

Welcome to tonight's City Council meeting!

The elected officials of the City of Bonners Ferry are appreciative of an involved constituency. Testimony from the public is encouraged concerning issues when addressed under the Public Hearing portion of the agenda. Any individual who wishes may address the council on any issue, whether on the agenda or not, during the Public Comments period. Normal business will preclude public participation during the business portion of the meeting with the discretion left to the Mayor and Council. Special accommodation to see, hear, or participate in the public meeting should be made at City Hall within two days of the public meeting.

Vision Statement

Bonners Ferry, "The Friendliest City", strives to achieve balanced growth, builds on community strengths, respects natural resources, promotes excellence in Government, and values quality of life. We are a city that welcomes all people.

**AGENDA
CITY COUNCIL MEETING
Bonners Ferry City Hall
7232 Main Street
267-3105
August 1, 2023
6:00 pm**

Join video Zoom meeting: <https://us02web.zoom.us/j/176727634>

Meeting ID: 176727634

Join by phone: 253-215-8782

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Each speaker will be allowed a maximum of three minutes, unless repeat testimony is requested by the Mayor/Council.

REPORTS

Police/Fire/City Administrator/City Engineer/Urban Renewal District/SPOT/Golf/EDC

CONSENT AGENDA – {action item}

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Authorize Mayor to sign contract with FCS for Representation on cost-of-service analysis and to provide update to existing cost of service analysis.
4. Approval of Alcohol Beverage License for Bonners Ferry Conoco

NEW BUSINESS

5. **PLANNING {ACTION Item}** [attachment]- Consider dedication of public right of way for new city street, located east of Highway 95 and south of the Grace Bible Church.
6. **PLANNING {ACTION Item}** [attachment]- A resolution to amend the city of Bonners Ferry comprehensive plan future land use map to designate certain lands as "general commercial and mixed use" upon annexation into the incorporated city limits. This land is associated with Annexation File 05-23.
7. **CITY {action Item}** [attachment]- Consider Ordinance 611, an annexation ordinance, annexing certain lands into city limits and zoning such lands commercial on the official zoning map, for first reading by Title only.
8. **CITY {action Item}** [attachment]- Consider suspension of rules and adopt ordinance 611, by Title only and authorize publication of the ordinance summary.

9. **PLANNING {action Item}** [attachment]- A resolution to amend the city of Bonners Ferry comprehensive plan future land use map to designate certain lands as “general commercial and mixed use” upon annexation into the incorporated city limits. This land is associated with Annexation File 06-23.
10. **CITY {action Item}** [attachment]- Consider Ordinance 612, an annexation ordinance, annexing certain lands into city limits and zoning such lands commercial and Residential B on the official zoning map, for first reading by Title only.
11. **CITY {action Item}** [attachment]- Consider suspension of rules and adopt ordinance 612, by Title only and authorize publication of the ordinance summary.
12. **CITY {action Item}** [attachment]- Consider contract by Todd Bateman with Regence and authorize Mayor to sign contract providing for benefits for group Medicare for retiree of the city.
13. **ELECTRIC {action Item}** [attachment]- Consider approval of contract with T&L Fencing for hydro replacement fence along Canyon View Road.

ADJOURNMENT

No. 2023-24

City of Bonners Ferry

2023

RETAIL ALCOHOL BEVERAGE LICENSE

THIS IS TO CERTIFY THAT **Sanah & Sahej LLC** doing business as **Bonners Ferry Conoco** is licensed to sell Alcoholic Beverages as stated below, subject to the provisions of Chapter 23-903 and 23-916 Idaho Code Annotated, the laws of the State of Idaho, and Municipal Ordinances on file in the Office of the City Clerk, in regard to the sale of alcoholic liquor within the corporate limits of the City of Bonners Ferry, Idaho.

On Premises	
LIQUOR	00.00
BEEER: Container Only	00.00
Draft/Container	00.00
WINE:	00.00
Off Premises	
BEEER: Container Only	25.00
Keg, Jug and Container	00.00
WINE	100.00
Transfer Fee – Liquor, Beer, Wine	00.00
TOTAL	125.00

APPROVED:

Mayor

ATTEST:

Clerk

Date

THIS LICENSE EXPIRES DECEMBER 31, 2023

This License Must Be Conspicuously Displayed

Task Order No. 6

Project Name: Litigation Support

The City of Bonners Ferry (“Client”) hereby requests and authorizes FCS Group (“FCS GROUP”) to provide the professional services as described below.

A. PROJECT TASK DESCRIPTION

- ✓ Provide ongoing litigation support to the City on an as-needed basis.
- ✓ Task billed hourly.

B. PRICING

Due to the unknown nature of the required level of support, the City will be billed based on time and materials actually expended utilizing the billing rates in *Exhibit A*.

C. SCHEDULE OF DELIVERABLES

The parties expect the services under Task Order No. 6 to be completed by December 31, 2024.

The scope and services covered under this authorization shall be performed in accordance with all the terms and conditions in the original Master On-call/Task Order Agreement approved by both parties on January 19, 2021.

APPROVED:

**FINANCIAL CONSULTING
SOLUTIONS GROUP, INC.**

APPROVED:

CITY OF BONNERS FERRY

Angie Sanchez Virnoche
Vice President/Principal

Date: _____

Name:
Title:

Date: _____

EXHIBIT A

2023 STANDARD BILLING RATES

FCS GROUP
2023 STANDARD FEE SCHEDULE
Effective December 5, 2022

LABORⁱ

<u>POSITION/TITLE</u>		<u>BILLING RATE</u>
Principals	Standard Rate	\$250-\$295
Project Managers		
• Senior Project Manager / Practice Lead	Standard Rate	\$230
• Project Manager II	Standard Rate	\$220
• Project Manager I	Standard Rate	\$210
• Assistant Project Manager	Standard Rate	\$200
Consultants		
• Project Consultant	Standard Rate	\$190
• Senior Analyst	Standard Rate	\$170
• Analyst	Standard Rate	\$155
<u>Administrative and Technical Support</u>		
Public Relations		\$170
Technical Writer/Graphic Artist		\$145
Administrative Support		\$ 95

DIRECT EXPENSES

Major direct expenses, such as travel, mileage, and lodging, will be charged at cost. Other expenses will not be directly charged unless by mutual agreement of the client and FCS GROUP and specific terms will be established in advance prior to expenditure and billing.

SUBCONSULTANTS

When applicable, subconsultants will be charged at invoiced cost plus 10%.

ⁱ *Litigation rates are 150% of standard hourly rates for services in support of direct litigation, settlement negotiations, arbitration and/or mediation processes.*

Task Order No. 7

Project Name: Electric Cost-of-Service Rate Study Update

The City of Bonners Ferry (“Client”) hereby requests and authorizes FCS Group (“FCS GROUP”) to provide the professional services as described below.

A. PROJECT TASK DESCRIPTION

- ✓ Initial project meeting
- ✓ Data collection
- ✓ Load, revenue & power projections
- ✓ Revenue requirement update
- ✓ Cost of service update
- ✓ Rate design update
- ✓ Review meetings & presentations

Task descriptions and deliverables are detailed in Exhibit A.

B. PRICING

Estimated cost to complete the electric cost-of-service rate study update: not to exceed \$34,750. The estimate is based on current 2023 billing rates as identified in *Exhibit B*.

C. SCHEDULE OF DELIVERABLES

The parties expect the services under Task Order No. 7 to be completed by December 31, 2024.

The scope and services covered under this authorization shall be performed in accordance with all the terms and conditions in the original Master On-call/Task Order Agreement approved by both parties on January 19, 2021.

APPROVED:

**FINANCIAL CONSULTING
SOLUTIONS GROUP, INC.**

APPROVED:

CITY OF BONNERS FERRY

Angie Sanchez Virnoche
Vice President/Principal

Date: _____

Name:
Title:

Date: _____

EXHIBIT A

CITY OF BONNERS FERRY

ELECTRIC COST OF SERVICE RATE STUDY UPDATE

The following scope of service has been developed to perform a Cost-of-Service Rate Study Update for the City of Bonners Ferry (City). City's needs were discussed with Lisa Ailport, City Administrator and Mike Klaus, City Engineer. The City would like assistance in updating the Electric Utility Cost of Service Analysis developed as part of the 2021 study with the latest operating cost, load and purchased power projections. The services to be provided as part of this scope are described below.

TASK PLAN

TASK 1 | INITIAL PROJECT MEETING

An initial project meeting will be scheduled at the commencement of the project. This meeting will establish the goals and objectives of the overall project and focus the efforts of the project team. The items covered at the meeting include review of the scope of work, identify project objectives, expectations and deliverables, outline the project schedule and key milestone review points and discuss appropriate lines of communication. We have budgeted this meeting to be conducted via remote session.

TASK 2 | DATA COLLECTION

A data needs list will be distributed to City staff outlining key financial, engineering and billing information required to complete the tasks outlined in the proposed task plan and initial project meeting. The submitted data will be reviewed, analyzed and validated for inclusion in the study process.

TASK 3 | LOAD, REVENUE AND POWER PROJECTIONS

The development of load data is vital to the cost-of-service rate study as it establishes the foundation from which all other analyses are based: rate revenue, power costs, cost allocation and rate design. Detailed monthly customer billing statistics, by each major class, will be provided by the City. The data will be analyzed to determine the number of monthly accounts, kWh and kW by rate class. With the information gathered, revenue will be calculated and reconciled against actual revenue collected. Anomalies and/or adjustments identified will be corrected to develop class usage profiles for a "normalized" year. The data will be used to develop a projected load forecast that will be used to calculate anticipated revenue and power costs for the forecast period.

