL OF CITY COUNCIL MEMBERS**

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove - **Present**

Topic: IDVV Presentation/PFPD VSU (Domestic Violence Grants)

Christine Jones, Crime Victim Advocate with the Post Falls Police Department spoke about the Victim Services Unit. This unit provides immediate and ongoing support to all victims of crime (domestic violence, sexual assault, child abuse). They provide emergency shelter, help reduce recidivism of cases of domestic violence, and facilitate interdisciplinary teamwork between Law Enforcement, Prosecutors, Service Providers and the Courts. This unit is made up of two individuals who are on call 24/7/365. One in four women will be a victim of domestic violence. One in ten men will be a victim of domestic violence. In 2022, Idaho ranked 9<sup>th</sup> in the country for domestic violence.

Heather Cunningham, Idaho Council on Domestic Violence & Victim Assistance spoke that her council's purpose is a State advisory body for programs and services affecting victims of domestic violence and other crimes in Idaho. Their mission is to ensure that all victims of domestic violence, sexual assault, child abuse, and other violent crimes in Idaho have access to quality trauma-informed and victim-centered services. What they do is grant administration, victim service enhancement, training, and offender intervention. For the 2023 fiscal year the Post Falls Victim Services Unit has been awarded a grant in the amount of \$77,000.

**Workshop ended at 5:50 pm.**

**REGULAR MEETING – 6:00 pm City Council Chambers**

**CALL TO ORDER BY MAYOR JACOBSON**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF CITY COUNCIL MEMBERS**

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove - **Present**

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:**

- a. The Parks & Recreation Holiday Craft Fair is this Saturday, November 5<sup>th</sup> from 9 am to 3:30 pm. Vendors will be located at three locations, the Trailhead Event Center, Black Bay Depot and the Jacklin Arts & Cultural Center. This is a great way to shop local, small businesses for the holidays.

- b. City Hall and city business offices will be closed Friday, November 11<sup>th</sup> in observance of Veterans Day. Police, fire and rescue services for life-threatening or in-progress emergencies may be reached by calling 911. The Police Department will be open for walk-in emergencies. For Water Department emergencies call 208-773-3517.
- c. Proclamation - Soroptimist International of Coeur d' Alene Day

### **AMENDMENTS TO THE AGENDA**

*Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.*

**None**

### **DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS**

*The Mayor and members of the City Council have a duty to serve honestly and in the public interest. Where the Mayor or a member of the City Council have a conflict of interest, they may need to disclose the conflict and in certain circumstances, including land use decisions, they cannot participate in the decision-making process. Similarly, ex-parte contacts and site visits in most land use decisions must also be disclosed.*

**None**

### **1. CONSENT CALENDAR**

*The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.*

### **ACTION ITEMS:**

- a. Minutes – October 18, 2022, City Council Meeting
- b. Payables – October 11, 2022 – October 24, 2022
- c. Cash and Investments Report for August 2022
- d. Frederick Four Minor Subdivision Plat Application
- e. Wallace Thorington Court Subdivision Plat Application
- f. Utility Easements – Farmdale Avenue and Fennecus Street Kootenai Classical Academy

**Motion by Thoreson to accept the Consent Calendar as presented.**

**Second by Malloy.**

**Vote: Thoreson-Aye, Walker-Aye, Malloy-Aye, Ziegler-Aye, Borders-Aye, Shove-Aye**

**Motion Carried**

### **ADJOURNMENT OF REGULAR MEETING 6:04 PM**

### **WORKSHOP – Basement Conference Room**

### **ROLL CALL OF CITY COUNCIL MEMBERS**

Kerri Thoreson, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove - **Present**

Josh Walker – **Excused**

**Workshop started at 6:10 pm.**

Topic: Comprehensive Plan and Zoning Review Criteria

Bob Seale, Community Development Director, Jon Manley, Planning Manager, and Warren Wilson, City Attorney presenting: The Comprehensive Plan is a guiding document defining a general vision for a community's long-term future. The Plan outlines what the community wants to look like in the next twenty or more years and how it can get there. It is also the basis for adoption of administrative ordinances, review of land use proposals and development of other plans affecting the cultural and natural environment. The Idaho Local Land Use Planning Act (ILLUPA) requires that planning and zoning commissions in each City and County develop and adopt a Plan. The Plan should be generalized, comprehensive, long range, not stagnant, and implemented and followed. The Plan is not self-implementing, it is just a guide against which our regulations and zone changes are reviewed.

**Workshop ended at 7:55 pm.**



**Ronald G. Jacobson, Mayor**



**Shannon Howard, City Clerk**



Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) as well as the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

#### Mission

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

#### Vision

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

"Where opportunities flow and community is a way of life"

## Amber Blanchette

---

**From:** jonie@postfallshd.com  
**Sent:** Tuesday, August 2, 2022 1:11 PM  
**To:** Amber Blanchette  
**Subject:** RE: Zoning Approval Criteria TA-22-5

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Post Falls Highway District has no comment.

Jonie Anderson  
Administrative Assistant I  
Post Falls Highway District  
p 208.765.3717  
f 208.765.0493  
[contactus@postfallshd.com](mailto:contactus@postfallshd.com)



**From:** Amber Blanchette <amberb@postfalls.gov>  
**Sent:** Friday, July 29, 2022 2:42 PM  
**To:** Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Chad Polak <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellie Hilbert <ehilbert@cdapress.com>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eport@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfalls.gov>; J McMillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <kronro@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljon@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor,

AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfallsidaho.org>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Robin Bekkedahl <robin.bekkedahl@avistacorp.com>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Teresa Benner <tbenner@postfallsidaho.org>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallop@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Ryan Davis <rlDavis208@gmail.com>; Vicky Jo Carey <vjcarey@aol.com>

**Subject:** Zoning Approval Criteria TA-22-5

Good afternoon,

Attached is the notice to jurisdiction for the Zoning Approval Criteria Amendment for City Council on August 16<sup>th</sup>. The draft staff report will be on the city's website shortly.

**Please Note** my new email address is [amberb@postfalls.gov](mailto:amberb@postfalls.gov)

Thank you,

Amber Blanchette  
Planning Specialist  
Phone: 208-457-3338  
Email: [amberb@postfalls.gov](mailto:amberb@postfalls.gov)



*Fear is an illusion, ready to be overcome...*

---

The City of Post Falls will be changing our domain soon to POSTFALLS.GOV, Be watching for it.

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## Amber Blanchette

---

**From:** Kristie May <Kristie.May@deq.idaho.gov>  
**Sent:** Thursday, December 22, 2022 2:02 PM  
**To:** Amber Blanchette  
**Subject:** RE: Zoning Approval Criteria TA-22-5

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,  
Kristie

### **Kristie May | Admin Assistant II**

Idaho Department of Environmental Quality  
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814  
Direct: 208.666.4608  
Office Line: 208.769.1422  
[www.deq.idaho.gov](http://www.deq.idaho.gov)

**Our mission:** To protect human health and the quality of Idaho's air, land, and water.

**From:** Amber Blanchette <amberb@postfalls.gov>

**Sent:** Friday, July 29, 2022 2:42 PM

**To:** Ali Marienau <AMarienau@kmpo.net>; aobermueller@cdapress.com; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Chad Polak <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellie Hilbert <ehilbert@cdapress.com>; etekner@phd1.idaho.gov; Erin Butler <ebutler@sd273.com>; Ethan Porter <eporter@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfalls.gov>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson

<kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor, AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfallsidaho.org>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Robin Bekkedahl <robin.bekkedahl@avistacorp.com>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Teresa Benner <tbenner@postfallsidaho.org>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallopp@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Ryan Davis <rlDavis208@gmail.com>; Vicky Jo Carey <vjcarey@aol.com>

**Subject:** Zoning Approval Criteria TA-22-5

Good afternoon,

Attached is the notice to jurisdiction for the Zoning Approval Criteria Amendment for City Council on August 16<sup>th</sup>. The draft staff report will be on the city's website shortly.

**Please Note** my new email address is [amberb@postfalls.gov](mailto:amberb@postfalls.gov)

Thank you,

Amber Blanchette  
Planning Specialist  
Phone: 208-457-3338  
Email: [amberb@postfalls.gov](mailto:amberb@postfalls.gov)



*Fear is an illusion, ready to be overcome...*

---

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## Amber Blanchette

---

**From:** Polak, Chad M <Chad.M.Polak@p66.com>  
**Sent:** Tuesday, January 3, 2023 9:00 AM  
**To:** Amber Blanchette  
**Subject:** FW: Zoning Approval Criteria TA-22-5  
**Attachments:** Zoning Approval Criteria CC NTJ.pdf

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Amber,

We have reviewed and do not have any questions/comments on the attached TA-22-5.

Sincerely,

Chad M. Polak  
Agent, Real Estate Services  
O: (+1) 303.376.4363 | M: (+1) 720.245.4683  
3960 East 56<sup>th</sup> Avenue | Commerce City, CO 80022  
Phillips 66

**From:** Amber Blanchette <amberb@postfalls.gov>  
**Sent:** Thursday, December 22, 2022 10:40 AM  
**To:** Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Polak, Chad M <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; D1Permits <d1permits@itd.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellen Smith <ellen.smith@itd.idaho.gov>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eportner@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandersor, AECOM <lynn.sandersor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller

<momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfalls.gov>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Symone Legg <symone.legg@itd.idaho.gov>; Teresa Benner <tbenner@postfalls.gov>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallop@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; Joe Malloy <jmalloy@postfallsidaho.org>; Josh Walker <jwalker@postfallsidaho.org>; Kenny Shove <kshove@postfallsidaho.org>; Kerri Thoreson <kerrit@postfallsidaho.org>; Lynn Borders <lborders1@frontier.com>; Ron Jacobson <rjacobson@postfallsidaho.org>; Nathan Ziegler <nziegler@postfallsidaho.org>  
**Subject:** [EXTERNAL]Zoning Approval Criteria TA-22-5

---

**This Message Is From an External Sender**

This message came from outside your organization.

Report Suspicious

Good morning,

Attached is the notice to jurisdiction for the Zoning Approval Criteria Update, for Council on January 17<sup>th</sup>, the draft staff report will be on the city's website shortly.

**Please Note** my new email address is [amberb@postfalls.gov](mailto:amberb@postfalls.gov)

Thank you,

Amber Blanchette  
Planning Specialist  
Phone: 208-457-3338  
Email: [amberb@postfalls.gov](mailto:amberb@postfalls.gov)



*Fear is an illusion, ready to be overcome...*

---

The City of Post Falls has changed our domain to POSTFALLS.GOV. Please adjust your contacts/links.

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Howard Burns  
502 S. Rocky Point Ct.  
Post Falls, ID 83854  
[burns\\_crew@yahoo.com](mailto:burns_crew@yahoo.com)

January 5, 2023 Sent via Email

To the City Council and Planning Dept. of the City of Post Falls

Regarding: Hearing slated for January 17 on "revisions to Zoning Approval Criteria"

The Review Criteria proposed make all zoning approvals unfettered by any concrete rules other than the likes and dislikes of the Planning Commission and/or City Council with a minimal review of the comprehensive plan.

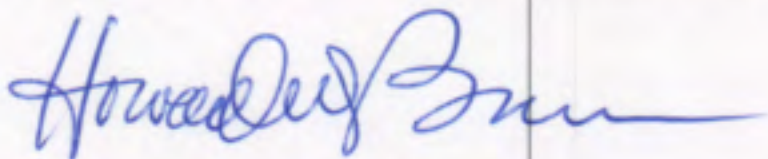
I believe everyone with property in Post Falls and in the Sphere of Influence needs to have at least a very-good idea of what to expect when asking for zoning. My suggestions to improve the process include:

- 1) Add this as Criteria #3: (with thanks to the City of Hayden as this mirrors their recent addition to their ordinance) The zoning regulations as herein established have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, and general welfare of the residents of the City of Post Falls. Accordingly, land use regulations will be applied in ways that respect public needs, minimize conflicts with nearby land uses, and protect the private property rights of other landowners. The zoning regulations shall implement the goals and policies of the comprehensive plan and have been made with reasonable consideration, among other things, for the character of the district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of the land throughout the incorporated area of the City of Post Falls.
- 2) Any project abutting two different street classifications shall use the lower classified street for **Staff Report preparation** and/or split the distance between the two streets to show how a dual zone would be achieved to avoid traffic issues.
- 3) All Staff Reports must include, in addition to a map of existing parcels, additional information on all approved projects & projects that have been submitted for approval or are in the process of approval (e.g expected to be on the Planning Commission Agenda within the next 6 months) within a 2000 foot radius of the land being considered. By way of example: If an R2 lot in the 2000 foot radius has had an owner in discussions with the Staff on a zone change to R3, then that should be disclosed in the Staff Report Map; If an apartment project has been approved and not built, it should be shown as "on this parcel an apt complex of \_\_\_\_\_ units on the \_\_\_ acre parcel was approved on \_\_\_\_\_ and is fully entitled until to be built; On this parcel a site plan has been submitted for commercial

shopping center of approximately \_\_\_\_\_sf of building and with a note if applicable:  
No Hearing is Needed for permit approval, it is 'by right' due to \_\_\_\_\_ zoning.

- 4) Prior to adopting any change to the Zoning Criteria, modify the Comprehensive plan to eliminate the "Transitional" designation and call out the EXPECTED TYPE of zone for that land. A transitional designation is ambiguous and provides an opportunity for any landowner to claim a 'right' to the zoning they wish to get since 'transitional' is so ambiguous.. Certainly the City knows what they expect in those areas now labeled with just a 'transitional' label? Any parcel or ownership of over 20 acres could be noted as 'large size special project area, mixed uses likely'.
- 5) Change the NOTICE provisions to enable Citizens to get notified without significant effort
  - a) notice board minimum size of 2 feet by 4 feet and minimum 36 inches from ground to bottom of notice board for any zone change or annexation request of more than one acre. Signs to be a minimum of one sign per public street frontage and any street frontage of over 500 feet shall have one sign per 300 feet of frontage.
  - b) mailing of a notice to the GREATER OF: Every property owner within 500 feet of a property boundary, but it must be at least 30 separate and distinct ownerships (Same mailing address and/or ownership entity = One ownership record) **or**, if the initial radius has less notifications than that, then increase the radius to 1000 feet.
  - c) Legal Notice in the Post Falls Press must be done on two consecutive weeks with the first being at least 21 days prior to the scheduled hearing **AND** any project/property over 10 acres must also be noticed in a special 'banner' advertisement somewhere within the first three pages of the main section of the newspaper directing interested parties to the legal notices section for added information.
- 6) No application can go to a Planning Commiission hearing until the Planning Dept. has *received* an official letter from the Post Falls School District stipulating the Post Falls School District position, even if that is 'neutral'. The School District should not abrogate their responsibility by 'assuming' that the City is looking out for them (see their letter of June 20, 2022 attached for ease of reference) (as an aside, is the extra capacity noted in the existing schools really exist if all the current projects are built out?)

Thank you for your consideration of these points,



2 page attachment (copy of letter of June 20, 2022 taken from City of PF information)



ATTACHMENT  
PAGE 1

# POST FALLS

SCHOOL DISTRICT #273

DISTRICT OFFICE  
P.O. Box 40  
Post Falls, ID 83877  
PHONE 208-773-1658  
FAX 208-773-3218  
[www.pfsd.com](http://www.pfsd.com)

June 20, 2022

Robert Seale  
Community Development Director  
City of Post Falls  
408 Spokane Street  
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and the capacity of each school for the 2021-2022 school year is listed below. (What these enrollment numbers do not include are the anticipated increase of 50 students per elementary school due to full day kindergarten beginning in the fall of 2022.)

The district will review the current long range facility plan this fall. A copy of the current plan is included with this letter.

School	2021-2022 Enrollment	Building Capacity
Greensferry Elementary	374	525
Mullan Trail Elementary	340	500
Ponderosa Elementry	420	570
Prairie View Elementary	440	525
Seltice Elementary	440	560

***Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.***

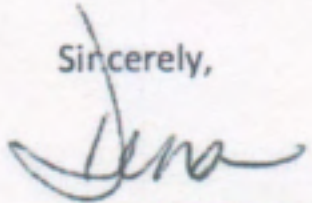
Exhibit PA-4

Attachment  
Page 2

Treaty Rock Elementary	415	525
West Ridge Elementary	430	525
Post Falls Middle School	870	920
River City Middle School	630	750
Post Falls High School	1560	1800
New Vision High School	160	225

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,



Dena Naccarato  
Superintendent

Cc: Post Falls School District Board of Trustees  
Shelly Enderud, City Administrator

**CITY OF POST FALLS  
AGENDA REPORT  
PUBLIC HEARING  
MEETING DATE: January 17, 2023**

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**DATE:** January 11, 2023  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** Laura Jones, Associate Planner  
[ljones@postfalls.gov](mailto:ljones@postfalls.gov) / 208-457-3336  
**SUBJECT:** COTTAGE HOME PERFORMANCE STANDARDS FILE NO. TA-22-7

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**ITEM AND RECOMMENDED ACTION:**

The City of Post Falls Planning Department is seeking to amend Title 18 to accomplish the following:

- Establish performance standards for Cottage Home residential developments.
- Update definitions; and
- Increase the Medium Density (R-2) single family lot size.

**DISCUSSION:**

Exhibit S-1 (Draft Ordinance) details the code section that is being requested to be modified, with the underlined text being the proposed new language and the ~~striketrough~~ text being removed. This draft ordinance includes the recommendations forwarded on by the Planning and Zoning Commission on December 13, 2022.

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON: N/A**

**APPROVED OR DIRECTION GIVEN:** The Planning and Zoning Commission made a recommendation of approval for the proposed Cottage Home Performance Standards at their December 13, 2022, meeting. The Planning and Zoning Commission did propose the following modification with their recommendation:

- Amend the requirement for the Medium Density (R-2) Single-Family lot size to be reduced to 4,000 square feet from 4,800 square feet.
- Clarify that both front and side loaded garages cannot exceed 360 square feet
- Clarify porches are front porches not side or rear.
- Emphasize the garage setback to be 20' or reference the section of city code
- Allow for rear and side yard fences to be 72" high rather than 48" in height

**MOTION OPTIONS FOR ESTABLISHING ZONING:** On December 13, 2022, the Planning and Zoning Commission forwarded a recommendation of approval for the proposed changes.

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING: N/A**

**BUDGET CODE: N/A**

**SUPPORTING DOCUMENTS:**

**STAFF EXHIBITS:**

Exhibit S-2 Planning and Zoning Commission Staff Report

Exhibit S-1 Draft Title 18 Cottage Homes Ordinance

Testimony:

Exhibit PA-1 YPL Comments

Exhibit PA-2 DEQ Comments

Exhibit PA-3 PFHD Comments

Exhibit PA-4 PFSD Comments

Exhibit PA-5 KCFR Comments

Exhibit S-3 Signed Minutes 12-13-2022

Exhibit PA-6 DEQ Comments

Exhibit PA-7 YPL Comments



**CITY OF POST FALLS  
STAFF REPORT**

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**DATE:** December 9, 2022  
**TO:** POST FALLS PLANNING & ZONING COMMISSION  
**FROM:** LAURA JONES, ASSOCIATE PLANNER, 208-457-3336, [ljones@postfalls.gov](mailto:ljones@postfalls.gov)  
**SUBJECT:** STAFF REPORT FOR THE DECEMBER 13, 2022, P&Z MEETING  
TITLE 18 ORDINANCE TEXT AMENDMENT

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**FILE NUMBER/NAME:** TA-22-7 / TITLE 18 COTTAGE HOMES ORDINANCE

**APPLICANT:** City of Post Falls Planning Division

**REQUESTED ACTION:** The Planning Division is seeking to amend Title 18 to accomplish the following:

- Establish performance standards for Cottage Home residential developments
- Update definitions
- Increase the Medium Density (R-2) single family lot size

**PROPOSED CHANGES:** Exhibit S-1 (Draft Ordinance), details the code sections that are being requested to be modified, with the underlined text being the proposed new language and the ~~strikethrough~~ text being removed. The following is an overview of the proposed changes:

**CHANGE #1:** Adopt 18.24.032 COTTAGE HOME RESIDENTIAL PERFORMANCE STANDARDS

**Purpose 1:** To provide a form of smaller single family residential units, diversifying a housing choice and provide housing that is attainable and attractive to expand opportunities for home ownership.

**Purpose 2:** To offer another option for middle missing housing communities while promoting open space, safety, and the interaction of the residence.

**Purpose 3:** Set standards for Cottage Home developments while creating a clearer path in permitting.

**CHANGE #2:** Increase the Medium Density (R-2) Single-Family minimum lot size to 4,800 square feet from the current 3,000 square foot minimum.

**Purpose 1:** Staff is proposing Single-Family Cottage Home developments on lots as small as 2,400 square feet in size. In conjunction with the proposed Cottage Home development standards staff is proposing to increase the Medium Density (R-2) Single-Family lot size to 4,800 square feet in size from the current 3,000 square foot minimum to reduce the two competing zoning districts as the Cottage Home development standards were not in place when the 3,000 square foot lot size was adopted for the Medium Density (R-2) Single-Family lots.

**OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:**

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irr. District
Kootenai County Fire	Kootenai Electric	Time Warner Cable
PF Highway District	Ross Point Water	PF Police Department
PF School District	Verizon	Utilities (W/WW)
Avista Corp. (WWP-3)	Idaho Department of Lands	Urban Renewal Agency
Department of Environmental Quality	Panhandle Health District	Kootenai County Planning
Conoco, Inc. (Pipeline Co.)	NW Pipeline Corp.	KMPO
Yellowstone Pipeline Co.	TransCanada GTN	TDS

- **YPL Comments (Exhibit PA-1) - No Comments**
- **Idaho Department of Environmental Quality (Exhibit PA-2) – No Comments**
- **Post Falls Highway District (Exhibit PA-3) – No Comments**
- **Post Falls School District (Exhibit PA-4) – Remains neutral**
- **Kootenai County Fire & Rescue (Exhibit PA-5) – Reserves comments for the permitting process**

**MOTION OPTIONS:** The Planning Commission must provide a recommendation pertaining to the requested amendment to City Council, of which at a later date, an additional Public Hearing will be heard by City Council. Should the Commission need additional information or wish to hear additional testimony, it may wish to move to continue the public hearing to a later date certain. If the Commission has heard sufficient testimony but needs additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a later date certain.

**ATTACHMENTS:**

Staff Submittals:

Exhibit S-1 Draft Title 18 Cottage Homes Ordinance

Testimony:

Exhibit PA-1 YPL Comments  
Exhibit PA-2 DEQ Comments  
Exhibit PA-3 PFHD Comments  
Exhibit PA-4 PFSD Comments  
Exhibit PA-5 KCFR Comments

**ORDINANCE NO.** [Category]

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR AMENDMENT TO MUNICIPAL CODE SECTION 18.12.010 DEFINITIONS; PROVIDING FOR A NEW CODE SECTION 18.24.032 TITLED COTTAGE HOME RESIDENTIAL PERFORMANCE STANDARDS; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW

**WHEREAS**, *after public hearing on the hereinafter provided, and after recommendation by the Planning and Zoning Commission*, it is deemed by the Mayor and City Council to be in the best interests of the citizens of the City of Post Falls that the following be adopted.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Post Falls as follows:

**SECTION 1.** That Post Falls Municipal Code Section 18.12.010 is amended to add the following definitions in appropriate alphabetical order:

COTTAGE HOME: Any detached residential structure with a total living area, excluding any attached garage, of less than one thousand four hundred (1,400) square feet and at least eight hundred (800) square feet. The ground floor must be no larger than one thousand two hundred square feet (1,200) square feet.

FLOOR AREA: The area of an enclosed floor measured from the interior faces of exterior walls.

FRONT LOADED: A residence where both the front door and the garage door are accessed via the *Principal Frontage*.

GROSS FLOOR AREA: The sum of the *Floor Area* less basements, attic space providing structural headroom of less than five (5') feet, and unenclosed steps, porches, terraces and balconies.

PARKING CLUSTER: A common *Parking Area* consisting of no more than six (6) stalls meeting ADA accessibility requirements.

REAR LOADED: A residence where the garage access is located on the opposite side of the lot from the *Principal Frontage*.

SIDE LOADED: A residence where the garage door is perpendicular to the *Principal Frontage*.

URBAN FORESTER: The person employed by the city of Post Falls to manage public trees and their associated regulations or their designee.

**SECTION 2.** That a new Section 18.24.032, entitled COTTAGE HOME RESIDENTIAL PERFORMANCE STANDARDS is added to the Post Falls Municipal Code as follows:

**18.24.032: COTTAGE HOME RESIDENTIAL PERFORMANCE STANDARDS:**

A. Purpose: The purpose of this section is to: to provide housing types that are responsive to changing household demographics (e.g., retirees, small families, and young professionals); to expand opportunities for home ownership; to encourage creation of functional usable *Green Space* in residential communities; to promote neighborhood interaction and safety through design; to encourage opportunities for infill development; and ensure that residents of such housing enjoy a high-quality environment, with permanence, stability, and access to *Green Space*.

B. Applicability: *Cottage Home* residential development is permitted in the R-2, R-3, and RM zoning districts. *Cottage Home* residential development is also allowed in those areas in the CCM zoning district where the approved development agreement for the property authorizes multi-family residential uses. *Cottage Homes* may also be approved with a Special Use Permit in the CCS and R-1 zoning district.

C. General Development Standards:

1. Attached Garages:

- a. Garages on *Front Loaded Cottage Homes* cannot exceed three hundred and sixty (360) square feet in size.
- b. Garages on *Rear Loaded Cottage Homes* cannot exceed five hundred (500) square feet in size.

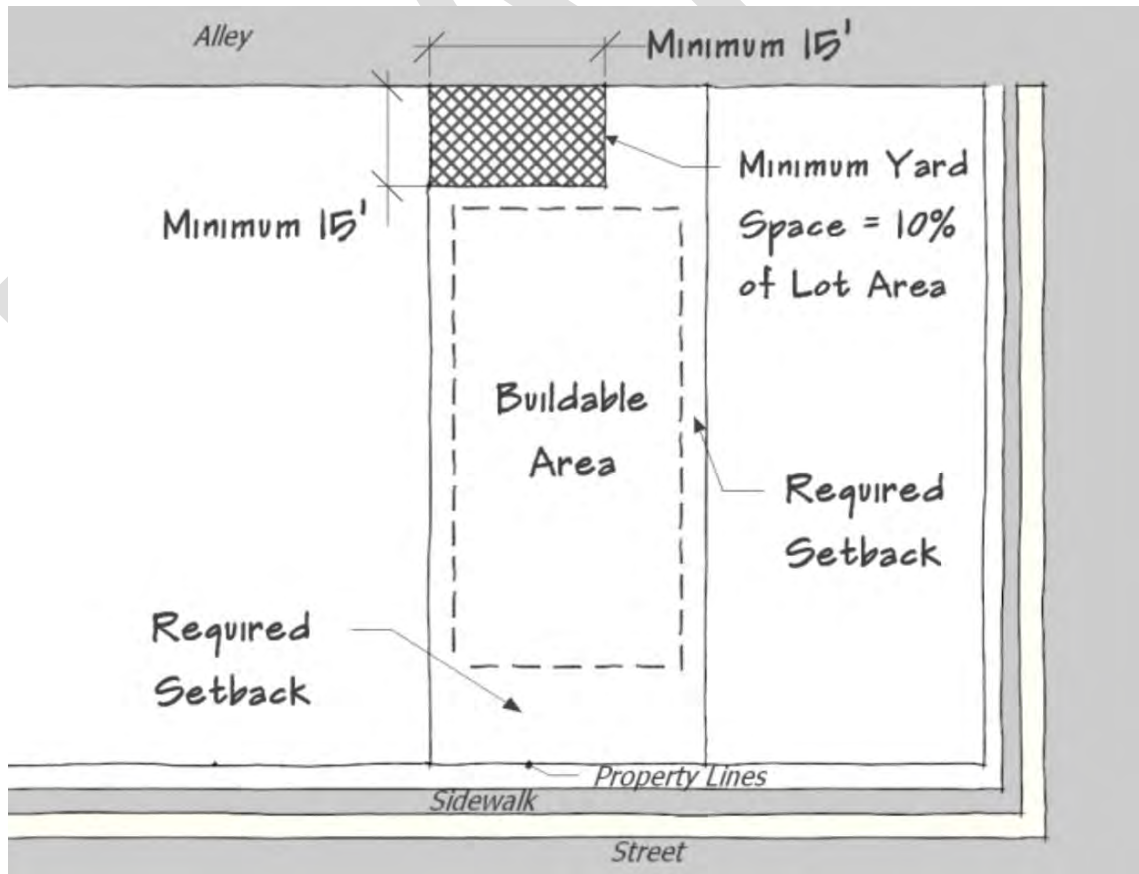
2. Architectural Design:

- a. Each *Cottage Home* must have a porch with a minimum depth of six (6) feet. The porch must also meet the following requirements:
  - i. *Front Loaded Cottage Homes* must have a porch no less than fifty square feet (50) square feet in size.
  - ii. *Side Loaded* and *Rear Loaded Cottage Homes* must have a porch no less than eighty (80) square feet in size.
- b. Attached garages for *Front Loaded Cottage Homes* cannot exceed sixty-six (66%) of the width of the structure.
- c. *Accessory Structures* must match the architectural style of the *Cottage Home* and meet separation requirements contained in the adopted building code.
- d. No two (2) abutting or directly opposing *Cottage Homes* may have the same, or a substantially similar, front façade.
- e. Each *Cottage Home* must have a minimum of four (4) of the following building elements, features, or treatments incorporated into the front façade and street facing façade.
  - i. Windows with visible trim and mullions or recessed windows;
  - ii. Dormers/false dormers;
  - iii. Bay windows;
  - iv. Gables detailing;
  - v. Architectural detailing on pillars, posts, or railings;
  - vi. Stonework or masonry;
  - vii. Minimum sixteen inch (16”) offset in building face or roof;
  - viii. Detailed door (multi-panel or glass insert) or window adjacent to front door (sidelite);
  - ix. Variation in roof or building colors and materials, on *Cottage Homes*, including but not limited to, brick, stone, or other masonry accents;

- x. Any other building elements, treatments, features approved by the *Zoning Administrator* that provide for variety and visual interest.

3. Green Space:

- a. Green Space: Except as otherwise provided, *Cottage Home* developments must provide five-hundred and fifty square feet (550) square feet of common *Green Space* for each *Cottage Home*. For *Cottage Homes* placed on individual *Lots*, the amount of common *Green Space* may be reduced to three-hundred and twenty five (325) square feet. Each common *Green Space* must provide at least one pet waste clean-up station.
- b. When *Cottage Homes* are placed on individual *Lots*, each lot must provide a contiguous and usable *Yard*. This area cannot include structures, driveways, or parking. Additionally, the *Yard* must:
  - i. Be located in the rear or side yard and not be within the required front yard setback;
  - ii. Be equal to at least 10% of the parcel area; and
  - iii. Have no dimension less than 15 feet or less than 12 feet for parcels smaller than 3,500 sq ft.



- c. Within common *Green Spaces* one (1) class II or III *Tree*, as outlined in the Post “Falls Tree Standards Manual”, for each seven thousand five hundred (7,500) square feet of *Green Space* is required. The species must be approved by the *Urban Forester*.
  4. Fences: Fences are not allowed within common *Green Space* areas, unless approved by the *Zoning Administrator* to secure or enclose an amenity within the *Green Space* that creates a safety, security, or usability concern. Examples of where exemptions may be considered include; dog parks, tennis/pickleball courts, community gardens, *Swimming Pools*, etc.
  5. Parking:
    - a. Each *Cottage Home Dwelling Unit* must provide at least two (2) off-street parking spaces for each *Cottage Home Unit* that meets the requirements of Section 18.24.020.
    - b. An additional .25 parking spaces must be provided in a *Parking Cluster* for each *Cottage Home* within a development of eight (8) or more units that fronts on a *Green Space* or on a street where parking is not allowed.
- D. Cottage Home Single-Family Performance Standards: Single-Family *Cottage Home* development must also meet the following standards:
  1. Minimum *Lot* area: two thousand four hundred (2,400) square feet.
  2. Site Design and Orientation:
    - a. Vehicular access to *Cottage Homes* must be from the rear or side. Where site constraints make this requirement impractical or where an alternative creates a better design, the *Zoning Administrator* may grant a deviation allowing up to 50% to be *Front Loaded*.
    - b. *Cottage homes* are encouraged to front *Green Space*.
    - c. Each *Cottage Home* must have a pedestrian path constructed of concrete or asphalt between the sidewalk and the building entry. If no sidewalk is present then a connection must be made to the edge of private street or public right-of-way.

- d. *Cottage Home* developments with eight (8) or more *Cottage Homes* must have fifty percent (50%) of the common *Green Space* centrally located. Common *Green Space* must front a public or private street and have twenty percent (20%) of the perimeter of the *Green Space* fronting the public or private street.
    - i. Common *Green Space* must be in a separate tract or tracts and be owned and maintained by a homeowner's association (HOA). The homeowner's association's covenants must include the perpetual maintenance of all common areas, including common *Green Space* and preclude the conversion of such common areas to any other *Use*.
  - e. *Cottage Home* developments with less than eight (8) *Cottage Homes* must consolidate the common *Green Space* into one location and the *Green Space* cannot have any dimension less than twenty feet (20') per side. Pet waste clean-up stations are not required.
3. Setbacks and Height Limitations:
- a. Front: Sixteen feet (16') to the *Principal Plane*.
    - i. If no easement exists along the front property line, then the front setback may be reduced up to five feet (5').
    - ii. For *Front Loaded Cottage Homes*, garages must not project beyond the front porch. Additionally, the front entryway must be visible and generally parallel to the public or private street.
  - b. Side: Each side yard must have a setback of at least three (3) feet and both side yards must total at least twelve (12) feet.
  - c. Rear:
    - i. *Front Loaded Cottage Homes*: Twelve (12) feet.
    - ii. *Rear Loaded Cottage Homes*: Twenty (20) feet.
  - d. Flanking Street: Ten (10) feet; and
  - e. Height: Thirty (30) feet.
4. Accessory Structures: *Accessory Structures* cannot exceed the height of the primary structure. Additionally, *Accessory Structures* cannot exceed the square footage of the primary structure or seven hundred twenty (720) square feet, whichever is less.



5. Green Infrastructure Design Standards: Where a minimum of twenty-five percent (25% of the *Lots* contain green infrastructure amenities contained in this section, common *Green Space* requirements may be reduced by fifty (50) square feet for each *Dwelling Unit*.
    - a. Solar collection system used to capture solar energy, convert it to electrical or thermal power and supply electrical or thermal power primarily for on-site use via roof mounted solar arrays or modules, or solar related equipment which is intended to primarily reduce on-site consumption of utility power or fuels.
    - b. Rain gardens located in community or *Green Space* areas.
    - c. Water harvesting barrels or downspouts.
    - d. Green roofs.
    - e. EV Charging Stations.
  6. Fences: Fences on individual *Lots* cannot exceed thirty-six inches (36”) within the front yard setback and forty-eight inches (48”) in side and rear yard setbacks unless an administrative exception, as allowed by Section 18.20.150, is approved.
- E. Cottage Home Multi-Family Performance Standards: Multi-family development of three (3) or more *Cottage Homes* on a single *Lot* must utilize the site plan review process in Section 18.20.130 of this Title, and must also conform to the following standards:
1. Separation: All *Cottage Homes* must meet the separation requirements in the adopted building code without the use of additional fire rated materials.
  2. Site Design and Orientation:
    - a. Vehicular access to the *Cottage Home* must be from the rear or side, unless approved through a Special Use Permit.
    - b. *Cottage homes* are encouraged to front *Green Space*.
    - c. Each *Cottage Home* must have a pedestrian path constructed of concrete or asphalt between the sidewalk and the building entry. If no sidewalk is present then a connection must be made to the edge of private street or public right-of-way.

3. Setbacks and Height Limitations: The following setbacks from exterior property lines of the multi-family development are as follows:
  - a. Front: Twenty feet (20’);
  - b. Side: Ten feet (10’);
  - c. Rear: Ten feet (10’);
  - d. Flanking Street: Twenty feet (20’); and
  - e. Height: Thirty feet (30’).
4. Green Space: The required *Green Space* must comply with the requirements of Section 18.24.030 D.7. of this Title but do not qualify for density bonuses.
5. Green Infrastructure Design Standards: Where green infrastructure amenities are provided and selected from the following list, common *Green Space* requirements may be reduced by fifty (50) square feet per *Cottage Homes*.
  - a. Electrical vehicle (EV) charging stations at a minimum of one (1) station per twenty-five (25) *Cottage Homes*.
  - b. Solar collection system used to capture solar energy, convert it to electrical or thermal power and supply electrical or thermal power primarily for on-site use via roof mounted solar arrays or modules, or solar related equipment which is intended to primarily reduce on-site consumption of utility power or fuels.
6. Access, Driveways, Parking, and Garages: The *Zoning Administrator* may consider consolidated parking structures under the site plan review process.
7. Refuse: All outside storage areas and solid waste storage areas must meet the requirements of Post Falls Municipal Code Section 18.24.040(C). Adequate access must be provided for collection of solid waste. The *Zoning Administrator* may approve alternative methods of screening if the proposed screening is at least as effective at screening the storage areas from view as the requirements of this section.

**SECTION 3.** All provisions of the current Post Falls Municipal Code or ordinances of the City of Post Falls and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 3.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

**SECTION 4.** 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 Post Falls, 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 Post Falls at a regular session of the City Council on November \_\_\_\_ 2022.*

APPROVED, ADOPTED and SIGNED this                      day of November, 2022.

\_\_\_\_\_  
Ronald G. Jacobson, Mayor

ATTEST:

\_\_\_\_\_  
Shannon Howard, City Clerk

**SUMMARY OF POST FALLS ORDINANCE NO. [Category]**

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR AMENDMENT TO MUNICIPAL CODE SECTION 18.12.010 DEFINITIONS; PROVIDING FOR A NEW CODE SECTION 18.24.032 TITLED COTTAGE HOME RESIDENTIAL PERFORMANCE STANDARDS; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW

The City of Post Falls, Kootenai County Idaho hereby gives notice of the adoption of Post Falls Ordinance No. [Category], which [DESCRIPTION]; providing repeal of conflicting ordinances and providing severability. The ordinance is effective upon publication of this summary. The full text of Ordinance No. [Category] is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the City Clerk. Dated this \_\_\_\_ day of November, 2022.

/s/

Shannon Howard, City Clerk

**STATEMENT OF LEGAL ADVISOR**

I, Warren J. Wilson, the legal advisor for the City of Post Falls, I have examined the attached summary of Ordinance No. [Category], which [DESCRIPTION], and find it to be a true and complete summary of said ordinance and provides adequate notice of the contents to the public.

Dated this \_\_\_\_ day of November, 2022.

---

Warren J. Wilson, City Attorney

DRAFT

## Amber Blanchette

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**From:** Polak, Chad M <Chad.M.Polak@p66.com>  
**Sent:** Monday, November 28, 2022 8:15 AM  
**To:** Amber Blanchette  
**Subject:** FW: Title 18 Cottage Homes Ordinance File No. TA-22-7  
**Attachments:** Title 18 Cottage Homes Ordinance PZ NTJ.pdf

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Amber,

We do not have any comments on the attached Ordinance change.

Sincerely,

Chad M. Polak  
Agent, Real Estate Services  
O: (+1) 303.376.4363 | M: (+1) 720.245.4683  
3960 East 56<sup>th</sup> Avenue | Commerce City, CO 80022  
Phillips 66

---

**From:** Amber Blanchette <amberb@postfalls.gov>  
**Sent:** Tuesday, November 22, 2022 12:31 PM  
**To:** Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Polak, Chad M <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eport@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor, AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfalls.gov>; Pat Knight <pknight@postfallspolice.com>;

PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Teresa Benner <tbenner@postfalls.gov>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallop@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Ryan Davis <rldavis208@gmail.com>; Vicky Jo Carey <vjcarey@aol.com>

**Subject:** [EXTERNAL]Title 18 Cottage Homes Ordinance File No. TA-22-7

---

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Good morning,

Attached is the notice to jurisdiction for the named Ordinance Update for Planning & Zoning on December 13<sup>th</sup>. The draft staff report will be posted on the city's website shortly.

**Please Note** my new email address is [amberb@postfalls.gov](mailto:amberb@postfalls.gov)

Thank you,

Amber Blanchette  
Planning Specialist  
Phone: 208-457-3338  
Email: [amberb@postfalls.gov](mailto:amberb@postfalls.gov)



*Fear is an illusion, ready to be overcome...*

---

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## Amber Blanchette

---

**From:** Kristie May <Kristie.May@deq.idaho.gov>  
**Sent:** Tuesday, November 29, 2022 7:40 AM  
**To:** Amber Blanchette  
**Subject:** RE: Title 18 Cottage Homes Ordinance File No. TA-22-7

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,  
Kristie

### **Kristie May | Admin Assistant II**

Idaho Department of Environmental Quality  
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814  
Direct: 208.666.4608  
Office Line: 208.769.1422  
[www.deq.idaho.gov](http://www.deq.idaho.gov)

**Our mission:** To protect human health and the quality of Idaho's air, land, and water.

---

**From:** Amber Blanchette <amberb@postfalls.gov>  
**Sent:** Tuesday, November 22, 2022 11:31 AM  
**To:** Ali Marienau <AMarienau@kmpo.net>; aobermueller@cdapress.com; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Chad Polak <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; eketner@phd1.idaho.gov; Erin Butler <ebutler@sd273.com>; Ethan Porter <eportner@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson



<kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor, AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfalls.gov>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Teresa Benner <tbenner@postfalls.gov>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallopp@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Ryan Davis <rldavis208@gmail.com>; Vicky Jo Carey <vjcarey@aol.com>

**Subject:** Title 18 Cottage Homes Ordinance File No. TA-22-7

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Good morning,

Attached is the notice to jurisdiction for the named Ordinance Update for Planning & Zoning on December 13<sup>th</sup>. The draft staff report will be posted on the city's website shortly.

