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**CITY COUNCIL  
MEETING MINUTES**

**March 15, 2022  
6:00 PM**

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

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**WORKSHOP – 4:30 pm City Council Chambers**

**ROLL CALL OF CITY COUNCIL MEMBERS**

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

Topic: American Rescue Plan Act (ARPA) Funds Discussion.

Shelly Enderud, City Administrator presenting: The City of Post Falls will receive an estimated total of \$7,797,234. Half of the funds were received in FY 2021 and the last half will be received in FY 2022. The State of Idaho is accepting the funds. Governor Little said, "Rejecting the funds would mean Idaho gives up our say in how our allocated share gets spent". Rejected funds will be reallocated and not reduce costs to City taxpayers. There is no language in the Final Rule that ties the City to any future mandates. Staff recommends accepting the funds for high priority projects that are intended to be paid by taxpayer and rate payer funds. This will help reduce the future tax and rate burdens. The funds can be used to cover costs from March 3, 2021, forward. Funds must be obligated by December 31, 2024, and the projects must be completed by December 31, 2026. The City's Finance Department will provide the appropriate reporting for any use of ARPA funds. A website procedure has been provided for reporting. The CARES Act reporting was much more complicated than ARPA, and the City Finance Department received accolades from the State auditor in how we reported those funds. The reporting process is tiered by size of city. Post Falls is only required to submit an annual report on the use of funds. A single audit is required anytime the City receives more than \$750,000 in Federal Funds. Projects the City would like to use to funds to help fund are as follows:

1. Modernization of Cyber Security \$1.052 to \$1.5 million
2. Wastewater Contingency for Current Projects \$1 million
3. Facilities Master Plan Funding \$1.4 to \$5.1 million
4. Montrose Ball Fields \$800,000
5. Landings Development Project Completion \$551,000
6. Seltice Way Street Reconstruction \$2.45 million

The City does have the authority to set up a Non-Profit Grant program for the ARPA funds. If the Council chooses to use any of the funds for this option, staff recommends the City hires a company who specializes in administering these types of grants to ensure fairness and all regulations are met and that the agency's headquarters would be located in the City of Post Falls.

The next step would be for the City Council to direct staff to either accept or reject the ARPA funds. If the funds are accepted Council should direct staff how they would like to funds to be used. If the funds are rejected, they will be returned for reallocation.

**Public Comment**

In Favor of accepting the funds:

Dena Naccarato (Post Falls)

Opposed to accepting the funds:

Sarah Richards (Post Falls)

William Lee (?)

Thomas Shafer (Hayden)

Kendra Martin (Naples)

Cheryl Bersch (Post Falls)

Richard Mosestick (Post Falls)

Lynda Putz (Hayden)

### **ACTION ITEM**

- a. American Rescue Plan Act (ARPA) Discussion and Decision on Funds Acceptance or Rejection

**Motion by Malloy to table this item to the next City Council Meeting.**

**Second by Ziegler.**

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

**Motion Carried**

**The vote on this item will be on the April 5<sup>th</sup> City Council Agenda.**

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

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

- a. I want to acknowledge and give recognition to one of our own for being named Permit Tech of the Year by the Idaho Association of Building Officials. Heidi Varney has been with the City for approximately 5 years and has been an incredible asset to the Community Development Department and Building Division. She is always ready to assist anyone that walks through the doors or calls City Hall, even if it's a question outside of her wheelhouse. Her willingness to not only help the public, but her fellow coworkers, is recognizable on its own. For a state organization to select her out of all the permit technicians throughout the State of Idaho speaks volumes about her work ethic and dedication to her position. Heidi is on the board of several associations related to the building industry, including ECAP (Energy Circuit Writer Program), NICE (North Idaho Code Enforcers) and the Permit Technician Board to name a few. Her representation of the City of Post Falls within those organizations is highly valued. We are extremely proud of her and proud to have her as a member of the team. Congratulations Heidi!