For the power expense forecast, we will work closely with staff to understand the power resource mix from City owned resources and Bonneville Power Administration (BPA). Power costs will be based on both city costs and BPA billing determinants as well as the latest market prices. We have gained efficiency through direct access to information available through the BPA portal.

TASK 4 | REVENUE REQUIREMENT UPDATE

The revenue requirement developed during the most recent study will be updated, and will focus on the following components:

- Incorporate the latest fiscal year (FY) 2024 budget information into the analysis. Review and modify, if warranted, assumptions for future O&M staffing and technology changes.
- The power forecast developed as part of Task 3 will be incorporated into the revenue requirement operating forecast. Existing resource operating costs, BPA purchased power and transmission and above rate high watermark purchases will be included in the multi-year projection.
- The construction work plan will be updated based on the most recent available information.
- Fund balances will be recalibrated to account for the most recent financial activity.
- Provide up to three (3) scenarios analyzing alternative rate implementation strategies focusing on rate timing, capital cost alternatives, external funding and other sensitivities established through discussion with City staff.

TASK 5 | COST OF SERVICE UPDATE

The results of the revenue requirement analysis will be incorporated into the cost-of-service allocation developed during the prior rate study. The test year period will be adjusted to FY 2024. The methodology will not be revisited during this update.

TASK 6 | RATE DESIGN

The rate design phase-in strategy will be updated based on discussion with the City. Up to two (2) phase-in alternatives, per class of service, are included in this proposal.

TASK 7 | REVIEW MEETINGS & PRESENTATIONS

Three (3) internal review meetings are included to go over assumptions and results of the revenue requirement update, cost of service results and rate design alternatives. Meetings will be remote over an interactive conference call.

- One (1) two (2) hour meeting to review revenue requirement and draft results;
- One (1) two (2) hour meeting to review final revenue requirement recommendations and cost of service results;
- One (1) two (2) hour meeting to review rate design scenarios.

One (1) City Council workshop / presentation to present final results and recommendations is included as part of this scope of services. The Council workshop is budgeted to be completed remotely.

We are more than happy to support additional presentations / meetings that may be requested. Time for additional services will be billed based on time and materials.

EXHIBIT B

2023 STANDARD BILLING RATES

FCS GROUP
2023 STANDARD FEE SCHEDULE
Effective December 5, 2022

LABORⁱ

<u>POSITION/TITLE</u>		<u>BILLING RATE</u>
Principals	Standard Rate	\$250-\$295
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• Project Manager I	Standard Rate	\$210
• Assistant Project Manager	Standard Rate	\$200
Consultants		
• Project Consultant	Standard Rate	\$190
• Senior Analyst	Standard Rate	\$170
• Analyst	Standard Rate	\$155
 <u>Administrative and Technical Support</u>		
Public Relations		\$170
Technical Writer/Graphic Artist		\$145
Administrative Support		\$ 95

DIRECT EXPENSES

Major direct expenses, such as travel, mileage, and lodging, will be charged at cost. Other expenses will not be directly charged unless by mutual agreement of the client and FCS GROUP and specific terms will be established in advance prior to expenditure and billing.

SUBCONSULTANTS

When applicable, subconsultants will be charged at invoiced cost plus 10%.

ⁱ *Litigation rates are 150% of standard hourly rates for services in support of direct litigation, settlement negotiations, arbitration and/or mediation processes.*



MEMO

CITY OF BONNERS FERRY
OFFICE OF THE CITY ADMINISTRATOR

TO: Mayor and City Council
FROM: Lisa Ailport, City Administrator *LMA*
DATE: July 27, 2023
RE: Admin Update

SEVENTH POLICE POSITION

Discussion with the Mayor and Police Chief has led to the Mayor authorizing the filling of the last and opened policeman position. This decision was made after careful consideration of the city's financial position, against the overall morale of the department.

As a reminder, Council put staff on notice to hold off on filling positions while the city dealt with the general fund shortfall. Staff, alongside the Council, have carefully watched the expenses and the incomes as we've navigated through the fiscal year. Currently, the city's position is more favorable to recovering all the lost revenue with the general fund transfer when the sale of the property off Eileen Road is completed, along with the first round of revenue from the local option tax. This is a far different place than where we were ten months ago.

Many of the officers have not had scheduled time off this year because of the need to cover the unfilled shift position. This has led to larger amounts of unplanned overtime and generally overworked staff. With the addition of the seventh position, the immediate relief will not be felt until after that officer can patrol on their own. Getting a head start on this near the end of summer may provide hope in knowing that relief is coming soon, including a morale boost that all the officers need.

If the council should have any concerns about the position being felt, please feel free to share those with me or the Mayor at any time. Since this decision was made administratively, should the council feel the need to weigh in on the decision, staff and/or the Mayor can place the issue/decision on a future meeting for discussion.

Please let me know if you have any questions.



MEMO

CITY OF BONNERS FERRY
OFFICE OF THE CITY ADMINISTRATOR

TO: Mayor and City Council
FROM: Lisa Ailport, City Administrator
DATE: July 19, 2023
RE: Dedication of Right-of-Way as associated with annexation agreement

The attached two dedications of right-of-way are presented to the council for acceptance in accordance with Idaho Code 50-1313. The total width after acceptance of both dedications will result in a 50-foot-wide right-of-way for a future public road. The dedication was part of the Annexation Agreement associated with file 05-23. With the completion of this requirement, the city may proceed with the ordinance for annexation.

The agreement specifically states that by dedication of the right of way, the city is not responsible for constructing the road. However, the city may elect to do so at a future date.

FISCAL IMPACT

Since no new road is constructed and no additional area of maintenance is required, there will be no additional cost for the city to manage this area. Future construction may cause the city to incur costs associated with maintenance of the road.

RECOMMENDATION

Staff recommends accepting both right of way dedications associated with file AN05-23 and directs staff to record documents after the appropriate signatures have been obtained.

Please let me know if you have any questions.

When recorded Mail to:
City of Bonners Ferry
P.O. Box 149
Bonners Ferry, Idaho 83805

Document Title: Grant of Right-of-Way Dedication and Acceptance
Grantor: Grace Bible Fellowship, Inc, formally known as Community Fellowship Church, Inc.
Grantee: City of Bonners Ferry
Legal Description: As described herein.

PUBLIC RIGHT-OF-WAY DEDICATION DEED

Grace Bible Fellowship, Inc, formally known as Community Fellowship Church, Inc., herein after “Grantor” whose address is PO BOX 1164, BONNERS FERRY, IDAHO 83805, hereby grants unto the CITY OF BONNERS FERRY, herein after “Grantee” a municipal corporation of the State of Idaho, whose address is 7232 Main Street, Bonners Ferry, Idaho 83805 and its heirs, successors, and assigns, a public right-of-way to be used for all lawful right of way purposes, surface and subsurface, including but not limited to road right-of-way uses as well as sidewalks, plantings, right of way beautification improvements where deemed appropriate by the City, installation, operation and maintenance of utilities, stormwater and such other uses that municipalities may make of rights-of-way and easements from time to time, now or in the future, for the use and benefit of the public, over, under, upon and across the hereinafter described lands. All such uses are restricted within the right-of-way and shall not be limited in any way whatsoever by the state of being, condition or location of the street.

Grantor shall have the right to place a temporary approach as may be agreed upon by the parties, as necessary for the placing of an approach for said premise, thereon and for continued access until such time as the city requires or constructs a public street.

Grantor also agrees that it will at its own expense and to the extent reasonably practicable, maintain such approach to a minimum city standard while such access remains in the benefit of the property owners.

Said lands being situated in the City of Bonners Ferry, Boundary County, State of Idaho, legally described as follows:

DESCRIPTION

A 25.00-foot strip of land located along the south line of the more particularly described piece of property:

The North Half of the following described property:

A tract of land in Government Lot 1, Section 4, Township 61 North, Range 1 East, Boise Meridian, Boundary County, Idaho described as follows:

Commencing at a point 638.4 feet North 89 degrees 16’ West of the Northeast corner of said Section 4; thence South 0 degrees 15’ 324.5 feet to the Point of Beginning; thence South 0 degrees 15’ West, 324.5 feet to a pin; thence North 89 degrees 16’ West 639.0 feet to the pin on the Easterly edge of U.S. Highway #95 and #2 right of way, as it existed on December 30, 1976; thence Northeasterly along said right of way 312.8 feet to a pin; thence South 89 degrees 16’ East 600.00 feet to the Point of Beginning.

LESS any portion thereof lying within US Highway #95 and #2 right of way.

LESS all lands previously dedicated with instrument #283400 to Idaho Transportation Department for Highway expansion purposes.

IN WITNESS WHEREOF, Grantor have hereunto subscribed their names to this instrument this ____ day of _____ 20 _____

OWNER:

By: _____
Grace Bible Church, Inc.

ACKNOWLEDGMENTS

STATE OF IDAHO)
 :SS
County of Boundary)

On this _____ day of _____, in the year of 20____, before me,
_____ a notary public, personally appeared
_____, known or identified to me to be the president/director, of the
corporation that executed the instrument or the person who executed the instrument on behalf of said
corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the date and
year in this certificate first above written.

Notary Public for the state of Idaho
Residing at:
Commission Expires:

Acceptance of Grant of Right-of-Way (GRANTEE).

The City Council did accept said right-of-way on _____, 20_____ and did authorize the Mayor to sign said document and staff to file the fully executed document with the County Recorder.

