

**AGENDA OF THE CITY COUNCIL MEETING  
FOR THE CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO**

Tuesday, January 27, 2026

Regular Meeting: 5:00 PM

Hayden City Hall Council Chambers, 8930 N. Government Way, Hayden, ID 83835

**CALL TO ORDER**

**ROLL CALL OF COUNCIL MEMBERS**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS OR CORRECTIONS**

1. **CONSENT CALENDAR** *All items on the Consent Calendar are Action Items*
  - A. Approval of January 13, 2026 City Council Meeting Minutes

**DRAFT MINUTES OF THE CITY COUNCIL MEETING  
FOR THE CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO**

Tuesday, January 13, 2026

Regular Meeting: 5:00 PM

Hayden City Hall Council Chambers, 8930 N. Government Way, Hayden, ID 83835

**CALL TO ORDER**

Mayor Davis called the meeting to order at 5:00 PM.

**ROLL CALL OF COUNCIL MEMBERS**

**Present:** Ed DePriest, Matthew Roetter, Tom Shafer, Sandra White

**PLEDGE OF ALLEGIANCE**

Mayor Davis asked Council Member White to lead the pledge of allegiance.

**ADDITIONS OR CORRECTIONS**

None

**1. CONSENT CALENDAR *All items on the Consent Calendar are Action Items***

- A. Approval of December 9, 2025 City Council Meeting Minutes
- B. Approval of December 19, 2025 City Council Meeting Minutes
- C. Approval to Apply and Authorize Matching Fund Allocation for the State of Idaho Waterways Improvement Fund Grant for Improvements to Honeysuckle Beach and Boat Launch
- D. Approval of Aviation 1st Addition Consolidation Plat
- E. Approval of 2026 The Peak Health & Wellness Center Contractual Services Agreement
- F. Approval of Lake City Law Engagement Letter for Civil Legal Services
- G. Approval of Welch Comer's Hayden Avenue and Huetter Road Intersection Amendment 1
- H. Ratification of December Payroll
- I. Approval of Ratification of Bills Paid
- J. Approval for Bills for Payment

Council President Roetter received clarification from Legal Counsel Fonda Jovick that the increase in hourly rate for civil legal services is the first increase in the last six years. It will increase from the current \$225 per hour to \$280 per hour. Ms. Jovick noted that this rate is significantly lower than the market rate.

MOTION: Council Member White motioned to approve the consent calendar as presented. Council Member Shafer provided the second.

**ROLL CALL VOTE:**

Council President Roetter	Yes
Council Member DePriest	Yes
Council Member Shafer	Yes
Council Member White	Yes

The motion was approved by a unanimous vote in favor.

**2. VISITOR/PUBLIC COMMENT (3-minutes maximum)**

None

Mayor Davis held a moment of silence for the passing of former City Council Member Roger Saterfiel.

Mayor Davis used a brief analogy referencing the NFL playoffs to emphasize community unity, noting that despite differing viewpoints, all residents are part of one Hayden community. Attendees were acknowledged for recognizing a departing council member, supporting a reelected member, and welcoming a new council member. Mayor Davis affirmed the shared goal of maintaining a strong and welcoming city and presented recognition to Council Member White for her service on the Hayden City Council.

**3. OATH OF OFFICE**

A. Ed DePriest, City Council Seat 2

B. David Erickson, City Council Seat 4

City Clerk Abbi Sanchez administered the Oath of Office to the elected city council members.

Mayor Davis recessed the meeting at 5:38 p.m.

Council Member White left the meeting.

Council Member Erickson joined the meeting.

**4. PUBLIC HEARING (Public Testimony will be received for these items)**

A. **ACTION ITEM** PZE-25-0102 Arts (King Sod) Zone Map Amendment Request

Council Member Erickson recused himself from the hearing due to this application being heard by the Planning and Zoning Commission while he was a member.

After reading the procedures for an applicant initiated public hearing, Mayor Davis opened the hearing at 5:15 p.m.

**STAFF INTRODUCTION:** Community Development Director Donna Phillips introduced the Arts/King Sod zone map amendment, noting the City's naming convention uses the property owner's name while the business on site is King Sod. She explained that the property was annexed in 1991 by Ordinance 204 and zoned Agricultural. The site is located north of the Spokane International Railroad line, south of East Lancaster Road, and east of North Huetter Road. She noted the applicant previously entered into a deferred development agreement due to the Lancaster and Huetter roundabout being under design and construction, delaying frontage improvements. The remaining frontage improvements are required as part of off-site infrastructure. Ms. Phillips described the parcel as a triangular property bordered by roads and railroad tracks. In response to a council question, she clarified that City limits are to the south, with Kootenai County to the north and Rathdrum to the west. She concluded by introducing the applicants to present their application.

**APPLICANT:** Justin Arts and Wilson McWain presented the request to rezone the King Sod property from Agricultural to Light Industrial. They stated the request supports economic development, aligns with the Future Land Use Map, and promotes responsible growth in the area. They explained that the current Agricultural zoning no longer reflects surrounding development trends, as the area is transitioning to commercial and light industrial uses.

The applicants noted that Light Industrial zoning encourages clean, low-impact uses and that they have worked with City staff to address buffers, traffic mitigation, and stormwater controls through surveys and studies. They stated the request is consistent with the Comprehensive Plan, which designates the site for Light Industrial, and supports economic diversification and efficient use of infrastructure.