- b. 2021 Annual Report of the Post Falls Urban Renewal Agency

Joseph John, Executive Director presenting: This annual report is required under Idaho Code 50-20 Urban Renewal Law, Chapter 2006 (c). The purpose is to report activities for the preceding calendar

year to City Council by March 31<sup>st</sup> of the year. The current Urban Renewal Districts are Post Falls Technology, East Post Falls, Pleasant View, Expo, Center Point, and Downtown. The Center Point, Expo, and Technology Districts all have proponent developers who build public infrastructure and pay for it up front. The risk lies solely on them to bring in new businesses which result in increased property values and tax increment. Increment collected by the County is remitted on a monthly basis to the Agency and we reimburse the proponent in February and August. Increment being collected in the East Post Falls district is funding sewer improvements, funding road intersection improvements, and provided for the early payoff of the Greensferry Overpass in November, saving \$51K in interest payments.

### **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 – March 1, 2022, City Council Meeting
- b. Payables – February 22, 2022 – March 7, 2022
- c. Contract with Asphalt Pro’s for Parks Trail & Parking Lot Sealcoat & Stripe
- d. Elm Place Subdivision Master Development Agreement
- e. January Cash and Investment Report from Finance Department
- f. Legal Services Case Management Software
- g. Release of Obligation Constrained in Subdivision Development Agreement from the Expo at Post Falls Subdivision

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

**Second by Borders.**

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

- a. Hughes Annexation ANNX-0010-2021

**Public Hearing opened at 5:14 pm.**

### **Staff Report**

Jon Manley, Planning Manager presenting: the Applicant is Ace Solutions, LLC and the Owner is Hughes Trust. The requested action is to approve the requested annexation with the recommend Residential Mixed (RM) zoning associated with the 103 acres annexation request into the City of Post Falls. The proposed plan includes approximately 15 acres used as commercial/multi-family, approximately 10 acres as single-family/twin homes, and approximately 12 acres as single-family/private school. RM commercial uses are more limited than you typical commercial zoning, but you see them as being more neighborhood centric, a place you would go for the convenience if you lived near there. There are conditions of approval calling lot widths and some design standards. Proposing to remove condition 5.2.4. with regards to driveway approaches as our code now encompasses language and is no longer needed in the development agreement. There is a condition for open space development, owner agrees that no more than 50% of the property's gross area may be platted or otherwise developed until 50% of the required open space has been completed with no more than 85% developed until the required open space has been completed. The request is consistent with the current surrounding uses and the Future Land Use Map. They are within the 41 North focus area which focuses on provisions for multi-family, commercial, and tech uses near the higher classified roadways; development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail. The request is also consistent with the Goals and Policies found within the Comprehensive Plan. The commercial and multi-family is being proposed along the Principal Arterial Road, Prairie Ave. also Fennecs Rd. and Myer Rd. are both major collectors. As you move south from Prairie Ave. and east from Highway 41 you are transitioning away from those higher intense urban corridors. The Industrial criteria is not applicable as the request is for the residential mixed.

### **Applicant**

Roger Glasser, Ace Solutions: The Hughes Family has been on this property for decades. The development agreement has been signed by the family. We are requesting Residential Mixed Zoning because it will give a good mix. The owners want to create a community. The park will be private and maintained by the homeowner's association. Currently the Hughes farm has a large irrigation well on the property. At annexation, Ross Point Water will gain the use of the well and the water rights will be turned over to them.

Mark Hughes: Representing the Hughes Family: What does the city get. We have a vision. We are very focused to create a community with a variety in housing. There will be a fountain in the park. Green spaces will be spread throughout the development. It will be a gem.

### **Testimony**

In Favor

Mike Bennier (3560 N Myer Rd): I am in favor of the Hughes Annexation conditional on Killdeer continuing east bound to Meyer without jogging to the southern boundary with Foxtail. If Killdeer is built in the draft proposal, nighttime drivers will be headed due east will be headed towards my front

door, kitchen, and dining room windows. If Killdeer is not moved, I would ask the city to direct Mark Hughes to work with me to build/landscape to mitigate light pollution and safety concerns.