**Please Note** my new email address is [amberb@postfalls.gov](mailto:amberb@postfalls.gov)

Thank you,

Amber Blanchette  
Planning Specialist  
Phone: 208-457-3338  
Email: [amberb@postfalls.gov](mailto:amberb@postfalls.gov)



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## Amber Blanchette

---

**From:** jonie@postfallshd.com  
**Sent:** Monday, December 5, 2022 11:55 AM  
**To:** Amber Blanchette  
**Subject:** RE: Title 18 Cottage Homes Ordinance File No. TA-22-7

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

PFHD has no comment.

Jonie Anderson  
Administrative Assistant  
Post Falls Highway District  
p 208.765.3717  
f 208.765.0493  
[contactus@postfallshd.com](mailto:contactus@postfallshd.com)



**From:** Amber Blanchette <amberb@postfalls.gov>  
**Sent:** Tuesday, November 22, 2022 11:31 AM  
**To:** Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Chad Polak <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eport@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor,

AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfalls.gov>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Teresa Benner <tbenner@postfalls.gov>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallop@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; James Steffensen <james.steffensen@bannerbank.com>; Kevin Ward (gatheredfamilyrestaurant@gmail.com) <gatheredfamilyrestaurant@gmail.com>; Nancy Hampe <nancyradiantlake@gmail.com>; Ray Kimball <rkimball@whipplece.com>; Ross Schlotthauer <ross@burlyproducts.com>; Ryan Davis <rldavis208@gmail.com>; Vicky Jo Carey <vjcarey@aol.com>

**Subject:** Title 18 Cottage Homes Ordinance File No. TA-22-7

Good morning,

Attached is the notice to jurisdiction for the named Ordinance Update for Planning & Zoning on December 13<sup>th</sup>. The draft staff report will be posted on the city's website shortly.

**Please Note** my new email address is [amberb@postfalls.gov](mailto:amberb@postfalls.gov)

Thank you,

Amber Blanchette  
Planning Specialist  
Phone: 208-457-3338  
Email: [amberb@postfalls.gov](mailto:amberb@postfalls.gov)



*Fear is an illusion, ready to be overcome...*

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**POST FALLS**  
SCHOOL DISTRICT #273

**DISTRICT OFFICE**  
P.O. Box 40  
Post Falls, ID 83877  
PHONE 208-773-1658  
FAX 208-773-3218  
[www.pfsd.com](http://www.pfsd.com)

June 20, 2022

Robert Seale  
Community Development Director  
City of Post Falls  
408 Spokane Street  
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and the capacity of each school for the 2021-2022 school year is listed below. (What these enrollment numbers do not include are the anticipated increase of 50 students per elementary school due to full day kindergarten beginning in the fall of 2022.)

The district will review the current long range facility plan this fall. A copy of the current plan is included with this letter.

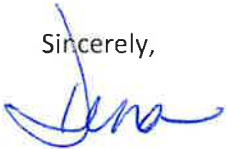
School	2021-2022 Enrollment	Building Capacity
Greensferry Elementary	374	525
Mullan Trail Elementary	340	500
Ponderosa Elementry	420	570
Prairie View Elementary	440	525
Seltice Elementary	440	560

***Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.***

Treaty Rock Elementary	415	525
West Ridge Elementary	430	525
Post Falls Middle School	870	920
River City Middle School	630	750
Post Falls High School	1560	1800
New Vision High School	160	225

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,



Dena Naccarato  
Superintendent

Cc: Post Falls School District Board of Trustees  
Shelly Enderud, City Administrator

# Kootenai County Fire & Rescue

Fire Marshal's Office

1590 E. Seltice Way  
Post Falls, ID 83854  
Tel: 208-777-8500  
Fax: 208-777-1569  
www.kootenaifire.com

December 6, 2022

Amber Blanchette  
Planning Administrative Specialist  
amberb@postfallsidaho.org

## RE: Notice to Jurisdiction Response

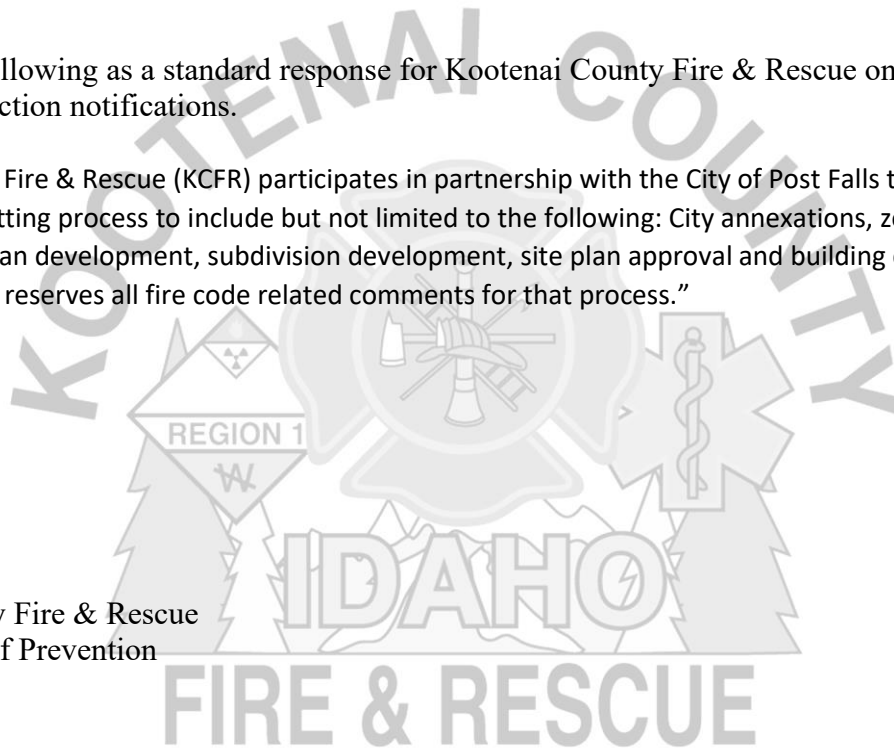
Amber,

Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

“Kootenai County Fire & Rescue (KCFR) participates in partnership with the City of Post Falls throughout the review and permitting process to include but not limited to the following: City annexations, zoning issues, comprehensive plan development, subdivision development, site plan approval and building construction code compliance. KCFR reserves all fire code related comments for that process.”

Respectfully,

Jeryl Archer II  
Kootenai County Fire & Rescue  
Division Chief of Prevention  
Fire Marshal



~~Moved~~

- C. **Recommendation** Post Falls Title 18 Cottage Homes Ordinance File No. TA-22-7 – Laura Jones, Associate Planner, to present an amendment to Title 18.20 to accomplish and establish performance standards for Cottage Home residential development, update definitions, and increase the Medium-Density (R2) single family lot size.
- Requested action is to recommend to City Council for the adoption of Cottage Home residential performance standards, updated Title 18 definitions, and increase in the Medium Density (R2) single-family lot size. The public process started with a City Council Workshop on October 4<sup>th</sup>, Planning and Zoning following on October 11<sup>th</sup> with a Developer Forum in an email during November. The purpose and goals of Cottage Home standards is to provide a form of smaller single family residential units, diversifying a housing choice and provide housing that is attainable and attractive to expand opportunities for home ownership. To create a path to offer a middle ground between single family residences and multi-family development residential communities while promoting open space, safety, and the interaction of the residence as well as continue to follow the guidance of LLUPA – Title 67, Chapter 65 seeking ways to create low-cost conventional housing. There are currently no standards in place and having them may provide a level playing field for all Cottage Home Developments while creating a clearer path in permitting. Cottage housing developments may incentivize some additional infill projects and can offer a smaller scale housing choice, which are suitable for meeting a variety of needs, compared to traditional detached single-family homes. Their flexibility, from making more effective or desirable use of underutilized spaces to serving the needs of different populations. As an infill type development, they can maintain a spacious feeling with open courts and as higher density development, they offer privacy by having detached units. Their sizes allow them to be potentially more energy-efficient compared to larger residences and can serve as housing for families seeking to downsize, young households, and the workforce.

**Cottage Home Performance Standards:**

- a. Any detached residential structure, either on a platted lot or a common lot, with a total living area of less than 1,400 sq/ft (with ground floor area being no larger than 1,200 sq/ft) and more than 800 sq/ft.
- b. Implementing Zoning Districts: R2, R3, and RM. Also allowed in the CCM zone where the approved development agreement authorizes multi-family residential uses and in CCS and R1 zones with an approved Special Use Permit. Allowed in the following Future Land Use Designations: Low Density Residential, Medium Density Residential, High Density Residential, Commercial, Business/Commercial, and Transitional. Not allowed in the Business Industrial.

**\*General Design Standards\*** - apply to both platted lots and common lot cottage home developments:

- a. Garages: Front loaded cannot exceed 360 sq/ft; rear loaded cannot exceed 500 sq/ft; attached garages for front loaded cottage homes must not exceed 66% of the width of the structure.
- b. Porches: Minimum depth of 6', front loaded porch no less than 50 sq/ft in size, rear loaded porch no less than 80 sq/ft in size.
- c. Architectural Design: no 2 abutting or directly opposing cottage homes may have the same front façade and must alternate the application of items listed in 18.24.032(c.) (2.) (e.). Minimum of 4 elements, features or treatments listed in the same code section.

- d. Accessory Structures: must match architectural style of the cottage home and meet building code separation requirements.
- e. Green Space: Cottage homes must provide 550 sq/ft of common Green Space per unit and provide a pet waste clean-up station. Developments with 8 or more units must have 50% of the common open space centrally located with 20% of the green space fronting a street. Less than 8 units must consolidate the common Green Space into one location (no dimension less than 20'). Cottage homes placed on individual lots will only require 325 sq/ft of common Green Space but will be required to provide a functional yard. Located in the rear or side yard (not within front yard setback); equal to at least 10% of the parcel area; and minimum dimension no less than 15' (no less than 12' for parcels smaller than 3,500 sq/ft).
- f. Fences: prohibit in common Green Space.
- g. Parking: 2 off street parking stalls per unit; developments of 8 units or more – for each cottage unit that fronts a Green Space or a street where parking is not allowed, they must provide an additional .25 parking stalls per unit, within a common parking cluster.

**\*Single Family Cottage Home Standards\***: applies only to platted Lot cottage home developments:

- a. Vehicular access must be from the rear or side; when design constraints prove implausible the zoning administrator may grant a deviation of up to 50% of the lot being front loaded. Cottage Homes are encouraged to front a Green Space and must have a pedestrian path constructed of concrete or asphalt between the sidewalk and the building entry.
- b. Minimum lot area 2,400 sq/ft. Setbacks and height limitations: front:16' to the principal plan; side net 12' (no less than 3' on either side); rear: front loaded 12' and rear loaded 20'; flanking street 10'; height 30'.
- c. Accessory Structures: cannot exceed the height of the primary structure and cannot exceed the square footage of the primary structure of 720 sq/ft, whichever is less.
- d. Fences: Cannot exceed 36" in height within front yard setback; cannot exceed 48" in height within the rear or side yard setbacks and up to 60" with an administrative exception. When directly adjacent to other developments that allow fences up to 6' in height – may be permitted through an administrative process.
- e. Green Infrastructure: Where a minimum of 25% of the Lots contain green infrastructure amenities, common Green Space requirements may be reduced by 50 sq/ft per unit (from 325 sq/ft per unit to 275 sq/ft per unit). Examples: solar arrays, rain gardens (located within the common Green Space), water harvesting devices, green roofs, and EV charging stations.

**\*Multi-Family Cottage Home Standards\*** - applies only to common Lot cottage home developments with 3 or more cottage homes:

- a. Vehicular access must be from the rear or side, unless approved through a Special Use Permit. Cottage homes are encouraged to front a green space and must have a pedestrian path constructed of concrete or asphalt between the sidewalk and the building entry.
- b. Separation: must meet adopted building code without additional fire rating. Front setback 20', side 10', rear 10', flanking street 20', and height 30'.
- c. Green infrastructure where green infrastructure amenities are provided, common green space requirements may be reduced by 50 sq/ft per unit (from 550 sq/ft per unit to 500 sq/ft per unit). At least 2 amenities as listed in 18. 24.030, EV charging stations (1 station for every 25 cottage home units), and solar arrays.



- d. Access, Driveways, Parking, and garages: Consolidated parking structures may be considered by the zoning administrator. Refuse: outside storage and solid waste areas must meet the requirements of 18.24.040.

**\*Implementing Cottage Home Standards\*:**

- a. An example is Tullamore Vista (SUBD-0011-2020) - 20-acres, centrally located common green space; lots fronting ROW or common green space; access from rear; and pedestrian path between sidewalk and building entry
- b. A hypothetical infill lot is on N. Spokane St. And W. 16<sup>th</sup> Ave (.49 acres) this lot could be a perfect cottage home infill project and meet parking, open space, spacing, partially fronting the ROW etc.

All other agencies have been notified with YPL having no comments, Department of Environmental Quality stating there is no impact, and Post Falls Highway District and Post Falls School District being neutral.

**Kimball** - With medium density I think 4,000 sqft is better for that type of product, a lot size the builders are putting out there are in the 40 by 100-foot-long range.

**Manley** – The concern we have if you plot a bunch of RQ 4000s it's no longer divisible to create town homes, twin homes if you do the 4800 you can put the other products on them down the road.

**Kimball** – I'm talking the single-family part, they can always go a little larger and then divide it later, but having a minimum being at 4,000 gives them the flexibility to.

**Manley** – It permanently ingrains it as a single family.

**Kimball** – Right, it does which is how they would build it. In General Design Standards with regard to garages, says on rear loaded cottage homes shall not exceed 500. I'm assuming you also mean rear and side loaded for clarity.

**Manley** – No, I think front or side loaded would be 360 square feet.

**Kimball** – Which ever one, you just need to tell where the side loaded fits in there. I think on the side loaded, if it was a 2-car garage it can be larger.

**Manley** – We went off the rear being larger because theoretically if you're coming off the alley, you're not seeing it from the front so you can go wider if it's rear loaded. If you are a corner lot and side loaded, then you would be at 360. So being clear on that would be a good thing.

**Kimball** – I am assuming when you talk about porches, you mean front porch?

**Jones** – Correct.

**Kimball** – We should probably clarify that in the code. Under the setbacks and height limitations with front loaded cottage homes we should make sure there's a 20' setback to the garage, it talks about the garage not sticking out front but it's only 16'.

**Jones** – Isn't that covered in Title 12?

**Manley** – Title 18. I believe that is in the bulk and placement table, note 3 speaks of a parking pad for a single-family home, these are a form of a single-family home.

**Kimball** – In this case it says, we're talking about garages, and I think we should make a reference to the code or be clear. My thoughts on fences in the backyard, I like 6' fences. If we have all of these homes facing a nice common space, then that is the common activities, and the backyards should be more private. You don't want little Timmy peaking his head over the fence staring at you asking what you are doing.

**Davis** – Repeated Kimball's main points.

**Carey** – Agrees with the fence height for more privacy. When you talked about 3' between, is that 3' on each lot so you have 6' between the cottages.

**Jones** – Are you asking about the net of 12'?

**Carey** – Yes

**Jones** – It could be a combination

**Carey** – No less than 3'

**Jones** – So, you could do 9' on one side if you want a big functional side yard instead of a functional rear yard. It is to have an alternating pattern in the form and function of the unit, so it doesn't flow with every single house having a 5' setback on both sides to make them all line up in a nice little row. We wanted to see variety.

**Carey** – 3 is the minimum right?

**Jones** – Yes

**Carey** – So you could have 2 with just 3' and only have 6' total between them?

**Manley** – Not on the same lot, 2 adjacent though side by side, however, there might be some building code situations regarding fire rating issues. Theoretically you could see 3 and 3 on the same opposing.

**Carey** – Okay. I just wanted to clarify there would be at least 6' between 2 houses.

**Testimony:**

**In Favor - None**

**Neutral - None**

**In Opposition - None**

**Schlotthauer** – I have a question regarding the 3' and the fire code dictated 10' and the first lot built 3' and now the 2<sup>nd</sup> lot must build 7'.

**Jones** – Or they can do fire rating.

**Kimball** – Fire allows for closer; you just have to do fire rated walls, openings, etc. It gets a little tricky but there will probably be 1 builder going through all of the plans and so they may have fire rated walls in some spots but not in others.

Davis – No question block, right Herrington?

Herrington – Nope, you can talk about it, it is a legislative item.

Motion to recommend approval to City Council with the following amendments the Single-Family lot size be reduced to 4,000 square feet from 4,800. To clarify front and side loaded garages can't exceed 360 square feet, and to clarify porches are front porches not side or rear. To emphasize the garage setback to be 20' or reference the section of city code. Allow for rear and side yard fences to be 72" high rather than 48". Kimball

2<sup>nd</sup> By: Steffensen

Vote: Steffensen – Yes; Carey – Yes; Kimball – Yes; Davis – Yes; Schlotthauer – Yes;

Hampe - Yes

Moved

- ~~D. **Recommendation** Development Impact Fee Update – Jon Manley, Planning Manager, to present an amendment to the Development Impact Fee to accomplish: Adjust impact fees based upon inflationary cost escalations, Basis on a ten (10) to twenty (20) year growth cost depending on the Impact Fee category. The Planning and Zoning Commission serve as the Impact Fee Advisory Committee and the current impact fee adjustments are based upon inflationary costs escalation and not updates capital improvement plans. Public Process to date: on August 2<sup>nd</sup> City Council approved the financing endeavor; November 2<sup>nd</sup> Committee review of draft with consultant. November 15<sup>th</sup> Bob Seale presented to NIBCA, and November 22<sup>nd</sup> Bill Melvin coordinated informational video on the website and December 6<sup>th</sup>~~

## Amber Blanchette

---

**From:** Kristie May <Kristie.May@deq.idaho.gov>  
**Sent:** Thursday, December 22, 2022 2:03 PM  
**To:** Amber Blanchette  
**Subject:** RE: Title 18 Cottage Homes Ordinance TA-22-7

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,  
Kristie

### **Kristie May | Admin Assistant II**

Idaho Department of Environmental Quality  
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814  
Direct: 208.666.4608  
Office Line: 208.769.1422  
[www.deq.idaho.gov](http://www.deq.idaho.gov)

**Our mission:** To protect human health and the quality of Idaho's air, land, and water.

**From:** Amber Blanchette <amberb@postfalls.gov>  
**Sent:** Thursday, December 22, 2022 11:57 AM  
**To:** Ali Marienau <AMarienau@kmpo.net>; aobermueller@cdapress.com; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Chad Polak <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; D1Permits <d1permits@itd.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellen Smith <ellen.smith@itd.idaho.gov>; eketner@phd1.idaho.gov; Erin Butler <ebutler@sd273.com>; Ethan Porter <eport@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>;

Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor, AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller <momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfalls.gov>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Symone Legg <symone.legg@itd.idaho.gov>; Teresa Benner <tbenner@postfalls.gov>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallopp@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; Joe Malloy <jmalloy@postfallsidaho.org>; Josh Walker <jwalker@postfallsidaho.org>; Kenny Shove <kshove@postfallsidaho.org>; Kerri Thoreson <kerrit@postfallsidaho.org>; Lynn Borders <lborders1@frontier.com>; Ron Jacobson <rjacobson@postfallsidaho.org>; Nathan Ziegler <nziegler@postfallsidaho.org>

**Subject:** RE: Title 18 Cottage Homes Ordinance TA-22-7

**CAUTION:** This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning,

We added some clarification to the notice to jurisdiction, please see the attached.

**From:** Amber Blanchette

**Sent:** Thursday, December 22, 2022 11:45 AM

**To:** Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Chad Polak <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; D1Permits <d1permits@itd.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (ZiPLY) <david.sauer@ziPLY.com>; Dena Naccarato <dnaccarato@273.com>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellen Smith <ellen.smith@itd.idaho.gov>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eportner@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jen Cresci <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Jodi Meyer <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric

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**Subject:** Title 18 Cottage Homes Ordinance TA-22-7

Good morning,

Attached is the notice to jurisdiction for the Cottage Home Ordinance for City Council on January 17<sup>th</sup>, the draft staff report will be on the city's website shortly.

**Please Note** my new email address is [amberb@postfalls.gov](mailto:amberb@postfalls.gov)

Thank you,

Amber Blanchette  
Planning Specialist  
Phone: 208-457-3338  
Email: [amberb@postfalls.gov](mailto:amberb@postfalls.gov)



*Fear is an illusion, ready to be overcome...*

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The City of Post Falls has changed our domain to POSTFALLS.GOV. Please adjust your contacts/links.

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## Amber Blanchette

---

**From:** Polak, Chad M <Chad.M.Polak@p66.com>  
**Sent:** Tuesday, January 3, 2023 9:01 AM  
**To:** Amber Blanchette  
**Subject:** FW: Title 18 Cottage Homes Ordinance TA-22-7  
**Attachments:** Title 18 Cottage Homes Ordinance CC NTJ.pdf

**WARNING:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Amber,

We have reviewed the attached and do not have any questions/comments on TA-22-7.