They explained that the Light Industrial zone is intended for low-impact employment uses and does not involve heavy manufacturing. The property's size, location, and surrounding zoning make it suitable for Light Industrial use, and the site has been planned and engineered with that zoning in mind. They also stated the zoning change would be compatible with emerging neighborhood conditions and provide appropriate buffering between differing land uses.

The applicants concluded that the request meets approval standards, supports logical and compatible growth, and benefits the public through responsible economic development, and they requested approval of the zone map amendment.

**Council Questions and Responses:**

In response to a question regarding how the property fits their business model, the applicants explained that sod is not grown on-site and that the location would be used for customer pickup, truck loading, and deliveries, consistent with their existing operation footprint.

Regarding an adjacent parcel owned by Missouri Improvement Company, the applicants stated they do not own or control that property, were not involved in its sale, and are unfamiliar with the current owner's plans.

In response to a question about the potential Huetter Bypass, the applicants stated they are aware of the long-discussed project and have considered its potential impacts. They indicated that if the bypass affected the property, they could relocate their operations if necessary. They also stated that the bypass could be beneficial by increasing visibility and traffic near their business.

STAFF: Ms. Phillips summarized the staff analysis and reviewed the five standards of approval for the zone map amendment. Staff and the Planning and Zoning Commission determined that no additional studies, plans, or conditions were necessary.

Ms. Phillips explained that the application was reviewed under the prior Comprehensive Plan, as it was submitted before adoption of the updated plan. Under that plan, the subject property is designated for Light Industrial future land use. She stated the request is consistent with applicable Comprehensive Plan goals and policies, including development within city limits, balanced commercial development along transportation corridors, protection of adjacent land uses, adequate public facilities, and support for employment opportunities.

She reviewed consistency with zone district purpose and intent, noting that Agricultural zoning is intended for farming uses, while Light Industrial zoning allows for clean, low-impact manufacturing, processing, distribution, and wholesale uses.

Staff reviewed site infrastructure and neighborhood context, noting the site is served by a private well and a septic system approved by Panhandle Health District, with

utilities and access approved through the Lancaster and Huetter intersection project. Surrounding uses include the HARSB land application site to the north, the Spokane International Railroad to the south, and farmland and residential agricultural uses nearby. The site is not within airport runway protection zones.

Staff reported that agency notices were sent with minimal comments received, and that the Planning and Zoning Commission recommended approval of the zone change at its November 14 meeting.

**COUNCIL QUESTIONS:**

Council President Roetter asked about septic system approval on a 1.73-acre lot, given county five-acre standards for residential septic systems over the aquifer. Staff explained that Panhandle Health District has jurisdiction over septic approvals and determined the site met their requirements, and that no sanitary sewer service is currently available. Staff confirmed that Panhandle Health District’s approval governs in this case.

**PUBLIC COMMENTS:** None

**APPLICANT REBUTTAL:** Mr. Arts addressed concerns regarding the lot size being smaller than five acres for septic approval. He explained that the 1.73-acre parcel was created prior to adoption of the five-acre requirement and is therefore considered a legal, grandfathered lot. As a result, Panhandle Health District was able to approve the septic system under existing regulations.

Mayor Davis closed the public hearing.

**MOTION:** Council Member DePriest motioned approve PZE-25-0102 Arts/King Sod zone map amendment request finding the request is in accordance with the standards of Hayden city code based upon testimony received at the planning and zoning commission and city council public hearing and the record of the request. Council President Roetter provided the second. Council President Roetter provided the second.

**DISCUSSION ON MOTION:**

Council President Roetter noted that rezoning to Light Industrial would increase property tax revenue for the City due to expected site improvements. Council Member Shafer observed that, despite the lot’s small size, its unique shape and location make it well-suited for a business node, aligning appropriately with the future neighborhood context and supporting the proposed zoning revision.

<b>ROLL CALL VOTE:</b>	
Council Member Erickson	Abstain
Council Member Shafer	Yes
Council President Roetter	Yes
Council Member DePriest	Yes

The motion was approved by a unanimous vote in favor of the voting members.

**B. ACTION ITEM PZE-24-0133 North Government Way & Bielec Enterprises Annexation Request**

After reading the procedure for a city initiated public hearing, Mayor Davis opened the hearing at 5:39 p.m.

STAFF: Community Development Director Donna Phillips presented the annexation request for properties along North Government Way, including a vacant parcel and three Bielec Enterprises properties. The request originated after Lakes Highway District, which owns the roadway, respectfully asked the city to annex the property if a proposed project moved forward. The city then contacted neighboring property owners to the west to see if they would also consider annexation, and Bielec Enterprises agreed. At the time of initiation, all properties were within the city's exclusive area of impact, intended for future annexation, and they remain within the updated area of impact following coordination with Kootenai County.

The Bielec properties are requesting commercial zoning, which staff determined meets all standards of approval, aligns with both the old and new future land use maps, conforms to the Hayden Comprehensive Plan, complies with the zone district's purpose and intent, and is consistent with the neighborhood context.

Agency notices were sent to 18–20 entities, most of which provided no comments; support letters were received from Lakes Highway District and North Kootenai Water District (water service only), while Coeur d' Alene Airport requested a navigation easement as a condition of annexation. Public support was expressed by adjacent landowners. The Planning and Zoning recommended approval with conditions, including entering into an annexation agreement, compliance with fire protection and city transportation requirements, extension and connection to city sewer within one year of availability, and recording of the navigation easement.