Neutral

None

In Opposition

Tamie Bremer (3688 E Hope Ave): My concern is with goal #3 “the Post Falls small charm and beauty”. The green space is less than 10%. With the mix of commercial and residential what stops this from being, in the future, further subdivided into apartments. It is a slippery slope.

Bob Flowers (3914 E Maplewood Ave): There is no rule that says you have to annex this into the City. We should get rid of the RM zoning. High Density Residential and Commercial. Do not give them an RM zoning. The city does not have to take in more land. The city needs to take care of what they already have.

Howard Burns (502 S Rocky Pt Ct): Having a farm is tough today. Show us your lot sizes and house sizes then ask for annexation. No guessing. What will the city look like driving east?

Seth Pommerening (1241 E Mesquite): Keep farmland as farmland. This is not what the late owner (Fran) would have wanted for this land.

### **Rebuttal**

Mark Hughes: With the RM zoning our hands are tied with the amount of multi-family and commercial we can put in. we are not the big city developer. We have owned this land for half a century. At an annexation hearing we do not get into a lot of the detail until the subdivision hearing. We are absolutely committed to creating a vibrant living space for families.

### **Public Hearing closed at 7:11 pm.**

### **Discussion**

Malloy: The project looks great. But we have a Highway 41 project that is going in still with the interchange construction starting this spring. Prairie is not slated for expansion till 2028. Any high-density development feeding into the Highway 41 corridor, I wonder if it is too soon. I think we need to have the infrastructure in place before these are built. There is a need for the housing but not until the infrastructure catches up. It's the right project but not the right time.

Walker: I agree with a lot of what was said, and timing is not right.

Thoreson: There is no way around the Highway 41 construction. I think it is a great project, but it is just timing.

Shove: I do have a problem with the plan not being laid out well. There is a lot of “we want to do” but we do not get to see the plans. I would like to see more of what the plan is before we approve it. also, the roads are a concern.

Borders: I like the development itself and the zoning. My biggest concern is the property around it is in question. Prairie is not till 2028. Until we get 41 done, until we get more action on the property to the west. It's a timing and access issue.

Ziegler: The only thing I would add is I like the idea of it, I do not like the zoning. To me it doesn't fit the transnational designation we have for that area.

Mayor: I think the project is good. There is some merit to some RM zoning. My big issue is timing.

Malloy: Mr. Burns mentioned he would like to see plots, elevations, and lot lines. The issue with that is the developer would have to spend hundreds of thousands of dollars in design costs and to have us say no. That is a pretty heavy burden for a developer. That is why we see bubble maps at this point.

**Motion by Malloy to deny the Hughes Farm Annexation.**

**Second by Walker.**

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

**Motion Carried**

b. Stockwell Annexation ANNX-0011-2021

**Public Hearing opened at 7:20 pm.**

**Staff Report**

Laura Jones, Planning Specialist presenting: The property owner is Dave and Debbie Stockwell and the applicant is Chuck Hughes. The requested action is for Council to review and approve the annexation of approximately five acres into the City of Post Falls with the zoning designation of Single-Family Residential (R-1).

**Applicant**

Chuck Hughes: This subdivision has everything ready for it. Water and sewer is stubbed out and it is an infill project.

**Testimony**

In Favor

None

Neutral

None

In Opposition

None

**Public Hearing closed at 7:31 pm.**

**Discussion**

Mayor: It makes a lot of sense. It's infill. The density is good and there is no direct access on Prairie.

Malloy: I like it.

Thoreson: It's about as straight forward as they come.