Sincerely,

Chad M. Polak  
Agent, Real Estate Services  
O: (+1) 303.376.4363 | M: (+1) 720.245.4683  
3960 East 56<sup>th</sup> Avenue | Commerce City, CO 80022  
Phillips 66

**From:** Amber Blanchette <amberb@postfalls.gov>  
**Sent:** Thursday, December 22, 2022 12:45 PM  
**To:** Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01\_Real\_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfalls.gov>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Polak, Chad M <Chad.M.Polak@p66.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; D1Permits <d1permits@itd.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfalls.gov>; David Sauer (Zipty) <david.sauer@zipty.com>; Dena Naccarato <dnaccarato@273.com>; Devin Weeks <dweeks@cdapress.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellen Smith <ellen.smith@itd.idaho.gov>; Erik Ketner <eketner@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eporter@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jacob Bell <jacob.bell@tdstelecom.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jcresci@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Kelly Russell <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfalls.gov>; Judah Lopez <judah\_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric <mblyton@kec.com>; Kootenai Electric <mnewcomer@kec.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Laura Jones <ljones@postfalls.gov>; lauriep@kootenaifire.com; Lynn Sandsor, AECOM <lynn.sandsor@aecom.com>; Martina <martina@eastgreenacres.org>; Marvin Fenn <marvin.fenn@itd.idaho.gov>; Matthew Jones, BNSF <matthew.jones@bnsf.com>; Media <media@postfallsidaho.org>; Michael Allen <MAllen@postfallspolice.com>; Michael Thomas, P.E. <mthomas@kec.com>; Monica Miller

<momiller@quantatelcom.com>; Naomi Tierney <ntierney@postfalls.gov>; Pat Knight <pknight@postfallspolice.com>; PFHD <contactus@postfallshd.com>; PFPD <admin@postfallspolice.com>; Phillip Evander <PEvander@kec.com>; Post Falls Chamber <pam@postfallschamber.com>; Preston Hill <phill@postfallsidaho.org>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Rod CDA Garbage <Rod@cdagarbage.com>; Ross Point Water <rosspointwater@frontier.com>; Scott Davis <sdavis@kec.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stacy Simkins <stacy.simkins@itd.idaho.gov>; Stephanie Herman <speugh@postfallsidaho.org>; Steven Kjergaard <skjergaard@kcgov.us>; Symone Legg <symone.legg@itd.idaho.gov>; Teresa Benner <tbenner@postfalls.gov>; Thomas Gwin <thomas.gwin@twcable.com>; Tisha Gallop <tgallop@postfalls.gov>; Towry, Kristie <kmtowry@bpa.gov>; Wade Meyer <wmeyer@postfalls.gov>; Warren M <warrenm@kootenaifire.com>; Warren Wilson <wwilson@postfallsidaho.org>; Wilson, Ron <Ron@eastgreenacres.org>; Joe Malloy <jmalloy@postfallsidaho.org>; Josh Walker <jwalker@postfallsidaho.org>; Kenny Shove <kshove@postfallsidaho.org>; Kerri Thoreson <kerrit@postfallsidaho.org>; Lynn Borders <lborders1@frontier.com>; Ron Jacobson <rjacobson@postfallsidaho.org>; Nathan Ziegler <nziegler@postfallsidaho.org>  
**Subject:** [EXTERNAL]Title 18 Cottage Homes Ordinance TA-22-7

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**This Message Is From an External Sender**

This message came from outside your organization.

Report Suspicious

Good morning,

Attached is the notice to jurisdiction for the Cottage Home Ordinance for City Council on January 17<sup>th</sup>, the draft staff report will be on the city's website shortly.

**Please Note** my new email address is [amberb@postfalls.gov](mailto:amberb@postfalls.gov)

Thank you,

Amber Blanchette  
Planning Specialist  
Phone: 208-457-3338  
Email: [amberb@postfalls.gov](mailto:amberb@postfalls.gov)



*Fear is an illusion, ready to be overcome...*

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The City of Post Falls has changed our domain to POSTFALLS.GOV. Please adjust your contacts/links.

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Privileged / confidential information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or send this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply e-mail. Although this email has been scanned for the possible presence of computer viruses prior to dispatch, we cannot be held responsible for any viruses or other material transmitted with, or as part of, this email without our knowledge.

**CITY OF POST FALLS**  
**AGENDA REPORT**  
Unfinished Business  
**MEETING DATE: 01/17/2023**

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**DATE:** 01/09/2023  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** Bill Melvin  
**SUBJECT:** Water Tower Parking Lot and Pocket Park

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**ITEM AND RECOMMENDED ACTION:**

- 1) Approval to bid the Water Tower Parking Lot
- 2) Approval of the Water Tower Pocket Park Concept

**DISCUSSION:**

City Council previously authorized the design and preparation of contract documents for the Water Tower Parking Lot and the concept preparation for the adjacent future Water Tower Parking Lot on 1/17/1011, with a contract with Welch Comer Engineers. The design and contract documents for the parking lot have been approved by Staff and Legal, and the pocket park concept has been approved by Parks Staff and the Parks and Recreation Commission. City Engineer, Bill Melvin, will present the Water Tower Parking Lot, requesting approval to bid the project. Parks Planner, Robbie Quinn, will present the Pocket Park, requesting Council approval of the concept drawings.

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:**

2/1/2022

**APPROVED OR DIRECTION GIVEN:**

Contract with Welch Comer approved by City Council

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING:**

\$560,000 - General Fund

**BUDGET CODE:**

001-481-0000-05015



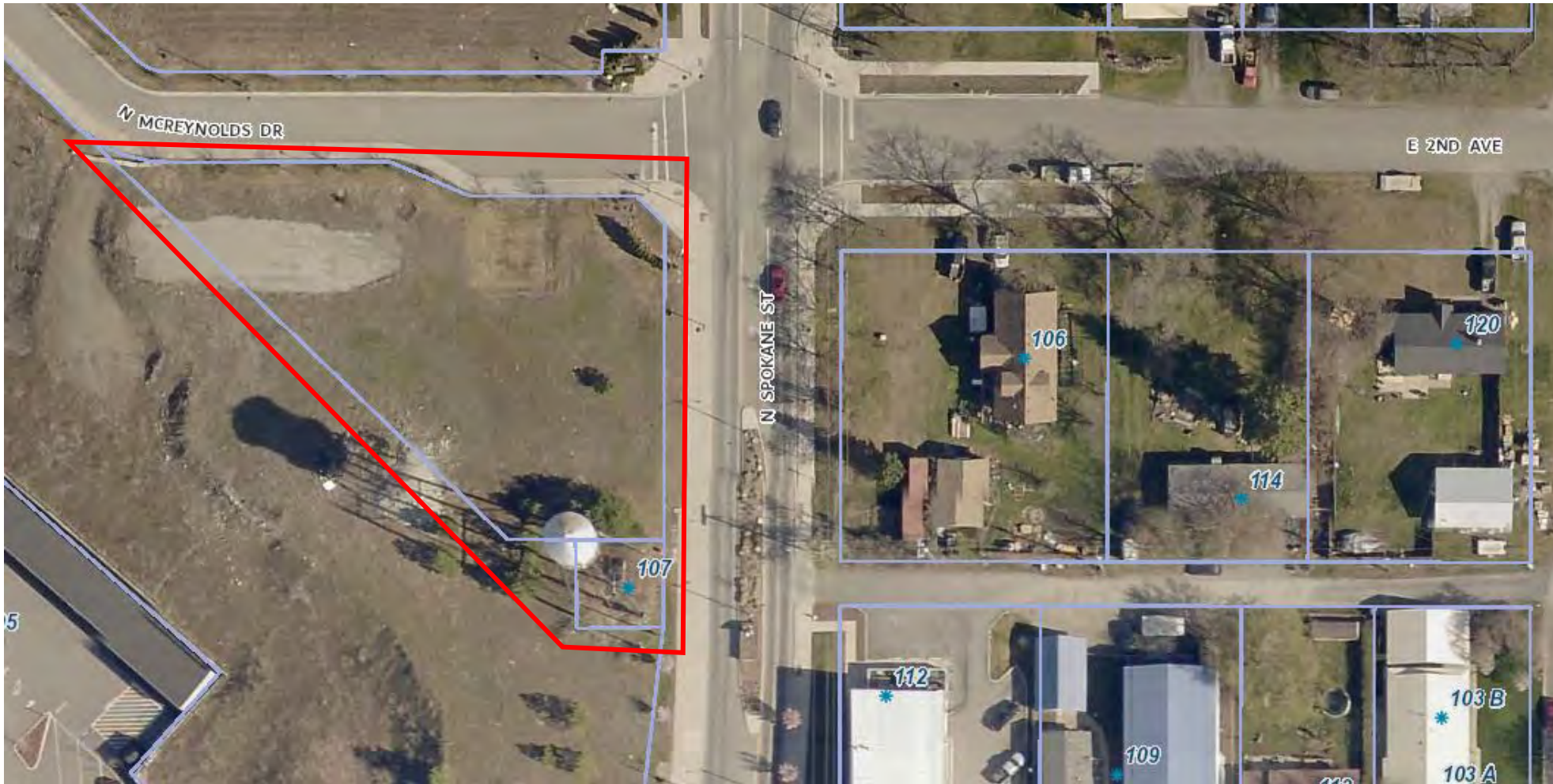
# Water Tower Parking Lot & Pocket Park

Bill Melvin – City Engineer  
Robbie Quinn – Parks Planner  
January 17<sup>th</sup>, 2023

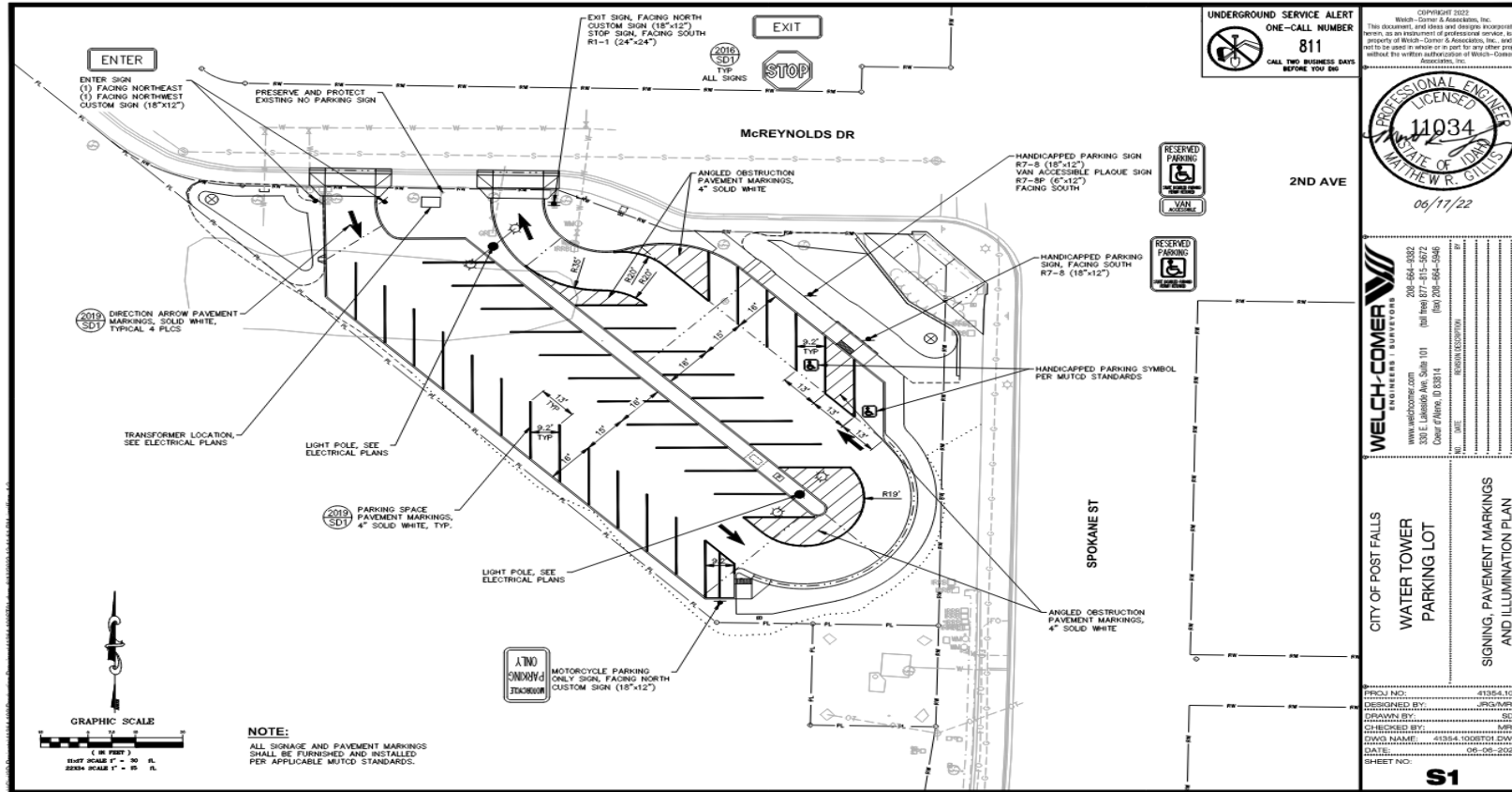


- ❖ Contract approved by City Council with Welch Comer & Associates.
- ❖ Final Design of Water Tower Parking Lot.
- ❖ Concept design of Water Tower Pocket Park.

# Project Parcel Map



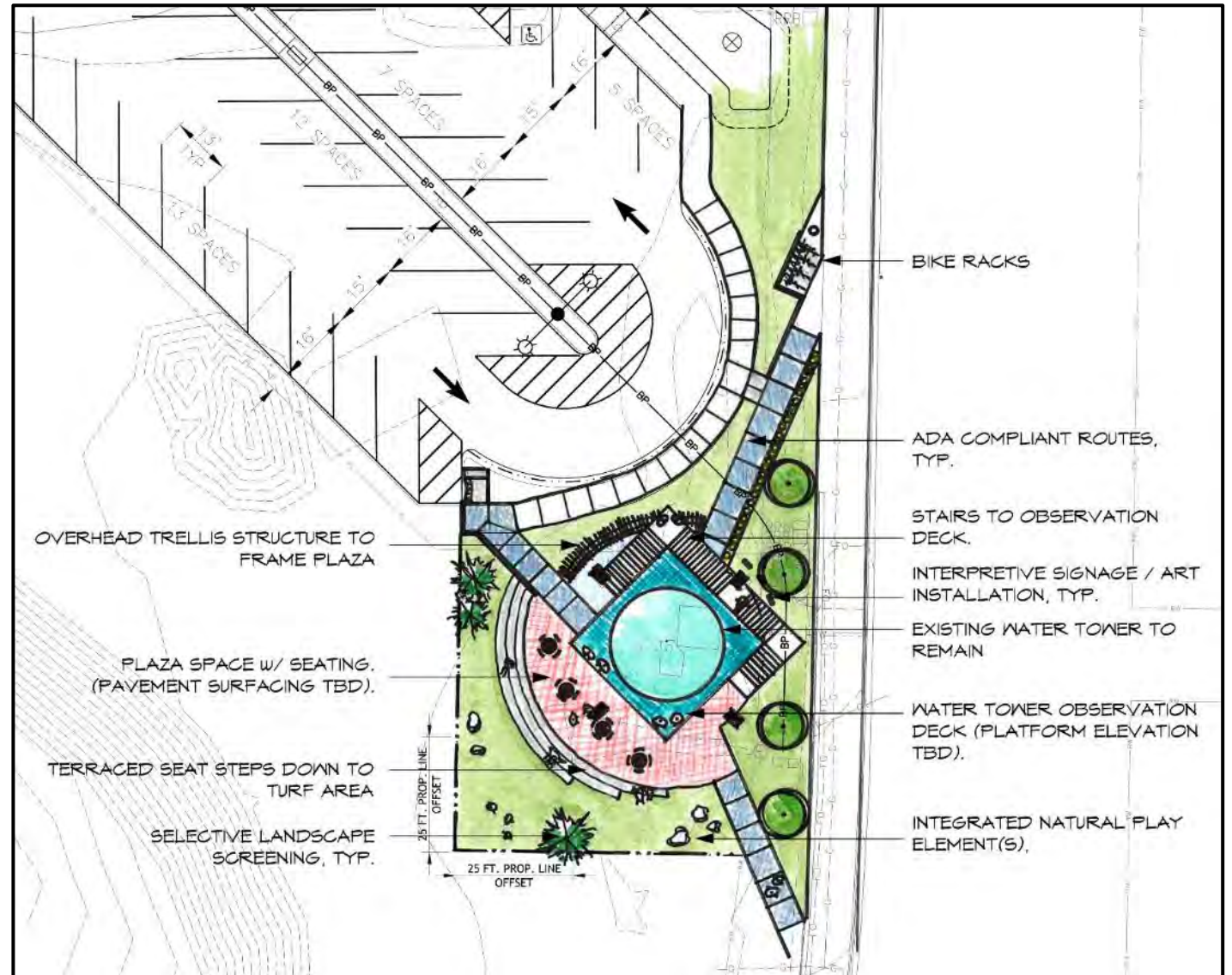
# Water Tower Parking Lot Design



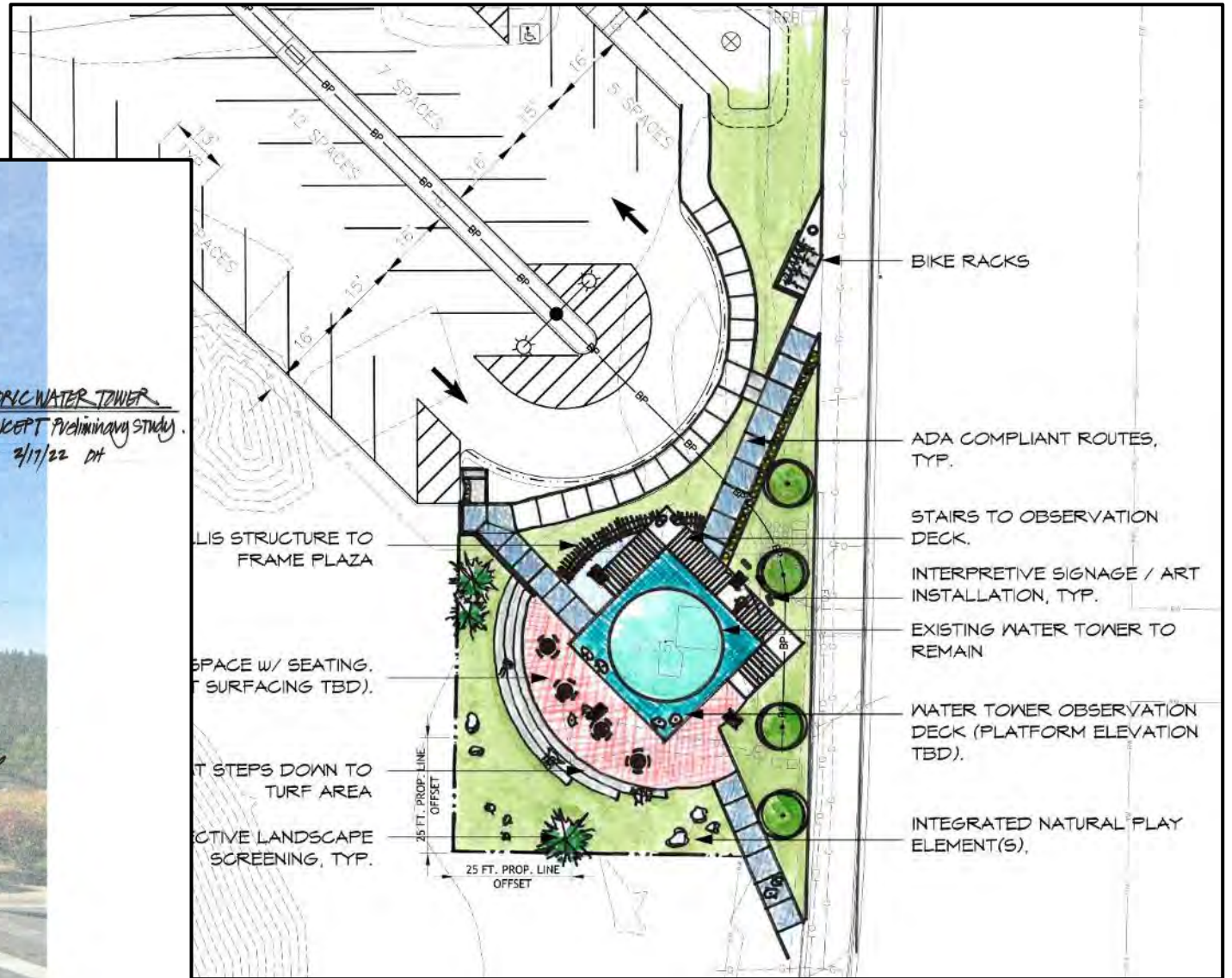
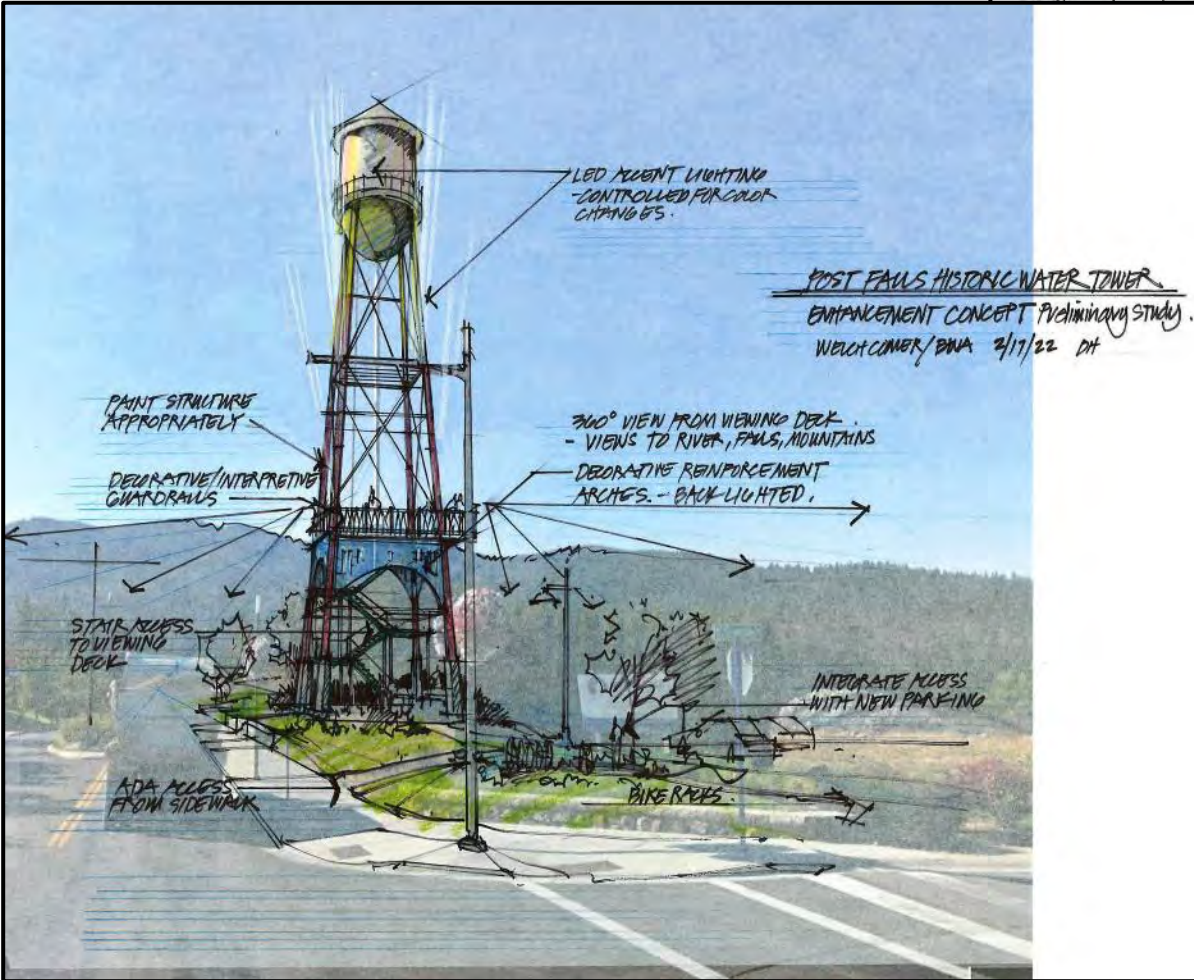
## ➤ Design Overview