Additional clarifications confirmed that North Kootenai Water District provides water only, the properties currently use septic systems, and some neighboring properties declined annexation due to lack of sewer service and different access points.

PUBLIC COMMENTS: None

Mayor Davis closed the hearing at 5:54 p.m.

**COUNCIL DELIBERATIONS:**

Council Members expressed general support for the annexation request. Council Member Shafer noted curiosity about why two neighboring lots declined annexation but found the proposal straightforward, given the adjacent light industrial uses, and raised no objections.

Council Members agreed that the application had met all standards of approval, as presented by Donna Phillips, and highlighted that the annexation would bring commercial tax revenue, modestly shifting the tax burden from residential to commercial. Council Member Erickson emphasized that the proposed properties are contiguous, align with the existing zone map, and present no conflicts, while Council President Roetter confirmed that the Planning and Zoning Commission recommended approval and that all standards of review and findings for a zone map amendment had been fulfilled. Overall, the council indicated consensus that the annexation request was reasonable and appropriate.

MOTION: Council Member Erickson moved to approve PZE-24-0133 North Government Way and Bielec Enterprises LLC annexation request with a zone designation of commercial with staff recommended conditions of approval finding the request is in accordance with the standards of Hayden City Code based upon

testimony received at the city council public hearing and the record of the request. Council Member DePriest provided the second.

ROLL CALL VOTE:  
Council President Roetter     Yes  
Council Member Shafer        Yes  
Council Member DePriest      Yes  
Council Member Erickson      Yes

The motion was approved by a unanimous vote in favor.

**5. NEW BUSINESS**

A. **ACTION ITEM** Election of Council President

MOTION: Council President Roetter nominated Council Member DePriest to serve as Council President. Council Member Erickson provided the second.

ROLL CALL VOTE:  
Council Member Shafer        Yes  
Council Member DePriest      Yes  
Council President Roetter     Yes  
Council Member Erickson      Yes

The motion was approved by a unanimous vote in favor.

B. **ACTION ITEM** Consider Sewer Collection System Capitalization Fee Study with FCS

The Council considered a proposal to engage FCS to conduct a sewer collection system capitalization fee study. City Administrator Lisa Ailport noted that the city has made several improvements to the system since the last study, including the recent installation of the H-6 sewer basin infrastructure. The study will establish a defensible connection fee based on the system's costs divided by the number of supporting connections, ensuring the fee is legally defensible if challenged. FCS previously conducted the city's last fee study following the NIBCA v. City of Hayden court case and is familiar with the system. The contract is not to exceed \$18,530 without prior Council approval. Council confirmed that funding was budgeted for the study in anticipation of the recent system improvements.

MOTION: Council Member Roetter moved to approve the agreement with FCS for the sewer collection system capitalization fee study. Council President DePriest provided the second.

ROLL CALL VOTE:  
Council Member Erickson     Yes  
Council Member Shafer        Yes  
Council President DePriest    Yes  
Council Member Roetter       Yes

The motion was approved by a unanimous vote in favor.

C. **ACTION ITEM** J-U-B Engineers, Inc. Authorization for Contract Amendment for Sewer Capitalization Fee Support Services

The Council considered a contract amendment with J-U-B Engineers, Inc. not to exceed \$27,000 to update the city's sewer GIS data and incorporate system changes

since the last update in 2019. Staff noted that over 30 projects and developments have occurred since then, and the updates are necessary to support the upcoming sewer capitalization fee study by FCS. The work includes upgrading the GIS software, mapping all pipes, manholes, and lift stations, and integrating information on size, age, location, and maintenance history into a model for both operational use and fee calculations. Council members discussed the scope and cost, confirming that staff do not have the expertise or capacity to perform the work in-house and that hiring an independent expert is critical to ensure defensible and legally defensible fee calculations, avoiding potential litigation like the prior NIBCA v. City of Hayden case. The update is consistent with the city's typical five-year sewer master plan schedule and is considered a necessary investment for accurate fee-setting and long-term system management.

MOTION: Council Member Shafer moved to approve the authorization for contract amendment for J-U-B Engineers sewer capitalization fee support services. Council President DePriest provided the second.

ROLL CALL VOTE:  
Council Member Roetter Yes  
Council Member Erickson Yes  
Council President DePriest Yes  
Council Member Shafer Yes

The motion was approved by a unanimous vote in favor.

D. **ACTION ITEM** Agreement with Wake Media, LLC for Communications and Information Technology Support

The Council considered a contract with Wake Media not to exceed \$5,000 to provide IT, communication, and support services on an as-needed basis. The contract is not budgeted but would be funded from the city's fund balance. The services include developing programs and materials to support city initiatives, such as interactive maps for the Veterans Memorial honoring fallen military members, similar to prior work performed by a different vendor. While the company is new, the services provided are consistent with previously contracted work, and the cost is considered minimal and manageable.

MOTION: Council Member Shafer moved to approve the agreement with Wake Media, LLC. Council Member Roetter provided the second.

ROLL CALL VOTE:  
Council Member Erickson Yes  
Council President DePriest Yes  
Council Member Roetter Yes  
Council Member Shafer Yes

The motion was approved by a unanimous vote in favor.