**Motion by Thoreson to approve the Stockwell Annexation**

**Second by Malloy**

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

**None**

#### 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. Approval of Contract Award for Spokane St. Rehabilitation (Vol. 1 of 2), Prairie Ave. and Spokane St. (Vol. 2 of 2)

Rob Palus, Assistant City Engineer presenting: In January 2022 City Council authorized staff to advertise for bids to construct the project titled Spokane Street rehabilitation (Vol. 1 of 2), Prairie Ave and Spokane St. (Vol. 2 of 2). Both of those projects have been incorporated into the Spokane St and Prairie Ave. – Phase 2 project. A pre-bid conference was held with perspective bidders on February 14<sup>th</sup>. A bid opening was held on Friday, March 4<sup>th</sup>. There were two responsive bidders. The City's Consulting Engineer (JUB Engineering) has reviewed the bid packets. In reviewing the bid submittal for LaRiviere, irregularities were noted with unit bid prices. After discussion with LaRiviere, JUB and City Legal Staff, these irregularities were identified as nonmaterial, as they did not impact the Base Bid Total. LaRiviere has been contacted to revise the irregularity by making the necessary changes to the Unit Price Bid and maintain the same Base Bid Total; prior to the consideration of award on March 15, 2022. All other items with the bid documents were found to be in order. The low bid for the project was from LaRiviere at a bid cost of \$5,309,369.20. The Engineers Opinion of Probable Cost (EOPC) for the project was \$5,306,000.00. The difference between the low bid and the EOPC was less than 1%. Project funding will be accommodated thru a mixture of Transportation Impact Fees, Water Reclamation, Water and Streets. East Green Acres Irrigation District is funding a watermain realignment at the intersection of Prairie Ave/Spokane St. Developer Cash Out funding was utilized for design of Phases 1 and 2, construction of Phase 1 improvements (2021) and relocation of Avista Utilities.

An Add Alternate was provided within the plans to build a retaining wall on the south end of the project for \$55,000. Staff recommends awarding the project without the Add Alternate as reasonable slopes can be achieved without the wall.

Staff requests that funding include a 10% contingency amount to allow staff to address necessary changes in the field.

Completion of this project addresses identified roadway capacity and safety needs within the City's Transportation Master Plan; addresses deferred maintenance items from the Street Department; upgrades a section of watermain that does not meet current needs; and improves water reclamation services thru the removal of two lift stations and installation of a deep trunk line sewer identified as a 5-year growth need in the Water Reclamation Master Plan.

Malloy: Would you of recommended a 10% contingency no matter who had won the bid?

Palus: Yes.

**Motion by Borders to approve the Contract Award for the Spokane St. Rehabilitation, Prairie Ave., and Spokane St to LaRiviere.**

**Second by Malloy.**

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

**Motion Carried**

- b. Approval to Bid the Poleline Ave/Cecil Rd. Roundabout Project

Rob Palus, Assistant City Engineer presenting: In the fall of 2021, the City started design on the Poleline/Cecil Roundabout to address safety and capacity issues for motorized and nonmotorized traffic. Design efforts included a traffic study to compare the operational effectiveness of a roundabout vs. traffic signal for the immediate and 2040 traffic volumes. Consideration was also made on improving safety for pedestrian crossings at the intersection, which is within a marked school zone. The project has a short construction window, with work identified to start after completion of the current school year and substantial completion prior to the start of the 2022-2023 school year. A public open house was conducted on November 17<sup>th</sup>, 2021. In order to limit impacts to the School Districts Sports Fields and a residential home in the southeast corner of the intersection, the roundabout was shifted to the north, requiring property acquisition. Staff has reached verbal agreement with parties whom rights-of-way and easements were needed to complete the project. Completed acquisition documents for Council Action, along with a recommendation to award or reject the project for construction will be presented concurrently, after bid opening.

This project will construct a multi-lane roundabout at the intersection of Poleline and Cecil, including missing road widening along Poleline between Ridgeview Dr. and the Vineyard Subdivision. The design should handle traffic needs at the intersection until 2040 or later. The final design package was reviewed and conditionally approved by City Staff, subject to minor revisions within the plan set and standard specifications. Project funding to date is a combination of Urban Renewal Funding, Transportation Impact Fees, and Developer Cash outs.