# Pocket Park Concept Design

## ➤ Radial Design

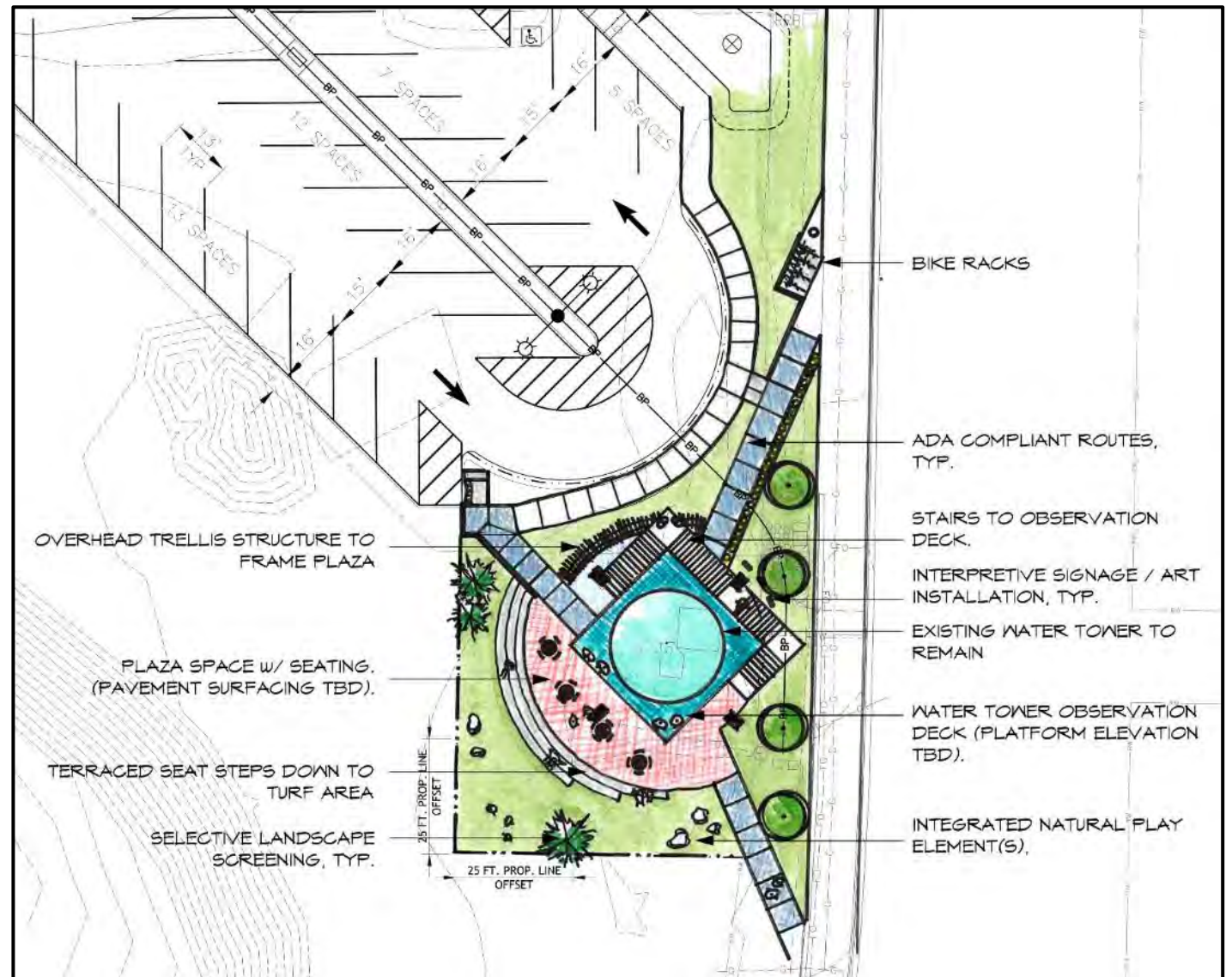


# Pocket Park



# Pocket Park Concept Design

➤ Parks & Recreation  
Commission  
recommendation to  
adopt



# Bidding Status & Process

- Staff and Legal review complete
- Base Bid and Additive Alternatives
- Construction time frame



# Action:

- Approve to bid Parking Lot
- Approve Pocket Park concept

# QUESTIONS?



**CITY OF POST FALLS**  
**AGENDA REPORT**  
Ordinance & Resolutions  
**MEETING DATE: 01/17/2023**

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**DATE:** 01/11/2023  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** Warren Wilson  
**SUBJECT:** Ordinance Vacating a Lift Station Easement on Lot 1, Block 4, Crimson King Estates

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**ITEM AND RECOMMENDED ACTION:**

Staff requests that the City Council approve an ordinance vacating a lift station easement on Lot 1, Block 4, Crimson King Estates.

**DISCUSSION:**

A Lift Station easement was granted to the City on Lot 1, Block 4, of the Crimson King Estates subdivision. That lot was replated by the River City Center subdivision and a replacement easement was granted to the City. I.C. 50-1306A indicates that utility easements are vacated by recording a new plat so this easement has been vacated by act of law. However, a title company is refusing to remove an exception to title insurance for the prior lift station easement. This has created issues for the property owner in using their property. Recording a new ordinance should resolve the issue by making clear that the prior lift station easement has been vacated and will not impact the city's current lift station easement.

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:**

New Item

**APPROVED OR DIRECTION GIVEN:**

N/A

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING:**

No impact. The City has a replacement easement in place.

**BUDGET CODE:**

N/A

**ORDINANCE NO. \_\_\_\_\_**

**EASEMENT VACATION**

**LIFT STATION EASEMENT CONTAINED DEDICATED BY  
THE CRIMSON KING SUBDIVISION**

**AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF IDAHO, PROVIDING FOR THE VACATION OF A LIFT STATION EASEMENT ON LOT 1, BLOCK 4 OF THE CRIMSON KING ESTATES SUBDIVISION RECORDED AS INSTRUMENT NUMBER 2056092000 ON PAGE 377A IN BOOK J OF PLATS, RECORDS OF KOOTENAI COUNTY, IDAHO AS DESCRIBED HEREIN; PROVIDING FOR DISPOSITION OF THE VACATED EASEMENT; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

**WHEREAS**, a lift station easement was granted to the City of Post Falls on Lot 1, Block 4, of the Crimson King Estates Plat as depicted on the attached Exhibit “A”; and

**WHEREAS**, Idaho Code § 50-1306A provides that “[i]n the case of easements granted for gas, sewer, water, telephone, cable television, power, drainage, and slope purposes, public notice of the intent to vacate is not required. Vacation of these easement shall occur upon the recording of the new or amended plat provided that all affected easement holders of record have been notified by certified mail, return receipt requested, of the proposed vacation and have agreed to the same in writing”; and

**WHEREAS**, The City of Post Falls was the easement holder of the Crimson King Estates lift station easement, which was for sewer purposes; and

**WHEREAS**, On May 3<sup>rd</sup>, 2022, Post Falls Mayor Ronald G. Jacobson signed the plat of the River City Center Subdivision as evidence of the city’s approval of the plat; and

**WHEREAS**, The River City Center Subdivision replated Lot 1, Block 4, of the Crimson King Estates Subdivision along with other properties and was properly recorded in the records of Kootenai County as Instrument number 2899249000 on Page 710 in Book L of plats; and

**WHEREAS**, The River City Center Subdivision dedicated a replacement lift station easement to the City of Post Falls on Lot 2, Block 1, River City Center, as depicted on the attached Exhibit “B”, and noted that the prior lift station easement on Lot 1, Block 4, Crimson King Estates was being vacated; and

**WHEREAS,** Because the Crimson King Estates lift station easement was for sewer purposes, and because the City consented in writing to the vacation of the easement by approving the River City Center subdivision, the Crimson King Estates lift station easement was vacated by operation of law upon the recording of the River City Center plat; and

**WHEREAS,** Regardless of the easement being vacated by operation of law, a title company has insisted that the former lift station easement continues to exist as a cloud on the title of Lot 2, Block 1, River City Center subdivision; and

**WHEREAS,** The title company's insistence that the vacated lift station easement remains in place has negatively impacted the ability of the owner of Lot 2, Block 1, River City Center subdivision to fully use their property; and

**WHEREAS,** It is in the interest of the City of Post Falls to ensure that there is no confusion about the existence of the lift station easement created by the plat of the Crimson King Estates subdivision;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF POST FALLS AS FOLLOWS:**

**SECTION 1:** That the lift station easement originally dedicated on Lot 1, Block 4 of the Crimson King Estates subdivision, recorded as Instrument Number 2056092000 on Page 377A in Book J of Plats, records of Kootenai County, Idaho is vacated.

**SECTION 2:** That the above described easement be vacated and dissolved in total, leaving no encumbrances on the underlying property.

**SECTION 3:** All provisions of the current Municipal Code of the City of Post Falls or ordinances of the City of Post Falls which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION 4:** This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

**SECTION 5:** This ordinance shall be in full force and effect upon its passage and publication according to law in the official newspaper of general distribution in the City.

Enacted by the city council as an ordinance of the City of Post Falls on this \_\_\_\_ day of \_\_\_\_\_, 2023.

Approved by the Mayor on the \_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF POST FALLS**

By: \_\_\_\_\_  
Ronald G. Jacobson, Mayor

ATTEST:

\_\_\_\_\_  
Shannon Howard, City Clerk

**SUMMARY OF POST FALLS ORDINANCE NO. \_\_\_\_\_**

The City of Post Falls, Kootenai County, Idaho hereby gives notice of the adoption of Post Falls Ordinance No. \_\_\_\_\_, vacating a lift station easement on Lot 1, Block 4, Crimson King Estates subdivision, recorded as Instrument Number 2056092000 on Page 377A in Book J of Plats, records of Kootenai County, Idaho, generally located west of Highway 41 adjacent to 12<sup>th</sup> Avenue as more fully described in the full text of the ordinance; providing repeal of conflicting ordinances and providing severability. The ordinance is effective upon publication of this summary. The full text of Ordinance No. \_\_\_\_\_ is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the city clerk.

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Shannon Howard, City Clerk

Publish once in the City's official newspaper.

**STATEMENT OF LEGAL ADVISOR**

I, Warren J. Wilson, am legal advisor for the City of Post Falls, Idaho. I have examined the attached summary of Post Falls Ordinance No. \_\_\_\_\_, vacating a lift station

easement and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the contents thereof.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

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Warren J. Wilson, City Attorney

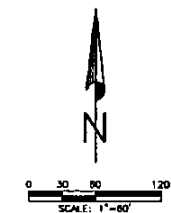
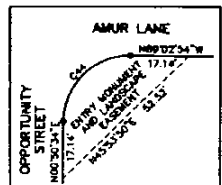
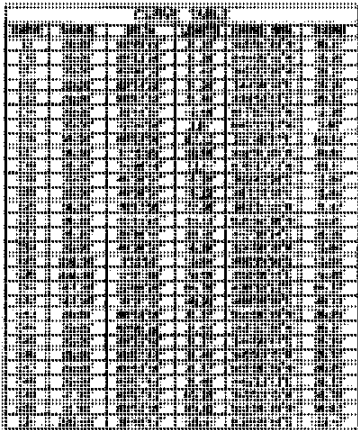
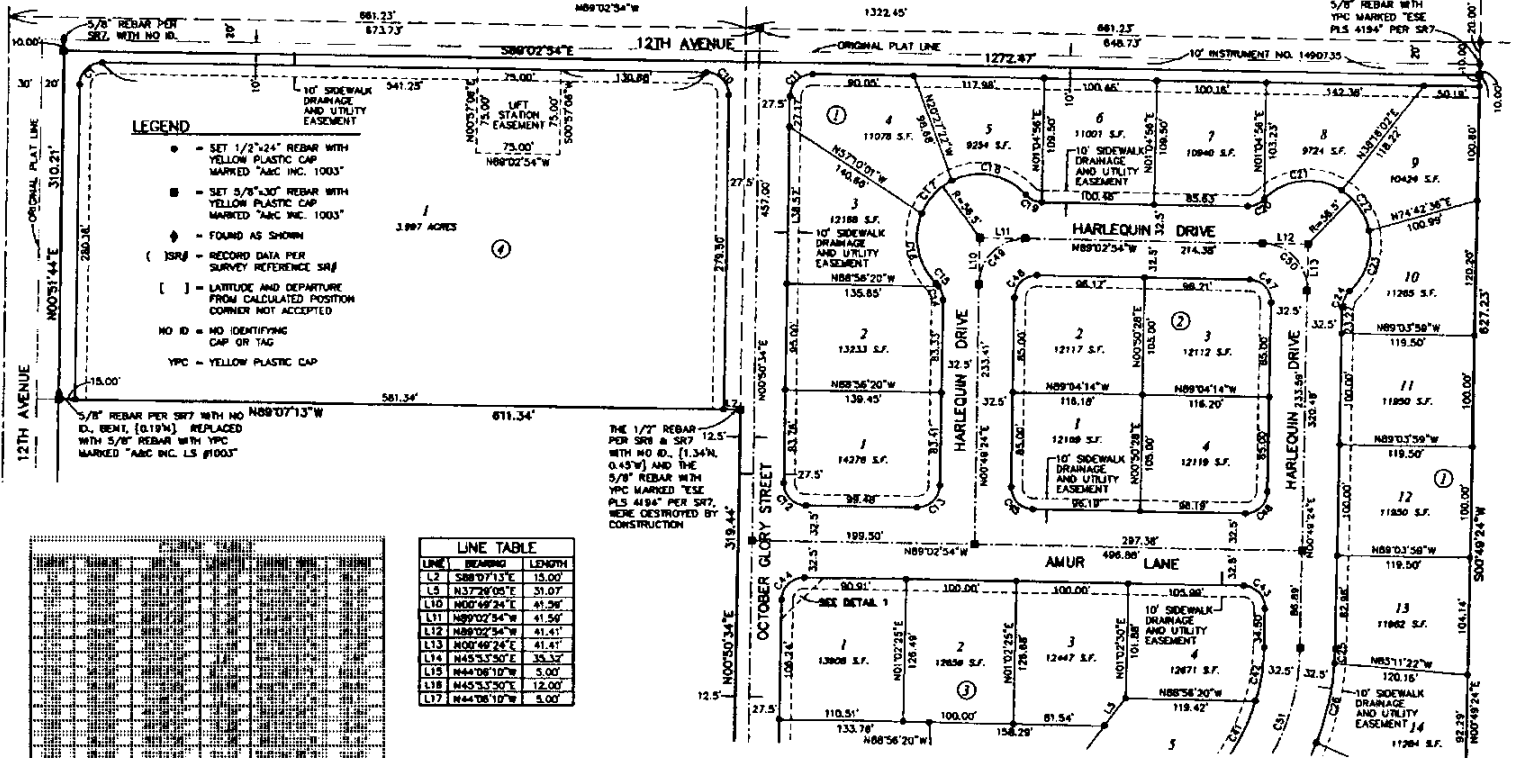


# Exhibit A

## CRIMSON KING ESTATES

A PORTION OF THE SW1/4, SECTION 31,  
TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M.,  
CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO

BOOK J PAGES 371A  
NO. 20562220



HP	HF
31-51-88	

SHEET 2 OF 4

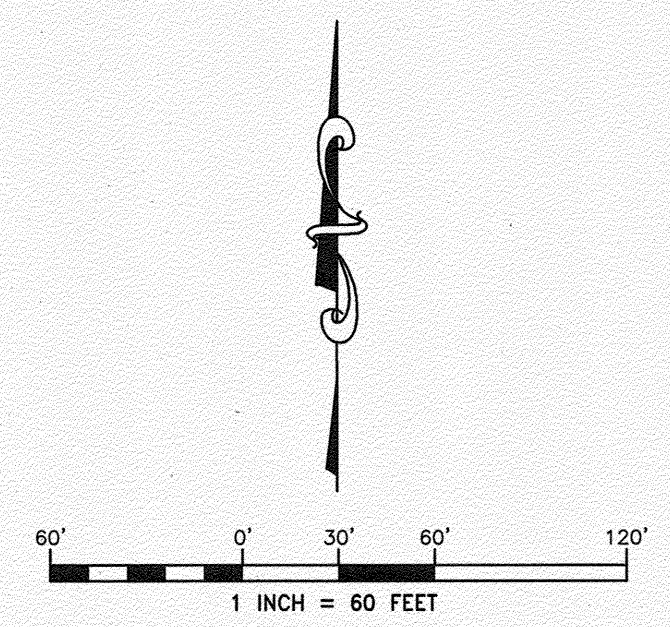
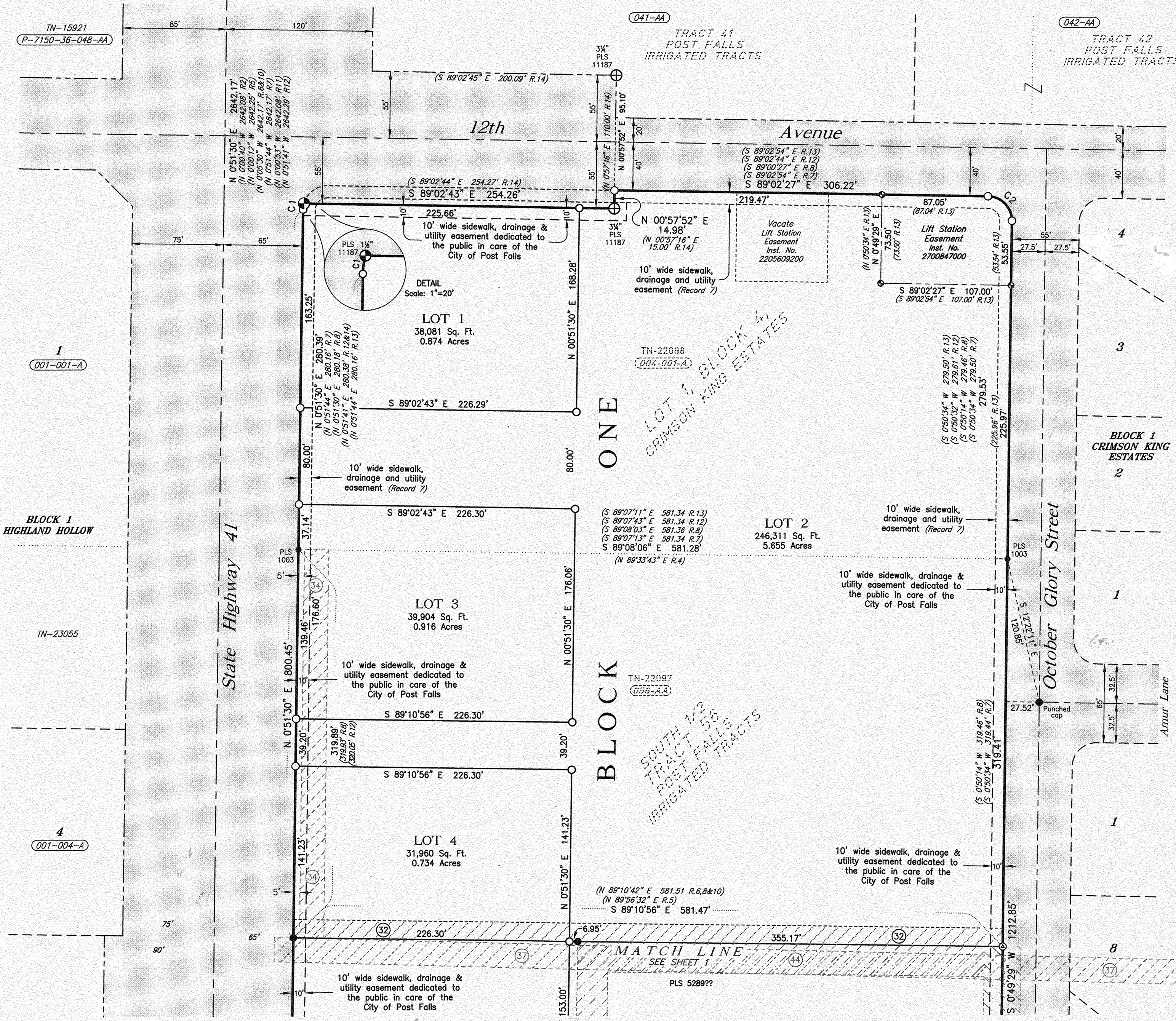
**AC**  
Adams & Clark, Inc.  
306 N. Reynolds St., Room 1  
Post Falls, ID 83454  
(208) 775-1812  
www.adamsandclark.com  
Project No. 2008-03-102

# RIVER CITY CENTER

A REPLAT OF LOT 1, BLOCK 4, CRIMSON KING ESTATES, THE SOUTH 1/2 OF TRACT 56 AND A PORTION OF TRACT 57, POST FALLS IRRIGATED TRACTS, LOCATED IN THE SW 1/4 OF SECTION 31, T.51N., R.4W., B.M., POST FALLS, KOOTENAI COUNTY, IDAHO

1/4 Sec. Cor.  
An iron rod, 5/8" diameter,  
with no cap,  
CP&F Inst. No. 2628320000

36 (Prior survey location)  
(Monument to be reestablished  
after reconstruction project)



- ### LEGEND
- ⊕ FOUND AN IRON ROD, 5/8 INCH DIAMETER, WITH A ZINC CAP, DIAMETER AND MARKING AS NOTED.
  - ⊙ FOUND AN IRON ROD, 5/8 INCH DIAMETER, WITH AN ALUMINUM CAP, DIAMETER AND MARKING AS NOTED.
  - FOUND AN IRON ROD, 5/8 INCH DIAMETER, WITH PLASTIC CAP MARKED "PLS 6374", EXCEPT AS NOTED.
  - FOUND AN IRON ROD, 1/2 INCH DIAMETER, WITH PLASTIC CAP MARKED AS NOTED.
  - ⊙ FOUND A BRASS TAC AND WASHER MARKED "PLS 6374".
  - SET AN IRON ROD, 30 INCHES LONG, 5/8 INCH DIAMETER, WITH A PLASTIC CAP MARKED "PLS 6374".
  - SET AN IRON ROD, 24 INCHES LONG, 1/2 INCH DIAMETER, WITH A PLASTIC CAP MARKED "EASEMENT PLS 6374".
  - CALCULATED POINT (NOTHING FOUND OR SET)
  - OTHERS AS NOTED
  - # EASEMENT NUMBER ACCORDING TO EASEMENTS OF RECORD
  - POB POINT OF BEGINNING

LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 00°54'06" E	249.78'	L5	S 47°30'59" E	22.43'
L2	S 89°05'54" E	20.00'	L6	N 89°19'58" W	43.04'
L3	S 00°54'06" W	249.69'	R.6, 8&10	N 89°20'34" W	43.03'
L4	N 89°20'34" W	20.00'			

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD BEARING	DISTANCE
C1	14°34'02"	20.00'	5.08'	N 08°08'55" E	5.07'
Rec.14	14°34'14"	20.00'	5.09'	N 08°08'48" E	5.07'
C2	89°50'46"	20.00'	31.36'	S 44°07'04" E	28.25'
Rec.13	89°53'28"	20.00'	31.38'	S 44°06'10" E	28.26'

- VICINITY MAP  
SEE SHEET 1
- BASIS OF BEARING  
SEE SHEET 1
- SURVEY NARRATIVE  
SEE SHEET 1
- SURVEYS OF RECORD & PRIOR SURVEYS  
SEE SHEET 1
- EASEMENTS OF RECORD  
SEE SHEET 1

Scott M. Rasor 4/22/22  
SCOTT M. RASOR ~ PLS 6374 DATE

SHEET 3 OF 4

SCALE: 1" = 60'	DRAWN: CVF	JOB NO: 21.095 DWG FILE: MUL21095P
DATE: APRIL 22, 2022	CHECKED: SMR	CREW: TAB, DEG & EJS

MECKEL ENGINEERING & SURVEYING  
7600 N. GOVERNMENT WAY, COEUR D'ALENE, IDAHO, 83815 (208)667-4638 fax:(208)664-3347

RIVER CITY CENTER  
A REPLAT OF LOT 1, BLOCK 4, CRIMSON KING ESTATES, THE SOUTH 1/2 OF TRACT 56 AND A PORTION OF TRACT 57, POST FALLS IRRIGATED TRACTS, LOCATED IN THE SW 1/4 OF SECTION 31, T.51N., R.4W., B.M., POST FALLS, KOOTENAI COUNTY, IDAHO

**CITY OF POST FALLS**  
**AGENDA REPORT**  
New Business  
**MEETING DATE: 01/17/2023**

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**DATE:** 01/11/2023  
**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** Bryan Myers  
**SUBJECT:** Q'emiln Well Rehabilitation Consulting Services

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**ITEM AND RECOMMENDED ACTION:**

Staff is seeking Council approval of the Consulting Services contract for the Q'emiln Well Investigation with TO Engineers, Inc. If approved the Mayor should sign the Agreement.

**DISCUSSION:**

The Parks and Recreation Department desires to implement improvements to the Q'emiln domestic water well in accordance with the Idaho Department of Environmental Qualities (IDEQ) Sanitary Sanitary Survey dated July 14th 2022. Major deficiencies identified in the Sanitary Survey include failing/corroded well casing, no vent on well cap, wellhouse building and mechanical piping in disrepair that does not meet current IDPA rules.

This contract will provide consulting services including investigation, due diligence and recommendations to correct deficiencies identified in the IDEQ sanitary survey.

The scope of work includes assembling/reviewing existing information, previously prepared plans, and other relevant data for use during design. United Crown will pull the existing pump and video the well as a subconsultant to T-O Engineers. Northwest Groundwater Consultants will review the video and summarize findings and provide a recommendation regarding well casing as a subconsultant to T-O Engineers. In the event the existing well cannot be rehabilitated and the City authorizes, Northwest Groundwater Consultants will perform a well site evaluation to determine suitable location for a new well. T-O will provide a memorandum summarizing project tasks and recommendations on moving forward to correct the major deficiencies identified by the IDEQ Sanitary Survey and site investigation findings, including recommendations on well rehabilitation or replacement, pumphouse and piping rehabilitation or replacement.

The lump sum fee for services to be provided is \$21,183.00 to be paid by the General Fund, Parks and Recreation Avista M&O line item. Following the completion of this scope of work it is anticipated the department will return to City Council with a request for a consulting services contract to design improvements outlined in the resulting memo.

**ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:**

**APPROVED OR DIRECTION GIVEN:**

**FISCAL IMPACT OR OTHER SOURCE OF FUNDING:**  
\$21,183.00

**BUDGET CODE:**  
001-443.1658.62330

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**Title: Consulting Services for The City of Post Falls – Q’emiln Well Investigation**

Estimated Contract Value: \$21,183

Estimated Completion Date: October 30, 2024

Contract Type: Lump Sum – Engineering Design and Planning

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**CITY OF POST FALLS:**

City of Post Falls Idaho

C/O City of Post Falls Public Services - Utilities Division

408 N. Spokane Street

Post Falls, ID 83854

City Contract Administrator: Jason Faulkner, Finance Director, Phone: (208)

773-3511 [Email: jfaulkner@postfallsidaho.org](mailto:jfaulkner@postfallsidaho.org)

City Project Manager: Bryan Myers, Parks Manager, Phone: (208) 457-3359

**CONSULTANT:**

T-O Engineers, Inc.

7950 N. Meadowlark Way, Suite A, Coeur d’Alene, ID 83815

Firm Project Manager: Zach Thompson, P.E., Phone: (208) 762-3644

Email: [zthompson@to-engineers.com](mailto:zthompson@to-engineers.com)

THIS AGREEMENT made and entered into by and between City of Post Falls, a political subdivision of the State of Idaho, having offices for the transaction of business at 408 N. Spokane Street, Post Falls, Idaho 83854, hereinafter referred to as the "City," and T-O Engineers, Inc., having offices for the transaction of business at 7950 N. Meadowlark Way, Suite A, Coeur d’Alene, Idaho, hereinafter referred to as the "Consultant" jointly, hereinafter referred to along with the City as the "Parties."

WITNESSETH:

WHEREAS, pursuant to the provisions of the Idaho Code, the City Council of Post Falls has determined a need to for rehabilitation of the Q’emiln Well.; and

WHEREAS, the City has identified portions of key tasks in accordance with the Idaho Department of Environmental Quality Sanitary Survey dated July 14, 2022.

WHEREAS, pursuant to Resolution 21-02 dated 1/19/21 this Agreement is made and entered into effective from the date attested by the City Clerk of the Board, by and between City of Post Falls, a political subdivision of the State of Idaho hereinafter known as the “City” having offices for the transaction of business as listed above and the "Consultant", as named, and having offices for the transaction of business as listed above, jointly, hereinafter referred to as the "Parties".

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions set forth herein, the Parties mutually agree as follows:

## **ARTICLE 1. SUBJECT AND PURPOSE**

1.1. **PURPOSE:** The City hereby agrees to engage the Consultant and the Consultant hereby agrees to perform the services hereinafter set forth, which are generally described as consulting services to design and provide construction administration services for rehabilitation of the Q'emiln.

## **ARTICLE 2. SCOPE OF WORK AND PERSONNEL**

2.1. **PROJECT LOCATION:** This project is located adjacent to the Grand Pavilion at Q'emiln park, on the northwest corner of Spokane St. and W Parkway Drive in Post Falls, ID.

2.2. **SCOPE/STATEMENT OF WORK:** The Consultant will provide the consulting services including investigation, due diligence and recommendations to correct deficiencies identified in the IDEQ sanitary survey. A more detailed Scope of Services is attached hereto as Exhibit "A", which is incorporated herein by reference. All of the services required hereunder will be performed by the Consultant or under Consultant's direct supervision, and all personnel engaged in the work shall be fully qualified and shall be authorized under state and local law to perform such services. Work will be coordinated with the City Project Manager or his/her representative.

2.3. **PERSONNEL:** The Consultant represents that it has or will secure at its own expense all personnel required to perform its services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with the City. It is expected that the Project Manager and other key employee(s) upon which the Consultant based its qualifications to perform the work will be the ones who perform the services on behalf of the Consultant. The Consultant's Project Manager and/or other key employee(s) may not be replaced without obtaining the City's approval, which will not be unreasonably withheld. The written request for substitution must describe why the action is being requested and be accompanied by the documentation for the person(s) as called for in the Request for Qualification's criteria section dealing with the competence of personnel and any applicable specialized experience. Based upon the City's review of the Consultant's documentation, and any supplemental information that may have been submitted at the City's request, the City, may at its sole option: (1) approve the Consultant's request in writing; or (2) deny the Consultant's request and call for other substitute(s) or replacement(s) to be submitted for review; or (3) terminate this Agreement for cause and remove the Consultant from the project.

2.4. **ASSIGNABILITY:** The Consultant may not assign or transfer any interest in this Agreement without the prior written consent of the City thereto. Provided, however, that claims for money due or to become due to the Consultant from the City under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the City. Likewise, the Consultant may not delegate duties or otherwise subcontract work or services under this Agreement without the prior written approval of the City.

2.5. **RELATIONSHIP OF THE PARTIES:** The Consultant shall perform its obligations hereunder as an independent contractor of the City. The City may administer this Agreement and monitor the Consultant's compliance with this Agreement but shall not supervise or otherwise direct the Consultant except to provide recommendations and to provide approvals pursuant to this Agreement.

2.6. **TERM:** Services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the work. Upon request of the City, and subject to the City's approval a schedule for the performance of the Services which may be adjusted as the Project proceeds, shall be submitted for review and approval. The schedule shall include allowances for periods of time required for the City's review and for the receipt of submissions by authorities having jurisdiction over the project.

### **ARTICLE 3. COMPENSATION**

3.1. **BASIS OF COMPENSATION:** Consultant will be paid on a lump sum basis for design services and time and materials for construction administration services. The lump sum fee for design services to be provided is **\$21,183**. The portion of the lump sum that is invoiced monthly will be based on Consultant's estimate of percentage of scope of work completed. The portion of the time and materials that is invoiced monthly will be based on actual time spent at an hourly rate based on the rates listed in the Functional Fee Schedule, attached hereto as Exhibit "B".

3.2. **REIMBURSABLE EXPENSES:** Reimbursable expenses must have the prior written approval of the City. Reimbursable expenses will be billed at cost unless otherwise approved in writing by the Project Manager. Such reimbursable expenses are in addition to basic compensation addressed in Section 3.1 of this Article. Reimbursable expenses include expenses by the Consultant and the Consultant's employees in the interest of the Project. Ordinary expense charges will be based upon the Consultant's Billing Rates shown on the attached Exhibit "B".

3.3. **EXCLUSIONS FROM COMPENSATION:** Except as otherwise provided in this Agreement, the City shall not provide any additional compensation, payment, use of facilities, service or other thing of value to the Consultant in connection with performance of agreement duties. The parties understand and agree that, except as otherwise provided in this Article, administrative overhead and other indirect or direct costs the Consultant may incur in the performance of its obligations under this Agreement, including but not limited to, fees, licenses, and permits have already been included in computation of the Consultant's fee and may not be charged to the City.

3.4. **TIME OF PAYMENT:** Payments will be made in monthly installments based on an invoice of services rendered and costs incurred during the previous month. Each invoice will contain the project/contract number and be sequentially numbered beginning with "Pay Request 1". The invoice will be addressed to the Project Manager at the address listed above. The invoice will be paid within 30 days of receipt by the City contingent upon review and authorization by the City's Contract Administrator and Project Manager. Each monthly invoice must reflect the total work performed and approved to date. Past due amounts may bear a finance charge as stipulated by law not to exceed 1% of the past due amount per month.

3.5. **METHOD OF PAYMENT:** The, City, in its sole discretion, may elect to make payment by warrant (check), credit card (payment card or "P" card), Automated Clearing House (ACH) or Electronic Payment (E-payment or E-payables). The pricing submitted by the Consultant and accepted by the City is inclusive of applicable payment terms, as well as, any and all fees incurred by the Consultant through their financial institutions in accepting any of the above referenced payment methods. No additional fees or charges to the City shall apply, unless otherwise preapproved by the City.

3.6. **FINAL INVOICE:** In order for the Parties to close their books and records, the Consultant will state

"final invoice" or other words to that effect on its final or last billing to the City for the work of the Agreement. Since this Agreement will thereupon be closed and any budget balances deleted, the Consultant agrees that any further charges not properly included on this or previous billings will be waived in their entirety.

#### **ARTICLE 4. INSURANCE**

**4.1. INSURANCE:** The Consultant will maintain, at a minimum, the insurance coverage's set forth in this Article. Any exclusions must be pre-approved by the City of Post Falls Finance Department. Work under this contract may not commence until evidence of all required insurance is provided to, and approved by, the City Attorney. The Consultant's insurer must have a minimum A.M. Best's rating of A-VII and must be licensed to do business in the State of Idaho. Evidence of such insurance shall consist of a completed copy of the certificate of insurance, signed by the insurance agent for the Consultant. The insurance policy or policies will not be canceled, materially changed or altered without forty-five (45) days prior notice submitted to the City. The policy must be endorsed and the certificate must reflect that the City of Post Falls is named as an additional insured on the Consultant's general liability policy with respect to activities under this Agreement. The policy must provide and the certificate must reflect that the insurance afforded applies separately to each insured against whom claim is made or suit is brought except with respect to the limits of the company's liability. Additionally, the policy must be endorsed and the certificate must reflect that the insurance afforded therein shall be primary insurance for the Consultant. The certificate holder shall be City of Post Falls C/O City of Post Falls Public Services - Utilities Division, 408 N. Spokane Street, Post Falls, Idaho 83954. Any insurance or self-insurance carried by the City shall be excess and not contributory insurance to that provided by the Consultant.

**4.2. GENERAL LIABILITY INSURANCE:** The Consultant must have Commercial General Liability Insurance with limits of \$1,000,000.00 per occurrence, which includes general aggregate, products, completed operation, personal injury and fire damage. The General Liability Insurance must state that City of Post Falls, it's officers, agents and employees, and any other entity specifically required by the provisions of this Agreement will be specifically named additional insured(s) for all coverage provided by this policy of insurance and shall be fully and completely protected by this policy from all claims.

**4.3. AUTOMOBILE INSURANCE:** The Consultant must carry, for the duration of this Agreement, comprehensive automobile liability coverage of \$1,000,000.00 for any vehicle used in conjunction with the provision of services under the terms of this Agreement. The policy must provide that it will not be canceled, materially changed, or renewed without forty five (45) days written notice prior thereto to City of Post Falls.

**4.4. WORKERS COMPENSATION:** The Consultant agrees to maintain Workmen's Compensation coverage on all employees, including employees of subcontractors, during the term of this Agreement as required by Idaho Code and to provide proof of Worker's Compensation coverage by providing its State Industrial Account Identification Number to the City. Should the Consultant fail to maintain such insurance during the entire term hereof, the Consultant will indemnify the City against any loss resulting to the City from such failure, either by way of compensation or additional premium liability.

**4.5. PROFESSIONAL LIABILITY INSURANCE:** The Consultant will carry Professional Liability insurance coverage in the minimum amount of this Agreement or \$1,000,000.00, whichever is more.



**4.6. FAILURE TO COMPLY:** Failure of the Consultant to fully comply with the above insurance requirements during the term of this Agreement will be considered a material breach of this Agreement and could be cause for immediate termination of the Agreement at the City's sole discretion. Alternatively, the City may procure and maintain, at the Consultant's sole expense, insurance up to the amount of the required coverage(s). The City may offset the cost of such insurance against any payment due to the Consultant due for work performed under this Agreement.

## **ARTICLE 5. CONTRACT TERMINATION**

**5.1. TERMINATION BY CONSULTANT:** This Agreement may be terminated by the Consultant upon thirty (30) days' prior written notice to the City in the event of substantial failure by the City to perform in accordance with the terms of this Agreement through no fault of the Consultant.

**5.2. TERMINATION BY CITY:** This Agreement may be terminated by the City with or without cause immediately upon written notice to the Consultant. In the event of termination of a Contract through no fault of the Consultant, the City agrees to pay the Consultant for services rendered to the City's satisfaction up to the date of termination based upon actual costs and expenses incurred according to this Agreement. Payment will be based upon an itemized breakdown and documentation by the Consultant that services have been performed to the date of termination and acceptance of said documentation by the City. In the event of termination for cause, the Consultant, must reimburse the City for all reasonable costs associated with the replacement of the Consultant with a different entity to complete the work that is the subject of this Agreement.

**5.3. CLOSE-OUT OF WORK:** Immediately after sending a Termination Notice to the City or receiving a Termination Notice from the City, and except as otherwise directed by the City the Consultant must:

- (1) Stop work on the date and to the extent specified; and
- (2) Terminate and settle all orders and subcontracts relating to the performance of the terminated work; and
- (3) Transfer all work in process, completed work, and other material related to the terminated work to the City; and
- (4) Continue and complete all parts of the work that have not been terminated.