## 6. REPORTS

### A. City Administrator Report and Calendar Review

#### i. 2025 Year in Review

City Administrator Lisa Ailport provided the Council with a 2025 year-end review, highlighting accomplishments across city departments and setting the stage for priorities in 2026. Key achievements included the transition to a cloud-based

financial system, completion of multiple fiscal audits, work on developing a comprehensive financial policy and reserve policy, and the provision of detailed fund balance information. In recreation, participation remained strong, with over 5,000 participants in youth and special interest programs and increased facility use. Community development saw completion of the five-year comprehensive plan update, management of new construction and subdivisions, and active code enforcement. Public works completed significant projects, including securing land and buildings from the Lakes Highway District, street maintenance improvements, and the \$20 million H-6 sewer basin project in partnership with developers. Parks and facilities initiatives, including McIntire Park master planning and waterways improvements, were highlighted as priorities for 2026. Ms. Ailport also noted ongoing strategic planning in law enforcement, transportation, and impact fee updates, emphasizing continued evaluation of resources, staffing, and space needs to support the city's operations.

**B. Mayor/Council**

Council discussed board assignments for the upcoming term. Members expressed a preference to continue their current roles, with no immediate changes proposed. Discussion of potential changes to the airport board and other assignments will be discussed at a future meeting.

**7. REQUEST FOR FUTURE AGENDA ITEMS**

Council member DePriest raised a potential future discussion on allowing elected officials to use city hall chambers for town hall meetings, noting the county permits similar use of its building. Legal Counsel Fonda Jovick clarified that any opinion on the appropriateness of such use would be attorney-client privileged and could only be shared publicly by council vote.

Additionally, a discussion was proposed regarding creating a high-level overview of city studies, engineering projects, and master plans, including timelines and funding sources, to help council members understand ongoing and upcoming initiatives. Staff will explore providing summary-level information on active projects and funding without overburdening staff.

**8. EXECUTIVE SESSION **ACTION ITEM** (Action will be taken to enter and exit Executive Session. No action will be taken during the Executive Session)**

- A. 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: Council Member Roetter moved to enter executive session under Idaho Code 74-206(1)(f). Council President DePriest provided the second.

ROLL CALL VOTE:  
Council Member Shafer      Yes  
Council Member Erickson    Yes  
Council President DePriest   Yes  
Council Member Roetter      Yes

The motion was approved by a unanimous vote in favor.

Mayor Davis recessed the meeting at 7:07 p.m.

Mayor Davis called the meeting back to order at 7:15 p.m.

The meeting entered executive session at 7:15 p.m.

MOTION: Council President DePriest moved to exit executive session. Council Member Roetter provided the second.

ROLL CALL VOTE:  
Council Member Erickson    Yes  
Council Member Shafer      Yes  
Council Member Roetter     Yes  
Council President DePriest   Yes

The motion was approved by a unanimous vote in favor.

The meeting returned to regular session at 8:06 p.m.

**9. NEW BUSINESS**

A. **ACTION ITEM** Authorization to Make Offer of Purchase to the Hayden Area Regional Sewer Board

MOTION: Council Member Roetter moved to authorize the offer to purchase the Hayden Area Regional Sewer Board. Council President DePriest provided the second.

ROLL CALL VOTE:  
Council Member Shafer      Yes  
Council Member Erickson    Yes  
Council President DePriest   Yes  
Council Member Roetter     Yes

The motion was approved by a unanimous vote in favor.

**10. ADJOURNMENT**

The meeting was adjourned at 8:08 p.m.

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Abbi Sanchez, City Clerk

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Alan Davis, Mayor

B. Approval of FY2026 1st Quarter Treasurer Statement



# Memo

To: Mayor and Hayden City Council

From: Jennifer Gahringer, Finance Director

Date: January 27, 2026

**Agenda Item: Approval and Authorization to publish the Fiscal Year 2026 Q1 Financial Report**

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## **Agenda Item Location**

Consent

## **Background and Recommended Action or Motion**

Staff recommends approval of and authorization to publish FY2026 Quarter 1 financial report on the City's website, pursuant to Idaho Code §50-1011 and §50-208.

Per Idaho Code quarterly financials are required to be posted within 30 days of quarter ending. This presentation to council is the compliance with this requirement. In order to be fully in compliance with the law, the publication shall also be either published in the paper or placed on the city's website for review by the public. The City has historically placed its financial reports on the website and this time staff is asking for the same authorization.

## **Functional Impact of Authorizing**

In accordance with the laws of Idaho, the filing is required by the city. Authorization to comply with the law is required in order for the document to be placed on the city's website.

## **Functional Impact of Not Authorizing**

Failing to authorize the reporting would cause the city to not be in compliance with Idaho laws.

## **Fiscal Impact**

There is no fiscal impact with this decision.

## **Attachment**

Publication report of FY2026 Quarter 1 financial records.

QUARTERLY FINANCIAL REPORT FOR CITY OF HAYDEN

Balance As of 12/31/2025  
(Required by Idaho Code 50-1011)