ROLL CALL:

Council President Alonzo _____

Council Member Poston _____

Council Member Thompson _____

Council Member Smith _____

CITY OF BONNERS FERRY

Attest:

City Clerk

By: _____
Mayor

DATED this _____ day of _____, 20 _____

When recorded Mail to:
City of Bonners Ferry
P.O. Box 149
Bonners Ferry, Idaho 83805

Document Title: Grant of Right-of-Way Dedication and Acceptance
Grantor: Two Brews Coffee Company, LLC
Grantee: City of Bonners Ferry
Legal Description: As described herein.

PUBLIC RIGHT-OF-WAY DEDICATION DEED

Two Brews Coffee Company, LLC., herein after “Grantor” whose address is 1660 HOMESTEAD ROAD, BONNERS FERRY, IDAHO 83805, hereby grants unto the CITY OF BONNERS FERRY, herein after “Grantee” a municipal corporation of the State of Idaho, whose address is 7232 Main Street, Bonners Ferry, Idaho 83805 and its heirs, successors, and assigns, a public right-of-way to be used for all lawful right of way purposes, surface and subsurface, including but not limited to road right-of-way uses as well as sidewalks, plantings, right of way beautification improvements where deemed appropriate by the City, installation, operation and maintenance of utilities, stormwater and such other uses that municipalities may make of rights-of-way and easements from time to time, now or in the future, for the use and benefit of the public, over, under, upon and across the hereinafter described lands. All such uses are restricted within the right-of-way and shall not be limited in any way whatsoever by the state of being, condition or location of the street.

Grantor shall have the right to place a temporary approach as may be agreed upon by the parties, as necessary for the placing of an approach for said premise, thereon and for continued access until such time as the city requires or constructs a public street.

Grantor also agrees that it will at its own expense and to the extent reasonably practicable, maintain such approach to a minimum city standard while such access remains in the benefit of the property owners.

Said lands being situated in the City of Bonners Ferry, Boundary County, State of Idaho, legally described as follows:

DESCRIPTION

A 25.00-foot strip of land located along the north line of the below described piece of property:

A tract of land situated in Government Lot One (1), of Section Four (4), Township Sixty-one (61) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Commencing at a point on the east line of said Government Lot 1, which is South 00°07'32" E, 486.76 feet from the northeast corner of said Section 4; thence, leaving said east line N 89°32'48" W, 664.21 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence along the south line of that parcel described in instrument #169725, N 89°32'48" W, 276.65 feet to a 5/8" rebar and plastic cap stamped PLS 7877 and the TRUE POINT OF BEGINNING; thence, leaving said south line S 00°01'48" E, 122.32 feet to a 5/8 rebar and plastic cap stamped PLS 7877; thence N 88°56'13" W, 363.55 feet to the intersection with the easterly right of way of U.S. Highway No. 95 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along said right of way the following Two (2)

courses: N 00°07'55"W, 12.47 feet; thence along a curve to the right having a central angle of 06°28'16", a radius of 939.82 feet, for an arc length of 106.15 feet (chord = N 03°06'13", 106.09 feet) to a 5/8" rebar; thence along the south line of that parcel described in Instrument No. 169725, S 89°32'48" E, 357.72 feet to the POINT OF BEGINNING.

Less that property deeded to the State of Idaho, Transportation Board, by and through the Idaho Transportation Department as shown in that Warranty Deed, recorded October 2, 2020, as Instrument No. 283621 records of Boundary County, Idaho.

IN WITNESS WHEREOF, Grantor have hereunto subscribed their names to this instrument this ____ day of _____ 20_____

OWNER:

By: _____
Two Brews Coffee Company, LLC

By: _____
Two Brews Coffee Company, LLC

ACKNOWLEDGMENTS

STATE OF IDAHO)
 :ss
County of Boundary)

On this ____ day of _____, 20____, before me, a Notary for the state of Idaho, personally appeared _____, known, or identified to me to be the Owner who executed this instrument or the person who executed the instrument.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the date and year in this certificate first above written.

Notary Public for the state of Idaho
Residing at:
Commission Expires:

Acceptance of Grant of Right-of-Way (GRANTEE).

The City Council did accept said right-of-way on _____, 20_____ and did authorize the Mayor to sign said document and staff to file the fully executed document with the County Recorder.

ROLL CALL:

Council President Alonzo _____

Council Member Poston _____

Council Member Thompson _____

Council Member Smith _____

CITY OF BONNERS FERRY

Attest:

City Clerk

By: _____
Mayor

DATED this _____ day of _____, 20_____

CITY OF BONNERS FERRY RESOLUTION NO. 2023-013

AMENDMENT TO CITY OF BONNERS FERRY FUTURE LAND USE MAP

FILE #AN05-23, CITY OF BONNERS FERRY

RESOLUTION TO AMEND THE CITY OF BONNERS FERRY COMPREHENSIVE PLAN FUTURE LAND USE MAP TO DESIGNATE AS “GENERAL COMMERCIAL & MIXED USE” CERTAIN LANDS UPON ANNEXATION INTO THE INCORPORATED CITY LIMITS OF BONNERS FERRY, IDAHO.

WHEREAS, Idaho Code §67-6509 provides that any person may petition the planning commission or governing body for a comprehensive plan amendment at any time; and

WHEREAS, the City of Bonners Ferry sponsored the annexation of three parcels into the City of Bonners Ferry, owned by the State of Idaho (Department of Lands), Community Fellowship Church (Grace Bible Church), and Two Brews Coffee Company LLC (Stolley/Gardin); and;

WHEREAS, the subject properties total about 7.25 acres and are located east of U.S. Highway 95, south of the city limits, in Section 4, Township 61 North, Range 1 East and are described and illustrated in attached Exhibit A; and

WHEREAS, Owners Grace Bible Church and Two Brews Coffee voluntarily requested annexation into the City of Bonners Ferry; and

WHEREAS, the Bonners Ferry Planning and Zoning Commission held a duly noticed public hearing on April 20, 2023, in accord with the procedures of the Local Land Use Planning Act, Title 67, Chapter 65, Idaho Code, and local code and recommended to the City Council approval of the Future Land Use Map amendment to designate these lands as General Commercial & Mixed Use upon annexation; and

WHEREAS, the City Council considered the Commission recommendation at its regular public meeting May 2, 2023, and approved the amendment to the Future Land Use Map, as recommended by the Planning and Zoning Commission; and

WHEREAS, Idaho Code §67-6509 provides that no plan shall be effective unless adopted by resolution by the governing board.

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

1: That the City of Bonners Ferry hereby approves and adopts the amendment to the City of Bonners Ferry, Idaho Comprehensive Plan Future Land Use Map to designate as General Commercial & Mixed Use lands owned by the State of Idaho (Department of Lands), Community Fellowship Church (Grace Bible Church), and Two Brews Coffee Company LLC (Stolley/Gardin), as described and illustrated in Exhibit A, upon annexation into the City of Bonners Ferry.

2: Exhibit A is attached and hereby made a part of this resolution.

3. Staff is hereby authorized to update the electronic version of the map on the City website, which is not intended to be relied upon as the official version.

This Resolution is hereby **ADOPTED** and made **EFFECTIVE** by the City of Bonners Ferry this _____ day of _____, 2023.