**Motion by Ziegler to approve the Bid of the Poleline Ave./Cecil Rd. Roundabout Project.**

**Second by Malloy.**

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

**Motion Carried**

c. Approval to Bid the Cecil Rd. and Mullan Ave. Median Project

Rob Palus, Assistant City Engineer presenting: In the fall of 2021, the City started design on the Cecil Road and Mullan Median Project. This project was to address high collision rates along Mullan Ave. between Cecil Rd. and Sugar Maple Trail. The commercial frontage along this section of roadway has been a regular "top ten" collision location each year for Post Falls roadways. Design efforts included a traffic study to examine signal modifications at the existing Mullan/Cecil intersection and impacts of restricting left turn movements along Mullan Ave. A project open house was held on November 17, 2021.

This project will construct a raised center median to restrict left turn movements onto Mullan Ave. from adjoining businesses between Cecil Rd. and Sugar Maple Trail. A left-in turn pocket will be provided at the existing western entrance to Wal-Mart. The existing concrete median will be adjusted in length to accommodate changing traffic patterns, estimated thru 2031. No action was taken to mitigate these future needs with this project as they would be significantly beyond the currently available funding. The final design package was reviewed and conditionally approved by City Staff, subject to minor revisions within the plan set and standard specifications. This project will be funded by the Post Falls Urban Renewal Agency.

**Motion by Malloy to approve the Bid of the Cecil Rd. and Mullan Ave. Median Project.**

**Second by Ziegler.**

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

**Motion carried**



d. Parking Code Update

Field Herrington, Deputy City Attorney presenting: The code amendment was originally sought due to issues with private citizens installing their own traffic control devices attempting to regulate traffic on public roads. Additional areas were found in need of an update were identified. Due to the volume of changes needed, a repeal and replace strategy was pursued in order to update the entire chapter easily.

Under Traffic Control Device a new section was added to city code to address placement of traffic control devices. Generally, this has to do with signage but includes other devices. A new section of city code was added to address placement of curb markings and pavement markings. The general parking regulation was updated. This was not really a substantive change, more of an organizational change. It also moves the regulation of parallel parking under this section and simplifies the section. We are recommending changing the time limit for parking from 24 hours to 48 hours. Currently there is a conflict with the existing code and our adopted fee resolution for boat launch fees. New fees were adopted for the boat launch, the code provides that a person seeking to launch a boat is not required to pay a fee. It also codifies the Season Pass provisions that were adopted in the last fee resolution. Currently the penalty for parking violations is a civil citation that is issued and payable to the City which if not paid or a second or subsequent violation occurs can be cited as an infraction. The largest issue was that there was no appeal process with the civil citation. To clarify and provide due process this section was updated to provide for "parking citations" which provides clear guidance for their issuance, what information is needed and how people can contest the citation.

**Motion by Malloy to bring back and ordinance for the Parking Code Update.**

**Second by Ziegler.**

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

**Motion Carried**

## 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.*

Howard Burns: Keep the median in the middle of roundabouts short so that people can see who is coming.

## 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.*

a. Supply Chain Impacts

John Beacham, Public Works Director presenting: Generally, we are discussing items which are currently difficult to obtain. Causes of this are:

- COVID-19 related issues
- Supply chain logistics issues
- Weather issues
- Ukraine conflict (new/future impacts)

There are pricing issues. Shipping difficulties and component shortages. We are actively working in this. we are going to continue to be reliable and fair business partners.

### 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):**

Idaho Code 74-206(1)(f): To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

**Motion by Thoreson to enter into Executive Session pursuant to Idaho Code 74-206(1)(f), to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated, further that no action will be taken during the session and the session will last no longer than 15 minutes.**

**Second by Malloy.**

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

Entered Executive Session at 8:19 pm.

Exited Executive Session at 8: 34 pm.

#### **RETURN TO REGULAR SESSION**

**ADJOURNMENT 8:35 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, Nathan Ziegler, Joe Malloy, Josh Walker, 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"