GL Number	Description	25-26 Amended Budget	YTD Balance 12/31/2025	% Bdgt Used
<b>Fund: 110 GENERAL FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	500,000.00		0.00
	REAL PROPERTY TAXES	2,696,462.00	61,467.71	2.28
	GENERAL SALES/USE TAX	1,854,221.00		0.00
	FRANCHISE FEES	310,000.00		0.00
	COMMUNITY DEVELOPMENT FEES	741,058.00	195,494.95	26.38
	LICENSES & PERMITS	76,000.00	25,913.40	34.10
	INTERGOVERNMENTAL REVENUE	1,979,337.00	696.63	0.04
	STATE GOVERNMENT GRANTS	350.00		0.00
	CHARGES FOR SERVICES	26,750.00	6,684.00	24.99
	TRAFFIC FINES	40,000.00	9,153.69	22.88
	INTEREST REVENUES	50,000.00	59,284.00	118.57
	PRIVATE SOURCE DONATIONS	0.00	25.00	100.00
	OTHER FINANCING SOURCES	115,000.00	758.00	0.66
	PROCEEDS FROM CAPITAL ASSET DISPOSIT	1,100.00	2,000.00	181.82
	RECREATION PROGRAMS	190,375.00	28,088.70	14.75
	COMMUNITY EVENT REVENUE	24,700.00		0.00
Revenues		8,605,353.00	389,566.08	4.53
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	500,000.00		0.00
	COMMUNITY EVENT EXPENSES	35,750.00	514.16	1.44
	SALARIES & BENEFITS	3,655,950.13	830,467.52	22.72
	OPERATING EXPENSES	2,453,233.00	517,396.35	21.09
	INFORMATION TECHNOLOGY	228,925.00	78,845.25	34.44
	EQUIPMENT/VEHICLE MAINTENANCE & FUEL	208,852.15	31,544.03	15.10
	ROAD MAINTENANCE	1,387,560.00	66,222.49	4.77
	CAPITAL PURCHASES & PROJECTS	30,000.00	(27,224.76)	90.75
	CAPITAL LEASE PRINCIPAL	14,000.00	2,442.12	17.44
	TRANSFERS OUT	225,706.00		0.00
	EMERGENCY PREPAREDNESS	3,000.00	156.10	5.20
Expenditures		8,742,976.28	1,500,363.26	17.16
<b>Fund 110 - GENERAL FUND:</b>				
	TOTAL REVENUES	8,605,353.00	389,566.08	4.53
	TOTAL EXPENDITURES	8,742,976.28	1,500,363.26	17.16
	NET OF REVENUES & EXPENDITURES:	(137,623.28)	(1,110,797.18)	
<b>Fund: 112 HONEYSUCKLE BOAT LAUNCH FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	89,307.00		0.00
	LICENSES & PERMITS	40,000.00	2,739.21	6.85
	INTEREST REVENUES	2,500.00	1,204.38	48.18
Revenues		131,807.00	3,943.59	2.99
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	93,307.00		0.00
	OPERATING EXPENSES	38,500.00	5,556.85	14.43
Expenditures		131,807.00	5,556.85	4.22
<b>Fund 112 - HONEYSUCKLE BOAT LAUNCH FUND:</b>				
	TOTAL REVENUES	131,807.00	3,943.59	2.99
	TOTAL EXPENDITURES	131,807.00	5,556.85	4.22
	NET OF REVENUES & EXPENDITURES:	0.00	(1,613.26)	

QUARTERLY FINANCIAL REPORT FOR CITY OF HAYDEN  
Balance As of 12/31/2025

GL Number	Description	25-26 Amended Budget	YTD Balance 12/31/2025	% Bdgt Used
<b>Fund: 113 VETERANS MEMORIAL FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	18,983.59		0.00
	INTEREST REVENUES	400.00	187.58	46.90
	PRIVATE SOURCE DONATIONS	2,600.00	1,800.00	69.23
Revenues		<u>21,983.59</u>	<u>1,987.58</u>	<u>9.04</u>
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	18,983.59		0.00
	OPERATING EXPENSES	3,000.00	800.00	26.67
Expenditures		<u>21,983.59</u>	<u>800.00</u>	<u>3.64</u>
Fund 113 - VETERANS MEMORIAL FUND:				
TOTAL REVENUES		21,983.59	1,987.58	9.04
TOTAL EXPENDITURES		21,983.59	800.00	3.64
NET OF REVENUES & EXPENDITURES:		<u>0.00</u>	<u>1,187.58</u>	
<b>Fund: 114 COUNCIL MEDIA CENTER FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	10,776.00		0.00
	INTEREST REVENUES	400.00	153.58	38.40
Revenues		<u>11,176.00</u>	<u>153.58</u>	<u>1.37</u>
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	11,176.00		0.00
Expenditures		<u>11,176.00</u>	<u>0.00</u>	<u>0.00</u>
Fund 114 - COUNCIL MEDIA CENTER FUND:				
TOTAL REVENUES		11,176.00	153.58	1.37
TOTAL EXPENDITURES		11,176.00	0.00	0.00
NET OF REVENUES & EXPENDITURES:		<u>0.00</u>	<u>153.58</u>	
<b>Fund: 120 IMPACT FEE CIRCULATION FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	1,711,050.00		0.00
	COMMUNITY DEVELOPMENT FEES	0.00	5,793.35	100.00
	INTERGOVERNMENTAL REVENUE	2,200,000.00		0.00
	INTEREST REVENUES	30,000.00	19,869.36	66.23
	DEVELOPMENT IMPACT FEES	475,000.00	139,378.23	29.34
	FEDERAL GOVERNMENT GRANTS	2,200,000.00		0.00
Revenues		<u>6,616,050.00</u>	<u>165,040.94</u>	<u>2.49</u>
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	1,643,150.00		0.00
	IMPACT FEE UPDATE	45,000.00		0.00
	PLANNED PROJECTS	4,861,000.00	4,401.80	0.09
Expenditures		<u>6,549,150.00</u>	<u>4,401.80</u>	<u>0.07</u>
Fund 120 - IMPACT FEE CIRCULATION FUND:				
TOTAL REVENUES		6,616,050.00	165,040.94	2.49
TOTAL EXPENDITURES		6,549,150.00	4,401.80	0.07
NET OF REVENUES & EXPENDITURES:		<u>66,900.00</u>	<u>160,639.14</u>	
<b>Fund: 121 IMPACT FEE PARKS FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	1,717,987.00		0.00
	INTEREST REVENUES	5,000.00	16,623.78	332.48
	DEVELOPMENT IMPACT FEES	350,000.00	79,407.00	22.69
Revenues		<u>2,072,987.00</u>	<u>96,030.78</u>	<u>4.63</u>
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	98,111.00		0.00
	IMPACT FEE UPDATE	30,000.00		0.00
	PLANNED PROJECTS	1,883,000.00		0.00
Expenditures		<u>2,011,111.00</u>	<u>0.00</u>	<u>0.00</u>
Fund 121 - IMPACT FEE PARKS FUND:				
TOTAL REVENUES		2,072,987.00	96,030.78	4.63
TOTAL EXPENDITURES		2,011,111.00	0.00	0.00
NET OF REVENUES & EXPENDITURES:		<u>61,876.00</u>	<u>96,030.78</u>	