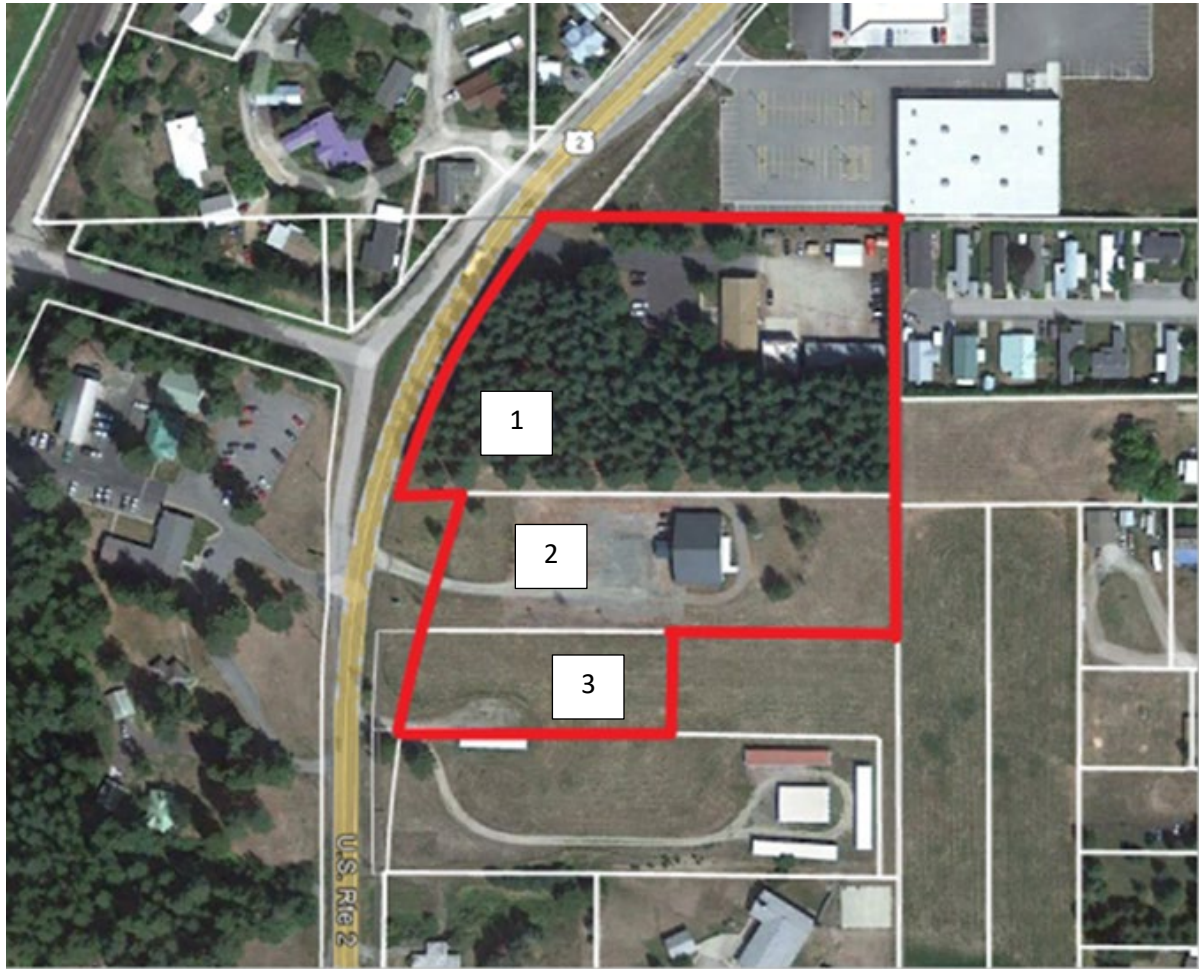
CITY OF BONNERS FERRY, IDAHO

BY: _____
James R. “Dick” Staples, Mayor

Attest:

Deborah Garcia, Clerk, City of Bonners Ferry

Exhibit A



CITY OF BONNERS FERRY PENDING ANNEXATION, FILE #AN05-23 EAST

PROPERTIES:

- #1: ±3.94 acres - RP61N01E040040A, State of Idaho, Department of Lands
- #2: ±2.24 acres - RP61N01E040150A, Community Fellowship Church
- #3: ±1.00 acres - RP61N01E040215A, Two Brews Coffee LLC

#1 description of Idaho Department of Lands tract:

A tract of land in Government Lot One (1), Section Four (4), Township Sixty-one (61) North, Range One (1) East, B. M., beginning at a point 638.4 feet north 89 degrees 16' west of the Northeast corner of Section Four (4), Township Sixty-one (61) North, Range One (1) East, B. M., which is the place of beginning; thence South 0 degrees 15' west 324.5 feet, thence North 89 degrees 16' west 600.00 feet to a point where this line intersects the east right of way line of Idaho State Highway #95 as it existed on December 30, 1976; thence northeasterly along said right of way on a curve 369.9 feet to the section line between Sections Four (4) and Thirty-three (33), thence South 89 degrees 16' east 430.0 feet to the point of beginning, containing 3.94 acres, more or less.

#2 description of Community Fellowship Church:

The North Half of the following described property:

A tract of land in Government Lot 1, Section 4, Township 61 North, Range 1 East, Boise Meridian, Boundary County, Idaho, more particularly described as follows:

Commencing at a point 638.4 feet North 89 degrees 16' West of the Northeast corner of said Section 4; thence South 0 degrees 15' 324.5 feet to the Point of Beginning; thence South 0 degrees 15' West, 324.5 feet to a pin; thence North 89 degrees 16' West, 639.0 feet to a pin on the Easterly edge of U.S. Highway #95 and #2 right of way, as it existed on December 30, 1976; thence Northeasterly along said right of way 312.8 feet to a pin; thence South 89 degrees 16' East, 600.00 feet to the Point of Beginning.

LESS any portion thereof lying within the U.S. Highway #95 and #2 right of way.

#3 DESCRIPTION OF TWO BREWS COFFEE CO.:

EXHIBIT "A"

618851

A tract of land situated in Government Lot One (1) of Section Four (4), Township Sixty-one (61) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Commencing at a point on the east line of said Government Lot 1 which is S 00°07'32" E, 486.76 feet from the northeast corner of said Section 4; thence, leaving said east line N 89°32'48" W, 664.21 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, along the south line of that parcel described in Instrument No. 169725, N 89°32'48" W, 276.65 feet to a 5/8" rebar and plastic cap stamped PLS 7877 and the TRUE POINT OF BEGINNING; thence, leaving said south line S 00°01'48" E, 122.32 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence N 88°56'13" W, 363.55 feet to the intersection with the easterly right of way of U.S. Highway No. 95 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along said right of way the following Two (2) courses: N 00°07'55" W, 12.47 feet; thence, along a curve to the right having a central angle of 06°28'16", a radius of 939.82 feet, for an arc length of 106.15 feet (chord = N 03°06'13" E, 106.09 feet) to a 5/8" rebar; thence, along the south line of that parcel described in Instrument No. 169725, S 89°32'48" E, 357.72 feet to the POINT OF BEGINNING.

Less that property deeded to the State of Idaho, Idaho Transportation Board, by and through the Idaho Transportation Department as shown in that Warranty Deed, recorded October 2, 2020, as Instrument No. 283621 records of Boundary County, Idaho.

CITY OF BONNERS FERRY, IDAHO
ANNEXATION AND AMENDMENT TO OFFICIAL ZONING MAP
FILE #AN05-23, CITY OF BONNERS FERRY

ORDINANCE NO. 611

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ANNEXING CERTAIN LANDS SITUATED IN BOUNDARY COUNTY, IDAHO, WHICH ARE ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BONNERS FERRY; ESTABLISHING THE ZONING CLASSIFICATION OF SAID LANDS AS COMMERCIAL; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE BOUNDARY COUNTY ASSESSOR, THE BOUNDARY COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; PROVIDING SEVERABILITY; PROVIDING THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the owners of the lands and territory, situated in Boundary County and particularly described and illustrated in Exhibit A of this ordinance, have submitted written requests for annexation into the City of Bonners Ferry or are government entities; and

WHEREAS, the Bonners Ferry City Council has found and determined that said lands and territory owned by the State of Idaho (Department of Lands), Community Fellowship Church (Grace Bible Church), and Two Brews Coffee Company LLC (Stolley/Gardin) are contiguous and adjacent to the City of Bonners Ferry and that annexation of said lands can reasonably be used for orderly development; and

WHEREAS, the Bonners Ferry Planning & Zoning Commission, pursuant to public notice as required by law, held a public hearing on April 20, 2023, and recommended to the Mayor and Council that the comprehensive plan Future Land Use Map be amended to designate these land as General Commercial & Mixed Use and to zone said lands Commercial; and

WHEREAS, the Bonners Ferry City Council, pursuant to the recommendation of the Bonners Ferry Planning and Zoning Commission recommendation, held a public meeting on May 2, 2023, on the proposed zoning and annexation for the property described in Exhibit A, as required by Idaho Code, Section 67-6525; and

WHEREAS, the Mayor and Council approved the zoning and annexation of these lands, upon the completion of certain conditions of approval and hereby confirms that the conditions of approval articulated in the executed annexation agreement have been met.

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

Section 1: The lands and territory situated in Boundary County, Idaho, adjacent and contiguous to the City of Bonners Ferry, Idaho, particularly described and illustrated in Exhibit A, which is made a part of this ordinance by reference, be annexed to and incorporated in the territorial limits of the City of Bonners Ferry, Idaho.

Section 2. From and after the effective date of this ordinance, all property included within the boundaries of the land described in Exhibit A, shall be subject to all the statutes pertaining to the City of Bonners Ferry and all ordinances, resolutions, police regulations, taxation and other powers of the City, and all persons and property within the territory so annexed shall be and are entitled to all benefits and rights as are the persons and property presently within the corporate territorial limits of Bonners Ferry.

Section 3. The lands made a part of Exhibit A shall be zoned Commercial on the Official Zoning Map of the City of Bonners Ferry.

Section 4. The Clerk of the City of Bonners Ferry shall cause this ordinance to be recorded with the Boundary County Recorder and filed with the Boundary County Assessor and the Idaho State Tax Commission, in accord with the provisions of Idaho Code §65-215.

Section 5: PROVISIONS SEVERABLE: The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any

person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 6: EFFECTIVE DATE: This ordinance shall be effective upon its passage and publication in the manner provided by law.

ROLL CALL:

Council President Alonzo _____

Council Member Poston _____

Council Member Thompson _____

Council Member Smith _____

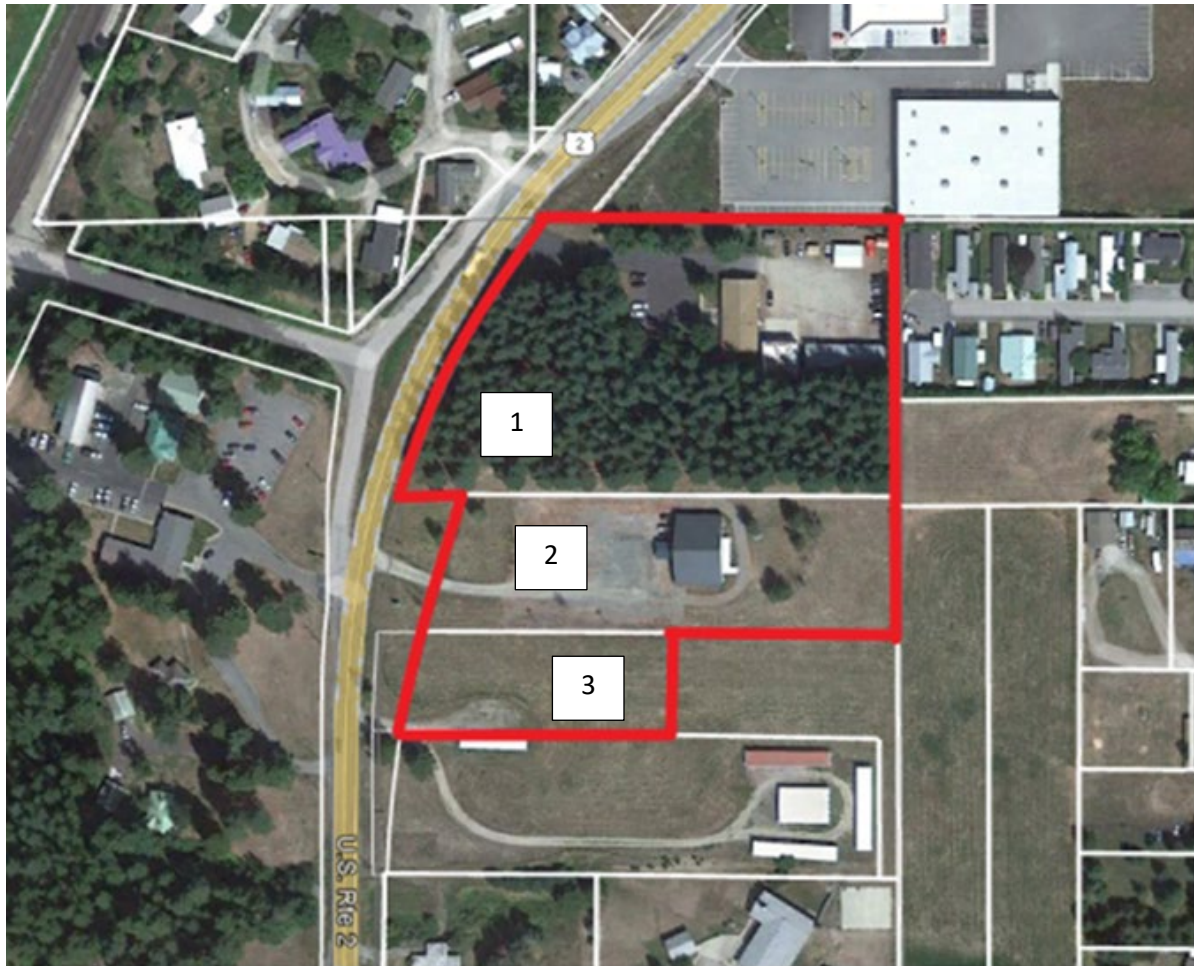
CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor James R. "Dick" Staples

Attest:

Deborah Garcia, Clerk, City of Bonners Ferry, Idaho

Exhibit A



CITY OF BONNERS FERRY PENDING ANNEXATION, FILE #AN05-23 EAST

PROPERTIES:

- #1: ±3.94 acres - RP61N01E040040A, State of Idaho, Department of Lands
- #2: ±2.24 acres - RP61N01E040150A, Community Fellowship Church
- #3: ±1.00 acres - RP61N01E040215A, Two Brews Coffee LLC

#1 description of Idaho Department of Lands tract:

A tract of land in Government Lot One (1), Section Four (4), Township Sixty-one (61) North, Range One (1) East, B. M., beginning at a point 638.4 feet north 89 degrees 16' west of the Northeast corner of Section Four (4), Township Sixty-one (61) North, Range One (1) East, B. M., which is the place of beginning; thence South 0 degrees 15' west 324.5 feet, thence North 89 degrees 16' west 600.00 feet to a point where this line intersects the east right of way line of Idaho State Highway #95 as it existed on December 30, 1976; thence northeasterly along said right of way on a curve 369.9 feet to the section line between Sections Four (4) and Thirty-three (33), thence South 89 degrees 16' east 430.0 feet to the point of beginning, containing 3.94 acres, more or less.

#2 description of Community Fellowship Church:

The North Half of the following described property:

A tract of land in Government Lot 1, Section 4, Township 61 North, Range 1 East, Boise Meridian, Boundary County, Idaho, more particularly described as follows:

Commencing at a point 638.4 feet North 89 degrees 16' West of the Northeast corner of said Section 4; thence South 0 degrees 15' 324.5 feet to the Point of Beginning; thence South 0 degrees 15' West, 324.5 feet to a pin; thence North 89 degrees 16' West, 639.0 feet to a pin on the Easterly edge of U.S. Highway #95 and #2 right of way, as it existed on December 30, 1976; thence Northeasterly along said right of way 312.8 feet to a pin; thence South 89 degrees 16' East, 600.00 feet to the Point of Beginning.

LESS any portion thereof lying within the U.S. Highway #95 and #2 right of way.

#3 DESCRIPTION OF TWO BREWS COFFEE CO.:

EXHIBIT "A"

618851

A tract of land situated in Government Lot One (1) of Section Four (4), Township Sixty-one (61) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Commencing at a point on the east line of said Government Lot 1 which is S 00°07'32" E, 486.76 feet from the northeast corner of said Section 4; thence, leaving said east line N 89°32'48" W, 664.21 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, along the south line of that parcel described in Instrument No. 169725, N 89°32'48" W, 276.65 feet to a 5/8" rebar and plastic cap stamped PLS 7877 and the TRUE POINT OF BEGINNING; thence, leaving said south line S 00°01'48" E, 122.32 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence N 88°56'13" W, 363.55 feet to the intersection with the easterly right of way of U.S. Highway No. 95 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along said right of way the following Two (2) courses: N 00°07'55" W, 12.47 feet; thence, along a curve to the right having a central angle of 06°28'16", a radius of 939.82 feet, for an arc length of 106.15 feet (chord = N 03°06'13" E, 106.09 feet) to a 5/8" rebar; thence, along the south line of that parcel described in Instrument No. 169725, S 89°32'48" E, 357.72 feet to the POINT OF BEGINNING.

Less that property deeded to the State of Idaho, Idaho Transportation Board, by and through the Idaho Transportation Department as shown in that Warranty Deed, recorded October 2, 2020, as Instrument No. 283621 records of Boundary County, Idaho.

**SUMMARY FOR PUBLICATION
CITY OF BONNERS FERRY, IDAHO ORDINANCE NO. 611
REGARDING AMENDMENT TO THE OFFICIAL ZONING MAP & ANNEXATION OF CERTAIN LANDS
FILE #AN05-23, CITY OF BONNERS FERRY**

Pursuant to Idaho Code Section 50-901A, the City of Bonners Ferry, Idaho hereby gives notice of the adoption of City of Bonners Ferry Ordinance No. 611 adopted on August 1, 2023. The full title of the ordinance is:

An ordinance of The City Of Bonners Ferry, a Municipal Corporation of the State Of Idaho, annexing certain lands situated In Boundary County, Idaho, which are adjacent and contiguous to the corporate limits of the city of Bonners Ferry; establishing the zoning classification of said lands as Commercial; providing that copies of this ordinance shall be filed with the Boundary County Assessor, the Boundary County Recorder, and the Idaho State Tax Commission, as required by law; providing severability; providing this ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

The legal description of the subject properties are: Lands located in Section 4, Township 61 North, Range 1 East, Boise Meridian as follows: State of Idaho, known as Tax Parcel No. 70; Community Fellowship Church, known as the North Half of Tax Parcel 71, less right-of-way; and Two Brews Coffee Company LLC, known as Tax No. 133, less right-of-way.

The ordinance annexes the subject properties into the City of Bonners Ferry, Idaho and amends the Official Zoning Map to zone the subject lands owned by the State of Idaho (Department of Lands), Community Fellowship Church (Grace Bible Church), and Two Brews Coffee Company LLC (Stolley/Gardin) as Commercial.

The full text of Ordinance No. 611 is available at Bonners Ferry City Hall, 7232 Main Street, Bonners Ferry, Idaho 83805, during regular business hours.

City of Bonners Ferry, Idaho

ATTEST:

James R. "Dick" Staples, Mayor

Deborah Garcia, City Clerk

City Attorney Statement Pursuant to Idaho Code Section 50-901A(3)

I, Andrakay Pluid, duly appointed City Attorney for the City of Bonners Ferry, Idaho, certify that the above summary is true and complete and provides adequate notice to the public.

Dated: _____

CITY OF BONNERS FERRY RESOLUTION NO. 2023-014

AMENDMENT TO CITY OF BONNERS FERRY FUTURE LAND USE MAP

FILE #AN06-23, CITY OF BONNERS FERRY

RESOLUTION TO AMEND THE CITY OF BONNERS FERRY COMPREHENSIVE PLAN FUTURE LAND USE MAP TO DESIGNATE AS “GENERAL COMMERCIAL & MIXED USE” CERTAIN LANDS UPON ANNEXATION INTO THE INCORPORATED CITY LIMITS OF BONNERS FERRY, IDAHO.

WHEREAS, Idaho Code §67-6509 provides that any person may petition the planning commission or governing body for a comprehensive plan amendment at any time; and

WHEREAS, the City of Bonners Ferry sponsored the annexation of two parcels totaling about 42.3 acres and adjoining public rights-of-way located south of the city limits and west of U.S. Highway 95; and

WHEREAS, the subject properties are located in Section 4, Township 61 North, Range 1 East, B.M., and are described and illustrated in attached Exhibit A; and

WHEREAS, Owners Glenda Poston and Robert Wendel voluntarily requested annexation into the City of Bonners Ferry, and the City included in the annexation proposal the U.S. Forest Service property (Bonners Ferry Ranger Station), Boundary County’s public rights-of-way Wendel Road and a portion of Pine Island Road, and the adjacent U.S. Highway 95 right-of-way owned by the Idaho Transportation Department; and

WHEREAS, the Bonners Ferry Planning and Zoning Commission held a duly noticed public hearing on June 15, 2023, in accord with the procedures of the Local Land Use Planning Act, Title 67, Chapter 65, Idaho Code, and local code and recommended to the City Council approval of the Future Land Use Map amendment to designate these lands as General Commercial & Mixed Use upon annexation; and

WHEREAS, the City Council considered the Commission recommendation at its regular public meeting July 18, 2023, and approved the amendment to the Future Land Use Map, as recommended by the Planning and Zoning Commission; and

WHEREAS, Idaho Code §67-6509 provides that no plan shall be effective unless adopted by resolution by the governing board.