## **ARTICLE 6. INDEMNIFICATION**

**6.1. CONSULTANT TO INDEMNIFY CITY:** The Consultant agrees to indemnify, defend (at the city's sole option), and hold the City harmless from any and all claims, including but not limited to reasonable attorney fees, demands, losses and liabilities to or by third parties to the extent arising from, resulting from, a negligent act, error or omission of the Consultant performed under this Agreement by the Consultant, its agents or employees to the fullest extent permitted by law. The Consultant's duty to indemnify the City shall not apply to liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the negligence of the City, its agents or employees. The Consultant's duty to indemnify the City for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the concurrent negligence or (a) the City, its agents or employees, and (b) Consultant, its agents or employees shall apply only to the extent of negligence of the Consultant or its agents or employees. Consultant's duty to defend (at the city's sole option),

indemnify and hold the City harmless shall include, as to all claims, demands, losses and liability to which it applies, the City's personnel-related costs, reasonable attorney's fees, court costs and all other claim-related expenses. Consultant's defense obligation under the indemnity paragraph shall include only the reimbursement of reasonable defense costs to the extent of Consultant's actual, proportional indemnity obligation as determined by a court of law.

**6.2. PROFESSIONAL LIABILITY:** The Consultant's professional liability to the City (including Consultant's officers, directors, employees and agents) is limited to the amount payable under this Contract or one million dollars (\$1,000,000), whichever is less. This limitation applies to all lawsuits, claims or actions identified under any legal theory related to Consultant's services under this Agreement and any continuation or extension of such services.

**6.3. U.C.C., LIENS, ETC.** The Consultant's indemnification shall specifically include all claims for loss or liability because of wrongful payments under the Uniform Commercial Code, or other statutory or contractual liens or rights of third parties, including taxes, accrued or accruing as a result of this contract or work performed or materials furnished directly or indirectly because of this contract.

## **ARTICLE 7. INSTRUMENTS OF SERVICE/RECORDS**

**7.1. CITY OWNS INSTRUMENTS OF SERVICE:** Drawings and other documents, including those in electronic form, prepared by the Consultant and Consultant's subcontractors are Instruments of Service. The City shall own all rights, title and interest in all of the Instruments of Service and all of the other materials conceived or created by the Consultant or its employees or subcontractors, either individually or jointly with others and which arise out of the performance of this Agreement, including any inventions, reports, studies, designs, drawings, specifications, notes, documents, software and documentation, computer-based training modules, electronically, magnetically or digitally recorded material, and other work in whatever form (hereafter "Materials"). All finished or unfinished Materials prepared by the Consultant under this Agreement shall be the property of the City whether or not the project is completed or this Agreement is canceled prior to expiration.

**7.2. CONSULTANT TO ASSIGN RIGHTS:** The Consultant hereby assigns to the City all rights, title and interest to the Materials. The Consultant will, upon request of the City, execute all papers and perform all other acts necessary to assist the City to obtain and register copyrights, patents or other forms of protection provided by law for the Materials such work being at additional expense to the City. The Materials created under this Agreement by the Consultant, its employees or subcontractors, individually or jointly with others, shall be considered "works made for hire" as defined by the United States Copyright Act. All of the Materials, whether in paper, electronic, or other form, shall be remitted to the City by the Consultant, its employees and any subcontractors, and the Consultant shall not copy, reproduce, allow or cause to have the Materials copied, reproduced or used for any purpose other than performance of the Consultant's obligations under this Agreement without the prior written consent of the City's Designated Representative except that the Consultant may retain copies necessary for record keeping, documentation and other such business purposes related to the Agreement.

**7.3. STANDARD ELEMENTS:** The foregoing shall not be construed to mean that the City shall acquire an exclusive possessory right, by copyright or otherwise, to the exclusion of the Consultant, in standard elements found in the Materials (such as standard details) generated and authored by the Consultant for its

regular, repeated and ongoing use in designs, plans and drawings for its customers in the regular course of its business. The City further waives any claim it might have against the Consultant for errors or omissions arising specifically from changes made by the City or others to the Materials after the completion of the work provided by this Agreement. This waiver does not extend to errors or omissions in the Materials unrelated to any such changes by the City or others. Any materials under this agreement shall only be used for the intended project.

**7.4. INFRINGING ON OTHERS INTELLECTUAL PROPERTY:** The Consultant represents and believes that Materials produced or used under this Agreement do not and will not infringe upon any intellectual property rights of another, including but not limited to patents, copyrights, trade secrets, trade names, and service marks and names. The Consultant shall indemnify and defend (at the City's sole option), the City at the Consultant's expense from any action or claim brought against the City to the extent that it is based on a claim that all or part of the Materials infringe upon the intellectual property rights of another. The Consultant shall be responsible for payment of any and all such claims, demands, obligations, liabilities, costs, and damages including, but not limited to, reasonable attorney fees arising out of this Agreement, amendments and supplements thereto, which are attributed to such claims or actions. This paragraph shall not apply to claims that arise from Materials specifically required by the City, or to portions of the Materials which the City directed the Consultant to include within said Materials. If such a claim or action arises, or in the Consultant's or the City's opinion is likely to arise, the Consultant will, at the City's discretion, either procure for the City the right or license to continue using the Materials at issue or replace or modify the allegedly infringing Materials. This remedy shall be in addition to and shall not be exclusive to other remedies provided by law.

**7.5. FINDINGS CONFIDENTIAL:** Any reports, information, data, etc., given to or prepared or assembled by the Consultant under this Agreement which the City requests to be kept confidential shall not be made available to any individual or organization by the Consultant without the prior written approval of the City.

**7.6. MAINTENANCE OF RECORDS:** The CONSULTANT will maintain, for at least three (3) years after completion of this contract, all relevant records pertaining to the contract. The CONSULTANT shall make available to the City, at any time during their normal operating hours, all records, books or pertinent information which the CONSULTANT shall have kept in conjunction with this Agreement and which the City may be required by law to include or make part of its auditing procedures, an audit trail or which may be required for the purpose of funding the services contracted for herein.

**7.7. APPROVAL OF DOCUMENTS:** The City's approval of documents resulting from the services provided by the CONSULTANT does not relieve the CONSULTANT from its responsibility to comply with the standard of care for performance of its services set forth in this Agreement.

**7.8. ARTICLE APPLICABLE TO SUBCONSULTANTS:** The CONSULTANT shall ensure that the substance of foregoing subsections is included in each subcontract for the Work under this Contract.

## **ARTICLE 8. GENERAL CONDITIONS**

**8.1. PAYMENT OF TAXES:** This Contract is for the employment of the Consultant as an

independent contractor. The Consultant holds that they are an independent contractor doing business as listed above and is solely responsible for paying any and all taxes associated with the work of this Agreement including but not necessarily limited to income and social security taxes.

**8.2. ENFORCEMENT COSTS:** If any legal action or other proceeding is brought for the enforcement of this Agreement, or because of an alleged dispute, breach, default or misrepresentation in connection with any provisions of this Agreement, the successful or prevailing Party or Parties shall be entitled to recover reasonable attorney's fees, court costs, and all expenses (including taxes) even if not taxable as court costs (including, without limitation, all such fees, costs, and expenses incident to appeals), incurred in that action or proceeding, in addition to any other relief to which such Party or Parties may be entitled.

**8.3. COMPLIANCE WITH LAWS:** The Parties hereto specifically agree to observe federal, state and local laws, ordinances and regulations to the extent that they may have any bearing on either providing any money under the terms of this Agreement or the services actually provided under the terms of this Agreement.

**8.4. MODIFICATION:** No modification or amendment to this Agreement will be valid until the same is reduced to writing, in the form of a change order, and executed with the same formalities as this present Agreement.

**8.5. VENUE STIPULATION:** This Agreement has and shall be construed as having been made and delivered in the State of Idaho, and the laws of the State of Idaho shall be applicable to the construction and enforcement of this Agreement or any provision hereto. Any civil action arising from this Agreement shall be brought in the District Court for the First Judicial District of the State of Idaho at Coeur d'Alene, Kootenai County, Idaho and may not thereafter be removed to any State or Federal Court.

**8.6. WAIVER:** No officer, employee, agent or otherwise of the City, has the power, right or authority to waive any of the conditions or provisions of this Agreement. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach. All remedies afforded in this Agreement or a law shall be taken and construed as cumulative, that is, in addition to every other remedy provided herein or by law. Failure of the City to enforce at any time any of the provisions of this Agreement or to require at any time performance by the Consultant of any provision hereof, shall in no way be construed to be a waiver of such provisions, nor in any way affect the validity of this Agreement or any part hereof, or the right of the City to hereafter enforce each and every such provision.

**8.7. HEADINGS:** The Article and Section headings in this Agreement have been inserted solely for the purpose of convenience and ready reference. In no way do they purport to, and shall not be deemed to, define, limit, or extend the scope or intent of the Articles/Sections to which they appertain.

**8.8. OTHER EMPLOYMENT:** This Agreement is not an exclusive services Agreement. The Consultant may take on other professional assignments while completing work under this Agreement.

**8.9. RECOVERY OF FUNDS:** Whenever, under the Agreement, any sum of money shall be recoverable from or payable by the Consultant to the City, the same amount may be deducted from any sum due to the Consultant under the Contract or under any other contract between the Consultant and the City including reasonable attorney fees and or any other collection costs. The rights of City are in addition and without

prejudice to any other right the City may have to claim the amount of any loss or damage suffered by the City on account of the acts or omissions of the Consultant.

**8.10. SEVERABILITY:** In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications of this Agreement, which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

**8.11. NOTIFICATION:** All notices called for or provided for in this Agreement shall be in writing and must be served on any of the Parties either personally or by United States Mail to their respective addresses set forth above. All notices or other communications given hereunder and sent or delivered to the Party at the address set forth for such shall be deemed received: (1) when certified mail is deposited in the United States mail, postage prepaid; or (2) on the third day following the day on which the same have been mailed by first class delivery, postage prepaid; or (3) on the day such notices or other communications are received when sent by personal delivery, prepaid.

**8.12. INTEREST OF MEMBERS OF CITY AND OTHERS:** No officer, member, or employee of the City and no member of its governing body, and no other public official of the governing body shall participate in any decision relating to this Agreement which affects his personal interest or the interest of any corporation, partnership, or association in which he is, directly or indirectly, interested or has any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.

**8.13. INTEREST OF CONSULTANT:** The Consultant covenants that he presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement. The Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed.

**8.14. PERMITS:** The Consultant shall acquire and maintain in good standing all permits, licenses and other documents necessary to its performance under this Agreement.

**8.15. INTEGRATION:** This instrument and all appendices and amendments hereto embody the entire agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations or agreements, either oral or written, between the parties.

**8.16 NONDISCRIMINATION:** The Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Consultant shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such actions shall include, but not be limited to the following: employment, upgrading, demotions, or transfers; recruitment or recruitment advertising; layoffs or terminations; rates of pay or other forms of compensation; selection for training, including apprenticeship; and participation in recreational and educational activities. The Consultant agrees to post in conspicuous places available for employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause. The Consultant shall keep such records and submit such reports concerning the racial and ethnic origin of applicants for employment and employees as the City may require. The Consultant further agrees to comply with all the Nondiscrimination Requirements contained in **Exhibit "C"**, which by this reference is incorporated herein.

## **ARTICLE 9. CONTRACT DOCUMENTS**

**9.1. CONTRACT DOCUMENTS:** The Contract Documents consist of this Agreement and the other documents listed below and all modifications and change orders issued subsequent thereto. These form a contract and all are as fully a part of the contract as if attached to this agreement or repeated herein. In the event of any inconsistency between the provisions of this Agreement and the documents listed below, the provisions of this Agreement will control and the order of precedence will be in the order listed. An enumeration of the contract documents is set forth below:

1. Change Orders; and
2. This Agreement; and
3. Exhibit "A" Scope of Services and Project Budget; and
4. Exhibit "B" Functional Fee Schedule; and
5. Exhibit "C" Nondiscrimination Requirements;
6. Exhibit "D" Additional State Requirements
7. Exhibit "E" Subconsultant Scope of Work United Crown
8. Exhibit "F" Subconsultant Scope of Work NWG
9. Exhibit "G" IDEQ Sanitary Survey
10. Exhibit "H" Hour Breakdown

**END OF ARTICLES**

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on the day and year set forth herein above.

MAYOR OF POST FALLS, IDAHO

ATTEST:

Ronald G. Jacobson, Mayor

BY:

Shannon Howard, City Clerk

Dated

CONSULTANT

By:

*James R. Norvell*

James R. Norvell

(print name)

Title: Director

(for CONSULTANT Signature)

I certify that I know or have satisfactory evidence that the above James R. Norvell is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged as the authorized agent for the CONSULTANT to be the free and voluntary act of CONSULTANT for the uses and purposes mentioned in this instrument.

DATED this 9 day of January, 2022. 2023

*Cheryl Freeman*

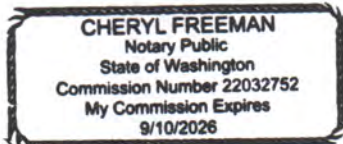
Notary Signature

Notary Public In And For The State Of

Washington

residing at Spokane WA

My commission expires 9/10/2024

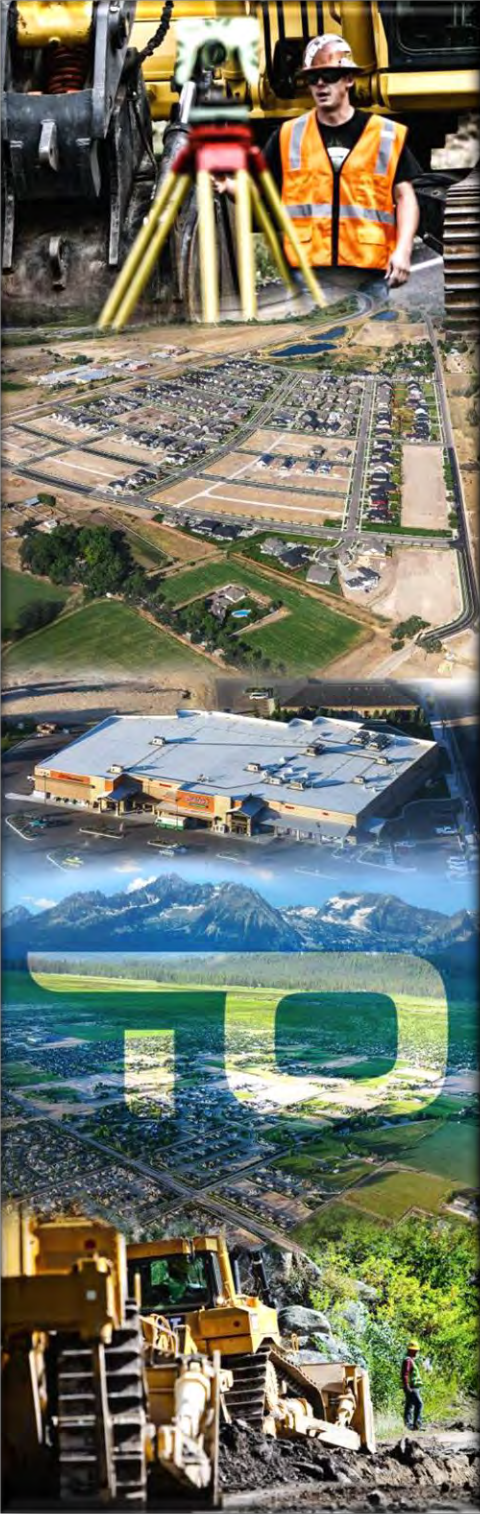


NOTARY

STATE OF Washington)

CITY OF Spokane)

) ss.



# *Q'emiln Well Improvements*

## *EXHIBIT A SCOPE OF SERVICES AND PROJECT BUDGET FOR THE CITY OF POST FALLS*

Presented To:

Bryan Myers  
Parks Manager  
City of Post Falls  
408 N. Spokane Street  
Post Falls, Idaho 83854

Presented By:

Zach Thompson, P.E.  
Project Manager



**T-O ENGINEERS**

CONSULTING ENGINEERS, SURVEYORS AND PLANNERS  
7950 N. MEADOWLARK WAY, SUITE A  
COEUR D'ALENE, IDAHO 83815  
208-762-3644 • FAX 208-762-3708

January 5, 2023



## Post Falls Q'emiln Well Improvements

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T-O ENGINEERS is pleased to have the opportunity to present this scope of work and fee estimate to the City of Post Falls for design and planning services for the Q'emiln Well Improvements project.

### **SCOPE OF WORK**

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The City of Post Falls desires to implement improvements to the Q'emiln domestic water well in accordance with the Idaho Department of Environmental Qualities (IDEQ) Sanitary Survey (SS) dated July 14th, 2022. Major deficiencies identified in the SS include failing/corroded well casing, no vent on well cap, wellhouse building and mechanical piping is in disrepair and does not meet current IDAPA rules.

The following assumptions are made for this Scope of Services:

1. The City shall be responsible for payment of all agency review and/or application fees.
2. The existing well components will be reused and put back in place after the video survey.
3. Attendance at City Council meetings is not included but can be added at the City's request.
4. City Staff will provide coordination with the Public during investigation, design and construction.
5. Preparation of Traffic Control Plans is not included as part of this contract.

T-O proposes to provide the following engineering services to support the project.

#### **1. Project Management and Coordination**

**Project Management:** Conduct daily management of the project and administrative tasks of a general nature as required over the duration of the project. This task includes efforts for coordination, subconsultant coordination, quality control, communications, and general project management to maintain continuity and flexibility. This task also includes time for monthly billings and monitoring budget items.

**Coordination with IDEQ:** T-O will provide coordination with IDEQ as necessary for project requirements.

**Coordination with City of Post Falls:** Submit one (1) review to the City of Post Falls representatives, Each submittal assumes time for addressing any comments provided by the City. This task also includes general coordination with City representatives throughout the duration of the project.

#### **2. Planning:**

**Data Collection:** Assemble existing information, previously prepared plans, and other relevant data for use during design. United Crown will pull the existing pump and video the well as a subconsultant to T-O. See **Exhibit E** Northwest Groundwater (NWG) will review the video and summarize findings and recommendation regarding well casing as a subconsultant to T-O Engineers. In the event the existing well cannot be rehabilitated and the City authorizes, NWG will perform a well site evaluation to determine suitable location for a new well. See **Exhibit F**.

**Memorandum of Next Steps:** T-O will provide a memorandum summarizing project tasks and recommendations on moving forward to correct the major deficiencies identified by the IDEQ SS (see **Exhibit G**, and site investigation findings, including recommendations on well rehabilitation or replacement, pumphouse and piping rehabilitation or replacement.

The following project tasks are included:

- Address City review comments for up to one (1) submittal and revision cycle.
- Up to two (1) site visit.
- Review possibility of rehabilitation of existing well casing.
- Well Site Evaluation Report. (Upon City Authorization)
- Prepare Memorandum summarizing findings and recommendations.
- Coordination with Subconsultants.

**Estimated Fees and Expenses:**

The lump sum fee for services to be provided is included in this scope of work. The portion of the lump sum that is invoiced monthly will be based on Consultant’s estimate of percentage of scope of work completed. If approved in writing by the City, additional services, if required, will be billed on an hourly rate in accordance with the attached Functional Fee Schedule, Exhibit B.

<b>1. Design/Planning Services - Tasks 1 &amp; 2 (Lump Sum)</b>	<b>\$ 21,183.00</b>
<b>Total</b>	<b><u>\$ 21,183.00</u></b>

The following services are specifically excluded from this agreement, but may be added by written authorization of the Client:

- Master Planning and/or Capital Improvement Planning.
- Preparation of environmental studies such as wetlands delineation, biological assessment, endangered species documentation, environmental assessment, or environmental impact statements.
- Landscape design.
- Architectural or structural services.
- Laboratory fees.
- Preparation of a SWPPP.
- Preparation of stormwater report.
- Legal services.
- Agency submittal fees, review fees or permit fees.
- Client inspired changes or unforeseen changes arising due to regulatory decisions.
- Any services, product or professional responsibility not specifically described above.