QUARTERLY FINANCIAL REPORT FOR CITY OF HAYDEN  
Balance As of 12/31/2025

GL Number	Description	25-26 Amended Budget	YTD Balance 12/31/2025	% Bdgt Used
<b>Fund: 122 IMPACT FEE LAW ENFORCEMENT FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	5,524.39		0.00
	INTEREST REVENUES	0.00	679.22	100.00
Revenues		5,524.39	679.22	12.29
<b>Account Category: Expenditures</b>				
	CAPITAL PURCHASES & PROJECTS	5,524.39		0.00
Expenditures		5,524.39	0.00	0.00
Fund 122 - IMPACT FEE LAW ENFORCEMENT FUND:				
	TOTAL REVENUES	5,524.39	679.22	12.29
	TOTAL EXPENDITURES	5,524.39	0.00	0.00
	NET OF REVENUES & EXPENDITURES:	0.00	679.22	
<b>Fund: 123 2004-1 ENHANCEMENT LID FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	297,336.17		0.00
	SPECIAL ASSESSMENTS	30,357.35	29,658.56	97.70
	INTEREST REVENUES	7,000.00	3,272.97	46.76
Revenues		334,693.52	32,931.53	9.84
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	288,934.00		0.00
	SALARIES & BENEFITS	4,427.90	1,042.68	23.55
	OPERATING EXPENSES	42.00		0.00
	DEBT SERVICE	41,290.00	41,290.00	100.00
Expenditures		334,693.90	42,332.68	12.65
Fund 123 - 2004-1 ENHANCEMENT LID FUND:				
	TOTAL REVENUES	334,693.52	32,931.53	9.84
	TOTAL EXPENDITURES	334,693.90	42,332.68	12.65
	NET OF REVENUES & EXPENDITURES:	(0.38)	(9,401.15)	
<b>Fund: 130 MAJOR CAPITAL PROJECTS FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	745,745.00		0.00
	TRANSFERS IN	138,044.00		0.00
Revenues		883,789.00	0.00	0.00
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	763,789.00		0.00
	CAPITAL PURCHASES & PROJECTS	120,000.00	48,996.21	40.83
	PLANNED PROJECTS	0.00	6,505.00	100.00
Expenditures		883,789.00	55,501.21	6.28
Fund 130 - MAJOR CAPITAL PROJECTS FUND:				
	TOTAL REVENUES	883,789.00	0.00	0.00
	TOTAL EXPENDITURES	883,789.00	55,501.21	6.28
	NET OF REVENUES & EXPENDITURES:	0.00	(55,501.21)	
<b>Fund: 131 PAYMENT IN-LIEU OF IMPROVEMENTS</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	376,952.00		0.00
	INTEREST REVENUES	6,000.00	4,135.43	68.92
Revenues		382,952.00	4,135.43	1.08
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	372,952.00		0.00
	PAYMENT IN LIEU OF PROJECT EXPENSE	10,000.00		0.00
Expenditures		382,952.00	0.00	0.00
Fund 131 - PAYMENT IN-LIEU OF IMPROVEMENTS:				
	TOTAL REVENUES	382,952.00	4,135.43	1.08
	TOTAL EXPENDITURES	382,952.00	0.00	0.00
	NET OF REVENUES & EXPENDITURES:	0.00	4,135.43	