NOW THEREFORE, Be it resolved by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

1: That the City of Bonners Ferry hereby approves and adopts the amendment to the City of Bonners Ferry, Idaho Comprehensive Plan Future Land Use Map to designate as General Commercial & Mixed Use the lands and rights-of-way owned by the Idaho Transportation Department, U.S. Forest Service, Boundary County, and Glenda Poston and Robert Wendel, described and illustrated in attached Exhibit A, upon annexation into the City of Bonners Ferry.

2: Exhibit A is attached and hereby made a part of this resolution.

3. Staff is hereby authorized to update the electronic version of the map on the City website, which is not intended to be relied upon as the official version.

This Resolution is hereby **ADOPTED** and made **EFFECTIVE** by the City of Bonners Ferry this _____ day of _____, 2023.

CITY OF BONNERS FERRY, IDAHO

BY: _____
James R. “Dick” Staples, Mayor

Attest:

Deborah Garcia, Clerk, City of Bonners Ferry

CITY OF BONNERS FERRY, IDAHO
ANNEXATION AND AMENDMENT TO OFFICIAL ZONING MAP
FILE #AN06-23, CITY OF BONNERS FERRY

ORDINANCE NO. 612

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ANNEXING CERTAIN LANDS SITUATED IN BOUNDARY COUNTY, IDAHO, WHICH ARE ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BONNERS FERRY; ESTABLISHING THE ZONING CLASSIFICATION OF SAID LANDS AS COMMERCIAL IN PART AND RESIDENTIAL B IN PART; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE BOUNDARY COUNTY ASSESSOR, THE BOUNDARY COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; PROVIDING SEVERABILITY; PROVIDING THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the owners of the lands and territory, situated in Boundary County and particularly described and illustrated in attached Exhibit A of this ordinance, have submitted written requests for annexation into the City of Bonners Ferry or they are government entities; and

WHEREAS, the Bonners Ferry City Council has found and determined that said lands and territory owned by Idaho Transportation Department, U.S. Forest Service, Boundary County, and Glenda Poston and Robert Wendel are contiguous and adjacent to the City of Bonners Ferry and that annexation of said lands can reasonably be used for orderly development; and

WHEREAS, the Bonners Ferry Planning & Zoning Commission, pursuant to public notice as required by law, held a public hearing on June 15, 2023, and recommended to the Mayor and Council that the comprehensive plan Future Land Use Map be amended to designate these land as General Commercial & Mixed Use and to zone lands owned by the U.S. Forest Service and adjacent public rights-of-way as Commercial and to zone lands owned by Poston/Wendel and the adjacent rights-of-way as Residential B; and

WHEREAS, the Bonners Ferry City Council, pursuant to the recommendation of the Bonners Ferry Planning and Zoning Commission recommendation, held a public meeting on July 18, 2023, on the proposed zoning and annexation for the property described in Exhibit A, as required by Idaho Code, Section 67-6525; and

WHEREAS, the Mayor and Council approved the zoning and annexation of these lands.

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

Section 1: The lands and territory situated in Boundary County, Idaho, adjacent and contiguous to the City of Bonners Ferry, Idaho, particularly described and illustrated in Exhibit A, which is made a part of this ordinance by reference, be annexed to and incorporated in the territorial limits of the City of Bonners Ferry, Idaho.

Section 2. From and after the effective date of this ordinance, all property included within the boundaries of the land described in Exhibit A, shall be subject to all the statutes pertaining to the City of Bonners Ferry and all ordinances, resolutions, police regulations, taxation and other powers of the City, and all persons and property within the territory so annexed shall be and are entitled to all benefits and rights as are the persons and property presently within the corporate territorial limits of Bonners Ferry.

Section 3. The lands made a part of Exhibit A shall be zoned on the Official Zoning Map of the City of Bonners Ferry as “Commercial” for those properties owned by the U.S. Forest Service and adjacent public rights-of-way and be zoned “Residential B” for those lands owned by Poston/Wendel and adjacent public rights-of-way.

Section 4. The Clerk of the City of Bonners Ferry shall cause this ordinance to be recorded with the Boundary County Recorder and filed with the Boundary County Assessor and the Idaho State Tax Commission, in accord with the provisions of Idaho Code §65-215.

Section 5: PROVISIONS SEVERABLE: The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 6: EFFECTIVE DATE: This ordinance shall be effective upon its passage and publication in the manner provided by law.

ROLL CALL:

Council President Alonzo _____
Council Member Poston _____
Council Member Thompson _____
Council Member Smith _____

CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor James R. "Dick" Staples

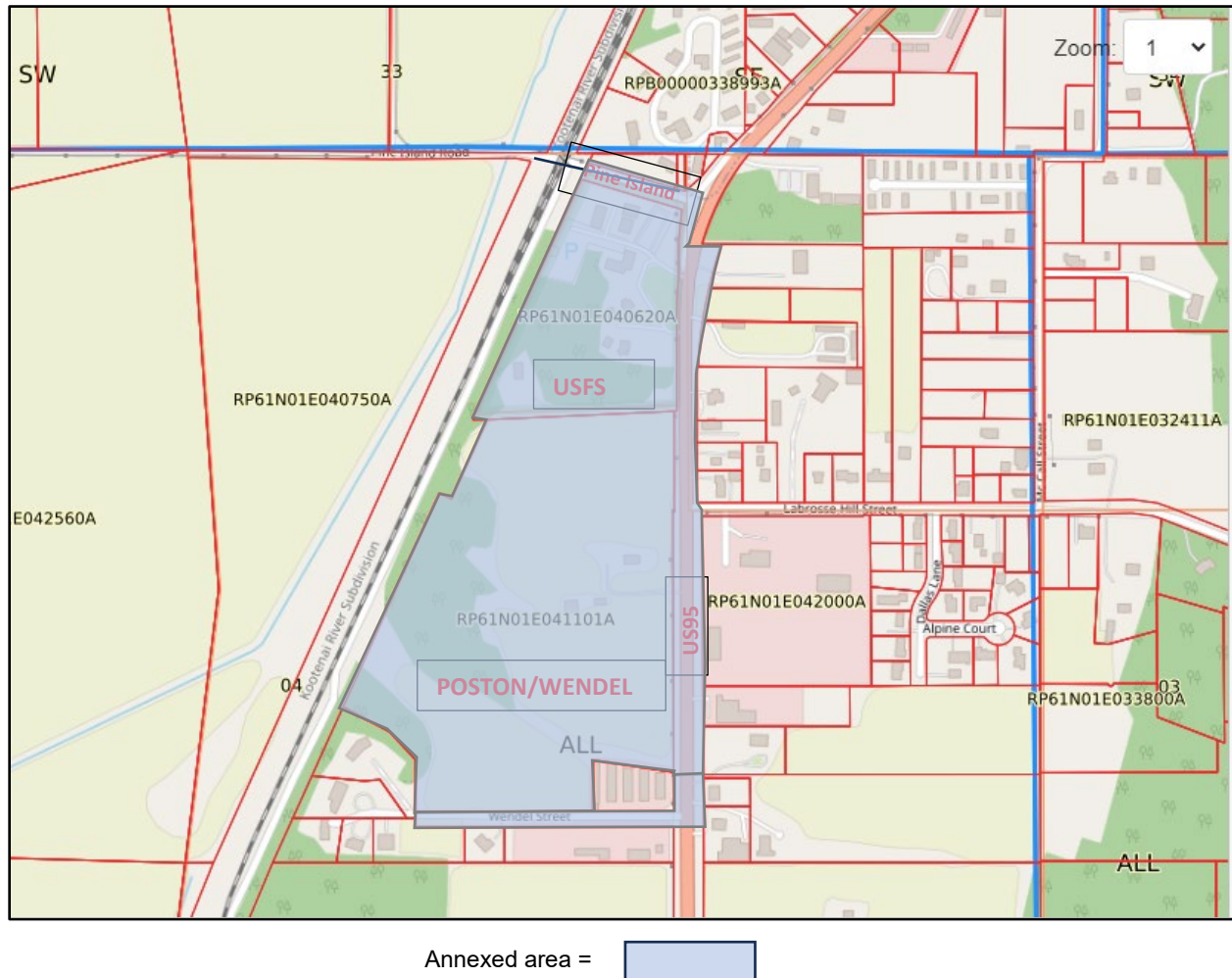
Attest:

Deborah Garcia, Clerk, City of Bonners Ferry, Idaho

EXHIBIT A

DESCRIPTIONS FOR CITY OF BONNERS FERRY ANNEXATION, FILE #AN06-23 WEST

Map of annexations:



PARCELS FOR ANNEXATION:

RP61N01E040620A

US Forest Service

6286 Main St.

Generally described as Tax 17, Section 4, Township 61 North, Range 1 East, B.M.