**EXHIBIT ' B '**  
**FUNCTIONAL FEE SCHEDULE**  
**PROFESSIONAL SERVICES**  
*Effective March 1, 2022*

<b>I. PERSONNEL</b>	
Principal	\$225.00 - \$330.00 /hour
Project Manager	\$117.00 - \$330.00 /hour
Project Engineer	\$117.00 - \$210.00 /hour
Staff Engineer	\$90.00 - \$168.00 /hour
Environmental Specialist	\$90.00 - \$192.00 /hour
Aviation Planner	\$99.00 - \$252.00 /hour
Construction Manager	\$126.00 - \$180.00 /hour
GIS Specialist	\$90.00 - \$198.00 /hour
Inspector/Technician	\$72.00 - \$156.00 /hour
Information Technology	\$90.00 - \$168.00 /hour
Administrative	\$63.00 - \$156.00 /hour
<b>II. LANDSCAPE ARCHITECT</b>	
Landscape Architect	\$90.00 - \$192.00 /hour
<b>III. SURVEYING</b>	
Survey Manager	\$144.00 - \$270.00 /hour
Project Surveyor	\$135.00 - \$180.00 /hour
Survey Technician	\$63.00 - \$168.00 /hour
<b>IV. SURVEY EQUIPMENT</b>	
Aquatic Survey Vessel	\$200.00 /hour
GPS or Robotic Survey Equipment	\$75.00 /hour
Conventional Survey Equipment	\$25.00 /hour
GIS Data Logger	\$15.00 /hour
UAV Flight Charge	\$75.00 /hour
Drill and Generator	\$80.00 /day
<b>V. COMPUTER SOFTWARE</b>	
Property Database Research	\$50.00 /hour
Traffic Modeling Software	\$36.00 /hour
CADD and Other Technical Software	\$10.00 /hour
<b>VI. REPRODUCTION</b>	
In-House Reproduction	Hourly Labor Rates Apply
Outside Reproduction	Actual Cost + 10%
<b>VII. MILEAGE</b>	
Vehicle	0.65 - 0.75 /mile
ATV Vehicle	\$20.00 /hour
<b>VIII. OTHER DIRECT CHARGES</b>	
Direct costs for material or services incurred for the project	Actual Cost + 10%

- Notes:
1. When employees perform work that requires overtime, the billing rate for that overtime work will be increased to 130% of the rate established above. Overtime shall be defined as any work required of an employee in excess of 40 hours per week.
  2. When employees perform work that requires litigation or as a professional witness, the billing rate for that work will be increased to 200% of the rate established above.
  3. This fee schedule is subject to periodic adjustment.

**Exhibit C**  
**City of Post Falls**  
**Nondiscrimination Requirements**

This Attachment is to be inserted in every contract subject to Title VI of the Civil Rights Act of 1964 and associated Regulations.

During the performance of this contract, the contractor/consultant for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

**1. Compliance with Regulations**

The contractor shall comply with the Regulations relative to non-discrimination in federally assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

**2. Non-discrimination**

The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

**3. Solicitations for Sub-contracts, Including Procurement of Materials and Equipment**

In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, sex, or national origin.

**4. Information and Reports**

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to ITD or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

**5. Sanctions for Non-compliance**

In the event of the contractor's non-compliance with the non-discrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:

- \* Withholding of payments to the contractor under the contract until the contractor complies, and/or;
- \* Cancellation, termination, or suspension of the contract, in whole or in part.

**Incorporation of Provisions**

The contractor shall include the provisions of paragraphs (1) through (5) in every sub-contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request ITD enter into such litigation to protect the interests of the state and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.

## **Exhibit D**

**Additional Requirements of the State of Idaho.** The clauses contained in this Article are required by the State of Idaho. The inclusion of these clauses in this Agreement by the City does not indicate the City's support or opposition to these clauses nor Agreement by the City that these clauses are relevant to the subject matter of this Agreement. Rather, these clauses are included solely to comply with Idaho state law.

**Boycotting Israel:** CONSULTANT certifies that it is not currently engaged in, and will not, for the duration of this Agreement, engage in a boycott of the goods or services of the state of Israel or territories under its control as those terms are defined in the "Anti-Boycott Against Israel Act" (Idaho Code 67-2346).

**Contract with Abortion Providers:** To the extent this agreement is subject to the use of public funds, CONSULTANT certifies that it is not, and will not, for the duration of this Agreement become, an abortion provider or an affiliate of an abortion provider as those terms are defined in the "No Public Funds for Abortions Act" Idaho Code Title 18, Chapter 87).

EXHIBIT E



November 2, 2022

City of Post Falls  
408 N Spokane St.  
Post Falls, ID 83854

Estimate #  
20033

Pull Video & Set

To Our Valued Customer:

We are pleased to submit the following estimate to pull the existing well pump for video logging the existing well. Our Estimate is to pull the existing equipment out and store equipment until video logging. The well needs time for settling before video logging. Video the existing well and make copies for records. Reinstall the existing well pump with new pipe, wire, and probe conduit, sample and reenergize after absent samples. Your system will include the following:

**Pull for Video Logging**

- 1 ls. Labor to pull existing
- 1 ls. Video Logging of well
- 42 lf. 2" Galvanized drop pipe
- 1 ea. 2" DI Check valves
- 50 lf. #10/4 Flat Jacketed submersible pump cable
- 50 lf. 1" PVC probe conduit
- 1 ea. Motor, splice and tape
- 1 ea. Water bacteria samples
- 1 ls. Labor to install new well pump

**Subtotal \$ 6,511.00**

**Total \$ 6,511.00**

*NOTE: You must provide proper access to the well site for servicing.*

*NOTE: The above estimate does not cover any (O&M) manuals.*

*NOTE: Due to the age of the existing equipment additional items may need to be replaced*

Please note that the above estimate/proposal is based on estimated distances and materials required to complete the project. Actual distances, materials used, and/or additional labor to complete the project will be adjusted at final billing. If you need additional information on the equipment selected for this type of installation, please contact our office. Thank you for the opportunity to provide you with this estimate.

Estimate Good for 30 Days

**United Crown Pump & Drilling**

By: \_\_\_\_\_ **Chris Agueros, Project Manager**

Acceptance Signature: \_\_\_\_\_ / /

3125 West Hayden Ave Hayden Idaho 83835  
208-772-7867 Fax 208-772-7229

**Exhibit F**

**PROFESSIONAL SERVICES AGREEMENT**

This Professional Services Agreement (“Agreement”) is entered into between Client, hereinafter defined, and NORTHWEST GROUNDWATER CONSULTANTS, LLC (“Consultant”):

**T-O Engineers (“Client”)**

7950 N. Meadowlark Way, Suite A

Coeur d’Alene, ID 83815

Attn: Zach Thompson, PE

**NORTHWEST GROUNDWATER  
CONSULTANTS, LLC (“Consultant”)**

PO Box 2951

Coeur d’Alene, ID 83816

Client engages Consultant to provide professional services (“Services”) in connection with the following project:  
Q’emiln Park Hydrogeologic Consulting Services (“Project”)

**SCOPE OF SERVICES.** Consultant shall provide the following consulting services for investigating the physical condition of the Q’emiln Park well.

**Task 1 –Video Survey Oversight**

**Task 2 – Video Survey Technical Memorandum**

**Task 3 – Well Site Evaluation**

**ASSUMPTIONS**

Consultant makes the following assumptions related to the Scope of Work and Anticipated budget:

- Client is responsible for providing physical access to the site.
- Client is responsible for the contracting of the pump contractor. Pump contractor is responsible for obtaining necessary permit(s), if any.
- Pump contractor is responsible for performing the video survey and any excavation, if required.

**COMPENSATION.** Client shall compensate Consultant as follows:

The estimated cost to perform the proposed work is **\$4,000**. This cost estimate does not represent a lump sum. Consultant bills for time and materials at a rate of \$150 per hour plus expenses (i.e., mileage). Charges for work that is not part of the proposed scope of work are not included in the budget estimate. Consultant may apply money from one task to another to complete the scope of work.

The estimated cost and proposed scope of work are based on information available to Consultant at this time. If conditions change, unforeseen circumstances are encountered, or work efforts are redirected, the cost estimate may require modification. Services outside of this scope to be provided on a time and materials basis at \$150 per hour.

**SCHEDULE**

Consultant will begin work upon receiving authorization to proceed. Consultant expects to complete the report within three weeks after receiving this authorization This proposal is valid for 30 days.

**GENERAL CONDITIONS AND ADDENDA.** This Agreement is governed by the Agreement For Subconsultant Services.

This Agreement is made effective this day \_\_\_\_\_ of \_\_\_\_\_, 2023.

**By T-O Engineers:**

**By Northwest Groundwater Consultants, LLC:**



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Signature

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Signature

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Printed Name

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Thomas F. Mullen, PG

---

Printed Name

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Title

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Principal Hydrogeologist

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Title

Copyright 2023 Northwest Groundwater Consultants, LLC  
Project No. P01153-04



EXHIBIT G



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

2110 Ironwood Parkway, Coeur d'Alene, ID 83814  
(208) 769-1422

Brad Little, Governor  
Jess Byrne, Director

July 14, 2022

Matthew Isch  
City of Post Falls South Park (Q'emiln)  
[matti@postfallsidaho.org](mailto:matti@postfallsidaho.org)

Subject: Sanitary Survey conducted on 06/22/2022 – ID1280148

Dear Mr. Isch:

A sanitary survey was recently conducted by the Idaho Department of Environmental Quality (DEQ) for City of Post Falls South Park (Q'emiln) (ID1280148). Enclosed with this letter is a copy of the sanitary survey report and photos for your records.

There were significant deficiencies identified during the inspection. In this report are listed rule requirements/deficiencies for consideration upon system upgrades, along with recommendations. **Within 30 days of receipt of this report** consultation with DEQ and submittal of a corrective action plan are required. Please follow : 1) consult with DEQ regarding corrective actions, and 2) submit a corrective action plan with planned actions and a timeline for addressing the significant deficiencies identified.

Be advised that modifications to your public water system may require the assistance of an Idaho licensed professional engineer and require DEQ review and approval prior to making water system modifications or installing new components. Please contact this office before making modifications to your system.

Thank you for your help in completing the sanitary survey. Contact the DEQ Coeur d'Alene Regional Office at (208)-769-1422 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Cassandra Lemmons".

Cassandra Lemmons, MBA, REHS  
Drinking Water Compliance & Enforcement Supervisor

CDL:AM:SKH

Enclosures (3)

c: Anna Moody, DEQ, [anna.moody@deq.idaho.gov](mailto:anna.moody@deq.idaho.gov)  
Jim Williamson, DEQ, [jim.williamson@deq.idaho.gov](mailto:jim.williamson@deq.idaho.gov)

## Drinking Water System Sanitary Survey Report

**Water System:** City of Post Falls South Park (Q'emiln)

**PWS#:** ID1280148

**Surveyor:** Cassandra Lemmons

**PWS Type:** Transient noncommunity

**Classification:** VSWS

**System Representative:** Matthew Isch

**Sources:** Groundwater Well

**County:** Kootenai

**Survey Date:** June 22, 2022

**Connections:** 2

**Population:** 200

### Narrative

The City of Post Falls South Park (Q'emiln) water system is classified as a transient non-community drinking water system. The City of Post Falls Water Department provides operational oversight of the potable water system (System) serving the City of Post Falls Q'Emiln Park. Irrigation for Q'Emiln Park is supplied by a secondary well physically separated from the potable supply. The potable system remains pressurized throughout the year to serve the Q'Emiln Park Trailhead Community Building. Wastewater from facilities is disposed of utilizing onsite subsurface sewage disposal systems.

### Sources

The Driller's Report on file indicates the well supplying the System was air rotary drilled by Associated Drilling in 1975. The well was drilled to a completed depth of 60 feet below ground surface (bgs) and constructed with a 6-inch steel casing (0.250 inches in thickness) to 58 feet bgs. A surface seal comprised of puddling clay was provided to 20 feet bgs. The report indicates the well was drilled through sand and gravel, with static water level reported at 32 feet. Twenty perforations (¼-inch by 2-inch) were cut into the steel casing between 50 and 57 feet.

The well does not meet the minimum 50-foot setback radius from Spokane Street and Parkway Drive. As the well precedes adoption of the Idaho Rules for Public Drinking Water Systems (November 1977), setback requirements will be enforced in the event the well is subject to unresolvable contamination.

Prior surveys conducted by DEQ indicate the well is equipped with a 5 hp Red Jacket submersible pump. The well is retrofitted with a downturned vent off the casing wall above grade; the vent outlet is protected with 24-mesh screen. As the well head is not enclosed within a building, a steel structure was constructed to protect the well head from tampering. A poly line down the well casing allows for the static water levels to be monitored in the building housing well discharge appurtenances.

The steel structure is not equipped with venting, and it appears this may be creating increased condensation levels contributing to significant corrosion of the well casing exterior. In comparing the condition of the well casing at the time of this inspection to the photos obtained during the 2016 inspection, it appears the casing has further degraded, and the integrity is

compromised. Refer to photos 2-6 in the attached photo log. This is assessed as a significant deficiency requiring correction.

Per DEQ records, a Groundwater Under Direct Influence (GWUDI) evaluation was performed in 1999. The source was determined to be a groundwater source and not further evaluation was required. And no microscopic particulate analyses were performed or required. The source is less than 500' from the Spokane River. The operator indicated that there are changes to water quality in the spring during high water levels. The monitoring data does not suggest changes as there are no coliform bacteria detections in recent history. The operator indicated he would explore monitoring static water levels to determine if there are seasonal fluctuations.

The Source Water Assessment Report for the well was last updated by DEQ in 2002; the Potential Contaminant Inventory (PCI) was updated in May 2015. The PCI indicates the commercial building previously operated by the Hughes Greenhouse as the only potential contaminant source within the 0 to 3 year time of travel zone for the well. The complete report may be accessed at: <http://www2.deq.idaho.gov/water/swaOnline/Search>.

### **Pumphouse**

The pumphouse structure is above-grade for ease of access, with the water appurtenances sitting below grade. The pumphouse is in disrepair. The well pump control conduit was broken at time of inspection, see photo 9. The cinder-block base of the structure shows damage and substantial cracks in between blocks. Interior of structure was very damp indicating possible intrusion of surface water through the cracks. Refer to photos 8, 10-14, 16, 19, & 21 in the attached photo log. This is assessed as a significant deficiency requiring correction.

The 2016 sanitary survey required the installation of pressure relief, or documentation that relief was not required. It is unclear whether installation was reviewed and approved by DEQ as required for material modifications. Additionally, it appears that during installation of pressure relief device the smooth-nosed sample tap was removed. The threaded sample tap with vacuum breaker hose bib was still intact. Although the location is not ideal for sampling for coliform bacteria as it is intended to drain the pressure tank.

### **Hydropneumatic Tanks**

A hydropneumatic tank is installed in the pumphouse structure. The tank is showing signs of corrosion which could lead to bacteriological contamination of the water system, see photos 12-14. Corrosion appears to be similar to corrosion seen in 2016 photos. An isolation valve at the tank is not provided. The tank may be isolated via upstream ball valves if necessary. The tank maintains adequate pressure throughout the distribution system. The pressure gauge and pressure switch appeared to be in good working condition.

## **Distribution**

The well discharges via a 2-inch PVC pit-less adaptor to a vault protected by a locked corrugated metal enclosure and equipped with adequate heating. A check valve and ball valve are installed on the discharge prior to a tee which supplies the two service connections: the Q'Emiln Trailhead Community Building and the Q'Emiln restrooms. Each of the services may be isolated via ball valves and are equipped with a separate instantaneous and totalizing flow meter. A pressure switch controls well actuation to the closed loop system. Each service connection is metered inside the pumphouse. Backflow protection devices are installed for each service connection and are tested annually.

## **Financial & Managerial Capacity**

This water system is owned by the City of Post Falls. The operator indicated that the park is administered by the city's Parks & Recreation (P&R) department. Due to the system being regulated as a separate drinking water system, the system oversight is provided by the Public Works department. The operator indicated that an agreement between city departments places daily oversight and maintenance of the water system with the P&R department. There is no overall operations and maintenance manual for this system. They are current on their drinking water fees with the State. A licensed operator is not required due to the system classification, but one is provided by the city.

## Findings

### Significant Deficiencies

A significant deficiency as identified during a sanitary survey, is any defect in a system's design, operation, maintenance, or administration, as well as any failure or malfunction of any system component, that the Department or its agent determines to cause, or have the potential to cause, risk to health or safety, or that could affect the reliable delivery of safe drinking water (IDAPA 58.01.08.003.131). Failure to address significant deficiencies constitutes a violation of IDAPA 58.01.08.302 or 58.01.08.303. Corrective actions that include material modifications must be approved by the Department.

**Step 1:** Within 30 days of receiving this notification, consult with DEQ regarding proposed corrective actions

**Step 2:** Within 30 days of receiving this notification and after consultation, submit to DEQ in writing a corrective action plan including planned completion dates for each identified significant deficiency.

**Step 3:** Complete the planned action(s) by the "Planned Completion Date(s)" within 120 days, OR request and receive an extension when appropriate.

**Step 4:** After completing each planned action, and within 30 days, submit verification and certification that corrective actions are complete. This can neither be in writing or through email and with photo documentation.

1. The Well is not provided with a solid casing that prevents surface water and contaminants from entering the well (IDAPA 58.01.08.511.06.b). Well casing is substantially corroded. Pieces of casing have rusted completely off. Integrity of casing is questionable, and it is unclear whether cap seal is intact.  
*A properly cased well with a sanitary well cap prevents surface water and potential contaminants (bacteria, fertilizers, pesticides etc.) from descending along the outside wall of the well down to the zones of stored ground water thus minimizing the possibility of contamination.*
2. The pump house is in a pit and is not in good repair (IDAPA 58.01.08.547.01.a, IDAPA 58.01.08.541.01.b & g). At the time of inspection, the pumphouse was in disrepair and there was evidence of water intrusion into the pumphouse.  
*The pumphouse is primarily in a pit and is not watertight. Damage to the pump house walls allowing environmental damage to pump or controls are an issue. Pumphouses must be constructed to prevent surface water entry.*

### **Rule Requirements/Deficiencies:**

(To be addressed during system upgrades or substantial changes.)

#### **Groundwater Source:**

1. The land surrounding the well has a condition that has the potential to cause a health hazard. Well is less than 50' from paved roads and parking. System was constructed prior to the rule requirement for a 50' well lot. This health hazard may create a danger to the consumer's health (IDAPA 58.01.08.008.01).

*Land use increases the susceptibility of source water contamination.*

2. The discharge pipe for Well does not provide a sample tap that is properly located, and the sample tap that is used to collect bacteria samples is not of the smooth-nosed type without interior or exterior threads (IDAPA 58.01.08.511.01).

*A raw-water sample tap should be smooth-nosed with no interior or exterior threads, screen, aerator, or other attached appurtenances to allow for proper sampling techniques and to decrease the risk of contaminating a sample during collection.*

3. There is not a complete operation and maintenance (O&M) manual for this public water system (IDAPA 58.01.08.501.12, 003.90, and 003.91). An O&M manual needs to be developed and implemented.

Submit an O&M manual for review and approval. Upon approval, the operator must operate the system in accordance with the approved O&M manual. At a minimum, include the following items in the O&M manual:

- daily, weekly, monthly, and yearly operating instructions
- information specific to a particular type of treatment
- location of valves and other key distribution system features
- pertinent telephone and address contact information including the responsible charge water system operator and water system owner
- operator safety procedures
- alarm system and emergency procedures
- trouble-shooting advice
- water quality testing procedures
- response plan for depressurization events
- customer service procedures
- response plan for customer complaints
- maintenance information and checklists
- manufacturer's product information including troubleshooting information
- parts list, spare parts list, and parts order form
- necessary special tools

*An O&M manual provides procedures to operate and maintain a facility's various systems and equipment. It is important to analyze and evaluate a facility from the system level, then develop procedures to attain the most efficient systems integration. Lack of an O&M manual can lead to system failures and contamination of drinking water.*

## **Recommendations:**

### **Groundwater Source:**

The Well should be protected from unauthorized access through fencing around the source and/or use of a locking well cap.

### **Hydropneumatic Tanks:**

Hydropneumatic tanks should be tested for structural integrity every 5 years or be replaced with a pressure tank of the same volume that meets American Society of Mechanical Engineers (ASME) code requirements.

The pre-charge of one or more bladder tanks has not been tested in the last year. Testing the pre-charge of the bladder tank requires the tank to be isolated and drained. The pre-charge air pressure should be five psi below the setting at which the pump turns on (the low operating pressure for the system) (IDAPA 58.01.08.547.03.a).

## EXHIBIT H

Project Budget  
Q'emiln Well Rehabilitation  
Design Services - Person-hour Estimate  
November 10, 2022

ITEM NO.	DESCRIPTION OF WORK	Total Man-hour	Project Advisor	Project Manager	Survey Manager	Survey PC	Survey Assistant	Survey/CAD Tech	Engineer Intern	Clerical
<b>1</b>	<b>Project Management/ Coordination</b>									
	Project Management	20		14						6
	Coordination with IDEQ	2		2						
	Coordination with City of Post Falls	12		12						
<b>2</b>	<b>Planning</b>									
	Data Collection/Investigation	6		2					4	
	Memorandum of Next Steps	16		12					4	
	<b>TOTAL OF ESTIMATED HOURS</b>	<b>56</b>	<b>0</b>	<b>42</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>6</b>

**A. Summary Estimated Man-Hour Costs**

T-O Total Labor Cost	56	\$10,280.00
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**B. Estimated Expenses**

	No.	Unit Cost	
Copies, Postage, Misc			\$300.00
Vehicles (mileage)	160	\$0.575	\$92.00
Total Estimated Expenses			\$392.00

**C. Subconsultants**

AEI	\$0.00
United Crown	\$6,511.00
NW Groundwater	\$4,000.00
Structural	\$0.00
Total Estimated Expenses	\$10,511.00

<b>TOTAL</b>	<b>\$21,183.00</b>
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