QUARTERLY FINANCIAL REPORT FOR CITY OF HAYDEN  
Balance As of 12/31/2025

GL Number	Description	25-26 Amended Budget	YTD Balance 12/31/2025	% Bdgt Used
<b>Fund: 180 CITY MUSEUM FIDUCIARY FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	1,280.00		0.00
	INTEREST REVENUES	45.00	12.96	28.80
Revenues		1,325.00	12.96	0.98
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	1,325.00		0.00
Expenditures		1,325.00	0.00	0.00
Fund 180 - CITY MUSEUM FIDUCIARY FUND:				
	TOTAL REVENUES	1,325.00	12.96	0.98
	TOTAL EXPENDITURES	1,325.00	0.00	0.00
	NET OF REVENUES & EXPENDITURES:	0.00	12.96	
<b>Fund: 185 SEWER CONNECTION ASSISTANCE FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	13,044.00		0.00
	INTEREST REVENUES	500.00	143.54	28.71
Revenues		13,544.00	143.54	1.06
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	10,044.00		0.00
	CAPITAL PURCHASES & PROJECTS	3,500.00		0.00
Expenditures		13,544.00	0.00	0.00
Fund 185 - SEWER CONNECTION ASSISTANCE FUND:				
	TOTAL REVENUES	13,544.00	143.54	1.06
	TOTAL EXPENDITURES	13,544.00	0.00	0.00
	NET OF REVENUES & EXPENDITURES:	0.00	143.54	
<b>Fund: 210 SEWER OPER. &amp; MAINT. FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	2,500,000.00		0.00
	SEWERAGE CHARGES	6,204,864.00	1,095,755.19	17.66
	INTEREST REVENUES	5,500.00	1,027.10	18.67
	OTHER FINANCING SOURCES	0.00	1.19	100.00
Revenues		8,710,364.00	1,096,783.48	12.59
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	2,500,000.00		0.00
	SALARIES & BENEFITS	543,838.12	116,581.98	21.44
	OPERATING EXPENSES	3,808,605.00	891,862.46	23.42
	EQUIPMENT/VEHICLE MAINTENANCE & FUEL	2,500.00	57.33	2.29
	CAPITAL PURCHASES & PROJECTS	216,000.00		0.00
	TRANSFERS OUT	1,316,081.00		0.00
	LIFT PUMP STATION R&M	120,300.00	8,541.79	7.10
	LIFT PUMP STATION UTILITIES	70,040.00	10,294.36	14.70
Expenditures		8,577,364.12	1,027,337.92	11.98
Fund 210 - SEWER OPER. & MAINT. FUND:				
	TOTAL REVENUES	8,710,364.00	1,096,783.48	12.59
	TOTAL EXPENDITURES	8,577,364.12	1,027,337.92	11.98
	NET OF REVENUES & EXPENDITURES:	132,999.88	69,445.56	

QUARTERLY FINANCIAL REPORT FOR CITY OF HAYDEN  
Balance As of 12/31/2025

GL Number	Description	25-26 Amended Budget	YTD Balance 12/31/2025	% Bdgt Used
<b>Fund: 211 SEWER CAPITALIZATION FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	2,550,000.00		0.00
	SEWERAGE CHARGES	2,642,829.00	404,270.48	15.30
	INTEREST REVENUES	14,000.00	5,435.51	38.83
	OTHER FINANCING SOURCES	3,690,000.00		0.00
	PLANNED PROJECTS	930,475.00	108,955.58	11.71
	AGENCY FINANCING	0.00	3,310.50	100.00
Revenues		9,827,304.00	521,972.07	5.31
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	2,550,000.00		0.00
	OPERATING EXPENSES	1,637,304.00	132,288.00	8.08
	CAPITAL PURCHASES & PROJECTS	5,640,000.00	802,486.15	14.23
Expenditures		9,827,304.00	934,774.15	9.51
<b>Fund 211 - SEWER CAPITALIZATION FUND:</b>				
TOTAL REVENUES		9,827,304.00	521,972.07	5.31
TOTAL EXPENDITURES		9,827,304.00	934,774.15	9.51
NET OF REVENUES & EXPENDITURES:		0.00	(412,802.08)	
<b>Fund: 212 WASTEWATER REVENUE BOND FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	2,200,000.00		0.00
	TRANSFERS IN	1,116,081.00		0.00
	INTEREST REVENUES	0.00	15,077.78	100.00
Revenues		3,316,081.00	15,077.78	0.45
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	2,200,000.00		0.00
	DEBT SERVICE	1,116,081.00		0.00
Expenditures		3,316,081.00	0.00	0.00
<b>Fund 212 - WASTEWATER REVENUE BOND FUND:</b>				
TOTAL REVENUES		3,316,081.00	15,077.78	0.45
TOTAL EXPENDITURES		3,316,081.00	0.00	0.00
NET OF REVENUES & EXPENDITURES:		0.00	15,077.78	
<b>Fund: 213 SEWER ASSET REPLACEMENT FUND</b>				
<b>Account Category: Revenues</b>				
	FUND BALANCE CARRYOVER	1,210,000.00		0.00
	TRANSFERS IN	210,000.00		0.00
Revenues		1,420,000.00	0.00	0.00
<b>Account Category: Expenditures</b>				
	FUND BALANCE CARRYOVER	1,420,000.00		0.00
Expenditures		1,420,000.00	0.00	0.00
<b>Fund 213 - SEWER ASSET REPLACEMENT FUND:</b>				
TOTAL REVENUES		1,420,000.00	0.00	0.00
TOTAL EXPENDITURES		1,420,000.00	0.00	0.00
NET OF REVENUES & EXPENDITURES:		0.00	0.00	
<b>Report Totals:</b>				
TOTAL REVENUES - ALL FUNDS		42,354,933.50	2,328,458.56	5.50
TOTAL EXPENDITURES - ALL FUNDS		42,230,781.28	3,571,067.87	8.46
NET OF REVENUES & EXPENDITURES:		124,152.22	(1,242,609.31)	

- C. Approval of PZE-25-0102 Arts (King Sod) Zone Map Amendment Request Written Decision



**Memo**

To: Mayor Davis and Members of the City Council

From: Donna Phillips, Community Development Director

Date: January 21, 2026

**Agenda Item: PZE-25-0102 Arts (King Sod) Zone Map Amendment Request Written Decision**

---

**Agenda Item Location**

Consent Calendar

**Recommended Action or Motion**

The City Council approved PZE-25-0102 Arts (King Sod) Zone Map Amendment request from Agricultural (A) to Light Industrial (LI) with staff recommended conditions on January 13, 2026. The attached Written Decision is a summary of that approval.