Described in attached document 19-339

RP61N01E041101A

Poston/Wendel

6182 Main St.

Generally described as Tax 129 less Co RD and RR R/W & Hwy

Described at Instrument #264761, attached

Wendel Road public right of way

As described in attached R-O-W deeds, Instruments #117904 and #120936

U.S. Highway 95 from its intersection with Wendel Road, north to the north section line of Section 4, Township 61 North, Range 1 East, B.M.

That portion of Pine Island Road lying north and east of the property described in Instrument #19-339 (US Forest Service) between U.S. Highway 95 right-of-way and the Great Northern/Burlington Northern right-of-way.

**SUMMARY FOR PUBLICATION
CITY OF BONNERS FERRY, IDAHO ORDINANCE NO. 612
REGARDING AMENDMENT TO THE OFFICIAL ZONING MAP & ANNEXATION OF CERTAIN LANDS
FILE #AN06-23, CITY OF BONNERS FERRY**

Pursuant to Idaho Code Section 50-901A, the City of Bonners Ferry, Idaho hereby gives notice of the adoption of City of Bonners Ferry Ordinance No.612 adopted on August 1, 2023. The full title of the ordinance is:

An Ordinance of the City of Bonners Ferry, a municipal corporation of the State of Idaho annexing certain lands situated in Boundary County, Idaho, which are adjacent and contiguous to the corporate limits of the City of Bonners Ferry; establishing the zoning classification of said lands as Commercial in part and Residential B in part; providing that copies of this ordinance shall be filed with the Boundary County Assessor, the Boundary County Recorder, and the Idaho State Tax Commission, as required by law; providing severability; providing this ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

The lands are situated in Section 4, Township 61 North, Range 1 East, B.M. and are described as: U.S. Forest Service land (Bonners Ferry Ranger Station) generally described as Tax Parcel No. 17 of said section; Glenda Poston and Robert Wendel land generally described as Tax Parcel No. 129 of said section; Wendel Road public right-of-way; U.S. Highway 95 from its intersection with Wendel Road, north to the north line of said section; and that portion of Pine Island Road lying north and east of the U.S. Forest Service parcel and between U.S. Highway 95 right-of-way and the Great Northern/Burlington Northern railroad right-of-way.

The ordinance annexes the subject properties into the City of Bonners Ferry, Idaho and amends the Official Zoning Map to zone the lands owned by the U.S. Forest Service and adjacent public rights-of-way as Commercial and to zone lands owned by Poston/Wendel and the adjacent rights-of-way as Residential B. The full text of Ordinance No. 612 is available at Bonners Ferry City Hall, 7232 Main Street, Bonners Ferry, Idaho 83805, during regular business hours.

City of Bonners Ferry, Idaho

ATTEST:

James R. "Dick" Staples, Mayor

Deborah Garcia, City Clerk

City Attorney Statement Pursuant to Idaho Code Section 50-901A(3)

I, Andrakay Pluid, duly appointed City Attorney for the City of Bonners Ferry, Idaho, certify that the above summary is true and complete and provides adequate notice to the public.

Dated: _____

Lisa Ailport

From: toddbatemaninsurance@gmail.com
Sent: Thursday, July 13, 2023 5:23 PM
To: Lisa Ailport
Subject: RE: Group Medicare Retiree Proposal

Hi Lisa,

I have requested the application/contract paperwork from Regence and will send that over as soon as they get that back to me.

Next steps once approved by the council:

- 1) Review and complete the application paperwork.
 - a. Determine the best or most desirable effective date.
- 2) Determine an appropriate communication plan for existing employees and past retirees.
- 3) Host an educational plan review event for eligible retirees and dependents

Additional thoughts on these topics:

- The Regence turnaround time to get the plan active for enrollment is typically 3 months.
 - Ex: If we complete paperwork during July, we will have a choice of starting perhaps as early as 11-1-23.
 - I absolutely support allowing folks to enroll during 2023, but I would realistically expect that most folks already enrolled in Medicare plans would probably wait until 1-1-24 for enrollment since it is so close to the new year. If the council prefers to just begin with a 1-1-24 effective date, that is fine too.
- Once we determine an effective date, I would encourage the city to consider allowing us to send some kind of mailer/notification. (Or if the city wants to send it, we will happily pay for any mailing/postage costs) Mostly this is an effort to notify exiting employees who may be approaching Medicare eligibility and any past retirees of the new retiree plan option offered through by the city.
 - We understand the need to safeguard people's information (names and addresses) so we have had certain organizations prefer to send the notices themselves (using their own letterhead or envelopes, and we have paid to order the envelopes/paper/printing/postage to ensure our promise that this shouldn't have any cost to the city.
- a. In that mailer we would include an invite to an educational plan review meeting. A forum for them to hear about the plan and understand the benefits as well as ask any questions they have. (I will take your suggestions on available spaces...like the room we were in for the council meeting...could we use that?) I usually try to have any notices go out 2-3 weeks before the meeting date(s).
 - i. I'm happy to do multiple meeting dates if that helps
 - ii. The notice would also include my contact info to schedule their own 1:1 appointment/review if they would prefer that over coming to the meeting.
- b. If no mailer is allowed, then I would typically resort to an ad in the paper or social media effort to help try and make the community aware of this option for City employment retirees.

Hope that little overview helps!

Thanks,

Todd Bateman
208-215-0363

todd@batemanbenefits.com
www.batemanbenefits.com

CMS Required Language:

We do not offer every plan available in your area. Any information we provide is limited to those plans we do offer in your area. Please contact Medicare.gov or 1-800-Medicare to get information on all of your options.

From: Lisa Ailport <lailport@bonnersferry.id.gov>
Sent: Thursday, July 13, 2023 8:50 AM
To: toddbatemaninsurance@gmail.com
Subject: RE: Group Medicare Retiree Proposal

Todd- what steps are needed by the council to move forward with this plan. The Mayor has asked that I put the plan on as a action item for the next meeting.

From: toddbatemaninsurance@gmail.com <toddbatemaninsurance@gmail.com>
Sent: Wednesday, July 12, 2023 10:01 AM
To: Lisa Ailport <lailport@bonnersferry.id.gov>
Subject: Group Medicare Retiree Proposal

Hello,

I am submitting today's presentation information that was provided during the city council meeting. Also included is a high level overview of the benefits specifically attributed to the proposed plan.

Please let me know if you need anything further. Once the council approves or requests the contract paperwork, I will have the sent over as well for the City to review.

Sincerely,

Todd Bateman
208-215-0363
todd@batemanbenefits.com
www.batemanbenefits.com

CMS Required Language:

We do not offer every plan available in your area. Any information we provide is limited to those plans we do offer in your area. Please contact Medicare.gov or 1-800-Medicare to get information on all of your options.

[EXTERNAL] This message originated outside of City of Bonners Ferry. Do not click links or open attachments unless you recognize the sender, are expecting something from them, and know the content is safe. Please report malicious emails to the Exbabylon Managed Service Team.

[EXTERNAL] This message originated outside of City of Bonners Ferry. Do not click links or open attachments unless you recognize the sender, are expecting something from them, and know the content is safe. Please report malicious emails to the Exbabylon Managed Service Team.

Lisa Ailport

From: toddbatemaninsurance@gmail.com
Sent: Tuesday, July 18, 2023 4:59 PM
To: Lisa Ailport
Subject: RE: Group Medicare Retiree Proposal
Attachments: Cost Proposal for City of Bonners Ferry Nov 2023.pdf; Regence Idaho_GMA_2020 (004).pdf

Hi Lisa,

Here is the extent of the Regence paperwork for review. The city would only need to complete the attached "Group Master Application" or GMA document, (6 pages I think) and then complete the single page Cost Proposal Sheet that outlines the specific plan we have chosen and the monthly rate per member. (Reminder : the billing goes directly to the member so again, hassle free for the City)

Seeing as how we are reaching the end of the plan year, this proposal offers us the ability to enroll in November, for the last two months of the year, but we will see all these Group Retiree renewals coming out in the next couple months. Then we will know exactly what the benefits and rates are for 2024 and the city can help determine the best course of action for messaging and educating prospective and past retirees. These Retiree plans have stayed really steady, so we expect benefits and premiums to stay in the same area for 2024. (We have seen mostly benefit enhancements the past couple years so those are always welcome!)

Please feel free to share with anyone at the City that needs to review these and let me know if there are any additional questions.

Thanks,
Todd

Todd Bateman

208-215-0363

todd@batemanbenefits.com

www.batemanbenefits.com

CMS Required Language:

We do not offer every plan available in your area. Any information we provide is limited to those plans we do offer in your area. Please contact Medicare.gov or 1-800-Medicare to get information on all of your options.

From: Lisa Ailport <lailport@bonnersferry.id.gov>
Sent: Thursday, July 13, 2023 3:58 PM
To: toddbatemaninsurance@gmail.com
Subject: RE: Group Medicare Retiree Proposal

Todd- Council is requesting the contract paperwork, can you please send it to me?

From: toddbatemaninsurance@gmail.com <toddbatemaninsurance@gmail.com>
Sent: Wednesday, July 12, 2023 10:01 AM
To: Lisa Ailport <lailport@bonnersferry.id.gov>
Subject: Group Medicare Retiree Proposal

Hello,

I am submitting today's presentation information that was provided during the city council meeting. Also included is a high level overview of the benefits specifically attributed to the proposed plan.

Please let me know if you need anything further. Once the council approves or requests the contract paperwork, I will have the sent over as well for the City to review.

Sincerely,

Todd Bateman

208-215-0363

todd@batemanbenefits.com

www.batemanbenefits.com

CMS Required Language:

We do not offer every plan available in your area. Any information we provide is limited to those plans we do offer in your area. Please contact Medicare.gov or 1-800-Medicare to get information on all of your options.

[EXTERNAL] This message originated outside of City of Bonners Ferry. Do not click links or open attachments unless you recognize the sender, are expecting something from them, and know the content is safe. Please report malicious emails to the Exbabylon Managed Service Team.

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Regence Cost Proposal:

This proposal is valid for an effective date of November 1, 2023

We are pleased to offer the following Regence Medicare Retiree Group products for the City of Bonners Ferry.

Covered Area	Plan Type	Details	Pricing*
Nationwide	Medicare Retiree Group Regence MedAdvantage + Rx Primary (PPO) with Comprehensive Dental	Medical + Rx	\$16 per month per person

*Pricing is per member per month (PMPM) and contingent upon underwriting guidelines.

Signature

Group Authorized Signature _____

Group Authorized Name _____

Official Title _____

Signature Date _____





MEMO

CITY OF BONNERS FERRY
CITY ENGINEER

TO: Mayor and City Council
FROM: Mike Klaus, City Engineer
DATE: July 27, 2023
RE: **Electric – Hydro Fencing Replacement**

Attached is an estimate from T&L Fencing to replace some damaged and inadequate fencing above the power plant at Moyie. The estimate includes 300 lineal feet of 6-foot tall fencing adjacent to road above the powerhouse. The current fence in this location is only 4 feet tall and allows people to easily lift rocks and roll them over the fence, which actually happened earlier this year, damaging the powerhouse shop.

Another 60-foot section of fence is also requested that will be located directly above the powerhouse control room. The existing fence at this location is damaged and needs to be replaced. The new section needed at this location will be 10 feet tall to provide another barrier for rolling rocks.

This fencing is needed to protect our employees and infrastructure in the powerhouse area. I recommend that the Council approve the contract with T&L Fencing for \$18,973 to replace damaged fencing above the powerhouses.

Thank you,

Mike

INDEPENDENT CONTRACTOR AGREEMENT

AGREEMENT made between City of Bonners Ferry, a political subdivision of the state of Idaho, herein "ENTITY" and T&L Fencing herein "CONTRACTOR",

THE PARTIES AGREE AS FOLLOWS:

1. **CONTRACT:** ENTITY hereby employs CONTRACTOR as an independent contractor to complete and perform the following project and work: Install chain link fencing above City's hydro electric power houses per attached quote from T&L Fencing.

CONTRACTOR agrees to provide all materials and services for the project in accordance with the attached written specifications.

2. **TIME OF PERFORMANCE AND TERMINATION:** Parties agree that:

CONTRACTOR shall complete the project by October 31, 2023.

3. **COMPENSATION:** ENTITY agrees to pay CONTRACTOR as compensation:

Total not to exceed \$ 18,973.00

4. **INDEPENDENT CONTRACTOR:** The parties agree that CONTRACTOR is the independent contractor of ENTITY and in no way an employee or agent of ENTITY and is not entitled to workers compensation or any benefit of employment with the ENTITY. ENTITY shall have no control over the performance of this Agreement by CONTRACTOR or its employees, except to specify the time and place of performance, and the results to be achieved. ENTITY shall have no responsibility for security or protection of CONTRACTOR'S supplies or equipment. CONTRACTOR agrees to pay and be responsible for all taxes due from the compensation received under this contract.

5. **WARRANTY:** CONTRACTOR warrants that all materials and goods supplied under this Agreement shall be of good merchantable quality and that all services will be performed in a good workmanlike manner. CONTRACTOR acknowledges that it will be liable for any breach of this warranty.

6. **INDEMNIFICATION:** CONTRACTOR agrees to indemnify, defend, and hold harmless ENTITY, and its officers, agents and employees, from and against any and all claims, losses, actions, or judgments for damages or injury to persons or property arising out of or in connection with the acts and/or any performances or activities of CONTRACTOR, CONTRACTOR'S agents, employees, or representative under this agreement.

7. **INSURANCE:** CONTRACTOR agrees to obtain and keep in force during its acts under this agreement a comprehensive general liability insurance policy in the minimum amount of \$1,000,000 which shall name and protect CONTRACTOR, all CONTRACTOR'S employees, ENTITY and its officers, agents and employees, from and against any and all claims, losses, actions, and judgments for damages or injury to persons or property arising out of or in connection with the CONTRACTOR'S acts. CONTRACTOR shall provide proof of liability coverage as set forth above to ENTITY prior to commencing its performance as herein provided, and require insurer to notify ENTITY ten (10) days prior to cancellation of said policy.

8. **WORKER'S COMPENSATION:** CONTRACTOR shall maintain in full force and effect worker's compensation for CONTRACTOR and any agents, employees, and staff that the CONTRACTOR may employ, and provide proof to ENTITY of such coverage or that such worker's compensation insurance is not required under the circumstances.

9. **COMPLIANCE WITH LAWS:** CONTRACTOR agrees to comply with all federal, state, city, and local laws, rules and regulations.

10. **CERTIFICATION CONCERNING BOYCOTT OF ISRAEL:** Pursuant to Idaho Code section 67-2346, if payments under the Contract exceed one hundred thousand dollars (\$100,000) and Contractor employs ten (10) or more persons, Contractor certifies that it is not currently engaged in, and will not for the duration of the Contract engage in, a boycott of goods or services from Israel or territories under its control. The terms in this section defined in Idaho Code section 67-2346 shall have the meaning defined therein.

11. **ENTIRE AGREEMENT:** This is the entire agreement of the parties and can only be modified or amended in writing by the parties.

12. **ATTORNEY FEES:** Reasonable attorney fees shall be awarded to the prevailing party in any action to enforce this Agreement or to declare forfeiture or termination of this Agreement.

DATED this 27 day of July, 2023.

ENTITY:

CONTRACTOR:

CITY OF BONNERS
FERRY
(Governmental Entity)

By [Signature]
(Name)

By _____ Its _____
James R. Staples, Mayor (Title or Office)

ATTEST:

WITNESS:

Deby Garcia, Clerk

(Signature of Witness or Notary Public)

Form and content approved by Andrakay Pluid as attorney for City of Bonners Ferry



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/27/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

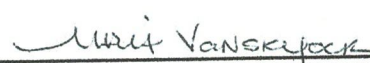
PRODUCER Coeur d'Alene Insurance 1801 N. Government Way #1 Coeur d'Alene, ID 83814 License #: AB03100	CONTACT NAME: Maria VanSkyock PHONE (A/C No. Ext): (208)667-9421 E-MAIL ADDRESS: Maria@idahoinsurance.com FAX (A/C No.): (208)765-9433													
	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: EMPLOYERS MUTUAL CASUALTY COMPANY</td> <td>21415</td> </tr> <tr> <td>INSURER B: STATE INSURANCE FUND</td> <td>36129</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: EMPLOYERS MUTUAL CASUALTY COMPANY	21415	INSURER B: STATE INSURANCE FUND	36129	INSURER C:		INSURER D:		INSURER E:		INSURER F:
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INSURED Terry Becker DBA: T & L Fencing and Construction 4924 Highway 1 Bonnars Ferry, ID 83805-5128														

COVERAGES **CERTIFICATE NUMBER: 00004702-0** **REVISION NUMBER: 26**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

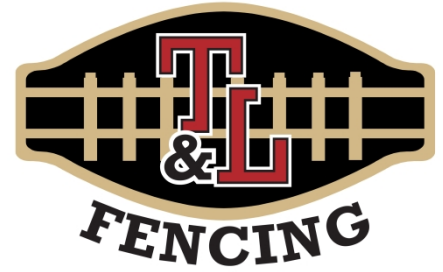
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		4D74569	04/24/2023	04/24/2024	EACH OCCURRENCE	\$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
						MED EXP (Any one person)	\$ 5,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COMP/OP AGG	\$ 2,000,000
							\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident)	\$
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
							\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTIONS <input type="checkbox"/>					EACH OCCURRENCE	\$
						AGGREGATE	\$
							\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		657974	04/08/2023	04/08/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
						E.L. EACH ACCIDENT	\$ 100,000
						E.L. DISEASE - EA EMPLOYEE	\$ 100,000
						E.L. DISEASE - POLICY LIMIT	\$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER CITY OF BONNERS FERRY 7232 MAIN ST Bonnars Ferry, ID 83805	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  (MAV)

T & L Fencing
 4924 Hwy 1
 Bonners Ferry, ID 83805
 208-267-5766
 tlfencing26@gmail.com
 www.tandlfencing.com

Estimate



ADDRESS
City of Bonners Ferry PO Box 149 Bonners Ferry, ID 83805

ESTIMATE #	DATE	EXPIRATION DATE
1370	07/13/2023	08/13/2023

P.O. NUMBER
 Moyie Dam

SALES REP
 TB

ACTIVITY	QTY	RATE	AMOUNT
Fencing 300' of 6' 9ga. chain link with heavy duty components, barbwire on top, removal of old fence. (2 7/8 40 wt. end posts, 2 3/8 40 wt. line posts, crimped 7ga. bottom wire, 1 5/8 20 wt. top rail.)	1	10,832.00	10,832.00
Fencing 84' of 10' 9ga. chain link mounted on top of cement wall by the power house. (2 7/8 40wt. posts, 1 5/8 40 wt. top rail, 10' tall 9ga. chain link wire, steel plate anchored to wall and 2 7/8 post welded to the plate.)	1	8,141.00	8,141.00

Look forward to doing business with you!

TOTAL

\$18,973.00

Accepted By

Accepted Date