**Functional Impact of Authorizing**

Upon approval of the written decision, the ordinance found later in the agenda under “Unfinished Business” may be reviewed and upon its approval and publication the zone map shall be amended.

**Functional Impact of Not Authorizing**

Should the written decision not be approved, then zone map amendment process shall stop, and direction shall be given to staff and/or applicant as to the next steps.

**Fiscal Impact**

Properties will develop in accordance with the development standards of the zone designation.

**Budget Funding Source / Transfer Request**

NA

Attachments:

City Council Written Decision



## WRITTEN DECISION

### RE: PZE-25-0102 Arts (King Sod) Zone Map Amendment Request

The application of **Justin & Heather Arts, 7037 W Bonnaire Loop, Coeur d’Alene, Idaho 83815**, requesting approval for a Zone Map Amendment on one lot, 1.73 acres in size, from Agricultural (A) to Light Industrial (LI) zones, consistent with the property’s use and the adopted Future Land Use Map was **APPROVED by the City Council** as presented.

**CITY COUNCIL Motion January 13, 2026:** At the conclusion of the hearing, the City Council deliberated the proposal and Council President DePriest moved and Councilmember Roetter seconded the motion, to approve file PZE-25-0102 Arts (King Sod) Zone Map Amendment, finding the request **IS** in accord with the standards of Hayden City Code for a Zone Map Amendment, based upon testimony received, public and agency comments, the facts in the record and the Staff Analysis. All members of the Council present were in favor (Councilmember Erickson recused himself).

### FINDINGS:

#### Standards of Review and Evidence of Record (Findings) for Approval of a Zone Map Amendment

HCC §11-1-7 (E)(7)(a): The Commission shall consider the existing zoning district or regulations, and may recommend approval, conditional approval, modification, or denial of the proposal or the commission may defer action until the completion of such studies or plans as may be necessary to determine the advisability of the proposal.

*Staff: Based on the applicant’s proposal and the existing and proposed uses, staff does not believe additional studies or plans are necessary.*

HCC §11-1-7 (E)(7)(b): The City Council may impose conditions upon rezoning where such conditions are required to ensure that proposed uses of the area are consistent with community needs and its public health, safety, and general welfare. The Planning and Zoning Commission may recommend conditions upon rezoning for the City Council’s consideration.

*Staff: Based on the applicant’s request, staff does not believe additional conditions are necessary.*

**PZC Hearing:**

*Applicant: Stormwater controls are in place as part of the site design and development. Traffic mitigation has already occurred as part of the West Lancaster Road and North Huetter Road round-about construction and the remaining frontage improvements shall be constructed with the completion of site development.*

**City Council Hearing:**

Councilmember Roetter questioned how the project site was able to get a septic permit. Donna Phillips, Community Development Director, noted that Panhandle Health District issues those permits and she would identify the applicant would make the request of PHD and then PHD would review in accordance with the requirements as they determined. Fonda Jovick, City Attorney added Panhandle Health District has jurisdiction authority to this permitted request. Mr. Arts identified the lot is less than 5 acres and this property was already broken into 1.73 acres prior to the 5-acre rule put in place.

HCC §11-1-7 (E)(7)(c): Amendment to the zoning map and zone text shall be in accordance with the Future Land Use Map and the goals and policies found in the Hayden Comprehensive Plan.

*Applicant: “The Comprehensive Plan supports diversifying the local economy, attracting jobs, and encouraging development that makes efficient use of existing infrastructure – all goals furthered by this rezone.”*

*See Staff Analysis pages 3 & 4.*

**PZC Hearing Deliberation:**

*Commissioner Morris identified that it is in conformance with the Comprehensive Plan, the Future Land Use Map, and it brings jobs to the community.*

**City Council Hearing:**

Councilmember Roetter identified the Huetter Bypass has been under consideration for a long time and asked how it was being considered in the business model. Mr. Arts identified that he has lived here since 1996 and believes that the bypass was in discussion about the same time. He identified that an exit onto Lancaster Avenue would be beneficial to his business with respect to traffic patterns. He also identified that should it go directly through the intersection, then they would be required to find an alternate location.

HCC §11-1-7 (E)(7)(d): Amendment to the zoning map and zone text shall align with the zone district’s purpose and intent.

*Applicant: “The intent of the Light Industrial (LI) zoning district is to provide space for low-impact industrial; manufacturing, distribution, and employment uses that are generally compatible with the surrounding uses. The King Sod property is well-suited to meet these objectives due to its size, access to transportation corridors, and proximity to other industrially zoned or development parcels. The rezone will allow the site to evolve in a way that meets the*

intent of the LI zone without introducing high-impact or incompatible uses typical of heavier industrial zoning districts.”

Staff: See Staff Analysis pages 5&6.

**PZC Hearing:**

Commissioner Erickson verified the King Sod business would remain on the location site and asked what that was anticipated to entail. Mr. Arts confirmed that for about 9-10 months a year King Sod sells sod to homeowners and landscapers alike. This sod would be trucked to the site and then distributed out to various locations. Christmas season is a tree lot for the season. In the wintertime, they sell salt deicer to landscapers which are really the economic base of the business year-round. Commissioner Erickson asked if they would be manufacturing on site. Mr. Arts stated the deicer would be made on site, but no other manufacturing.

PZC Deliberation:

Commissioner Erickson identified that this small parcel does not fit with the existing designation of Agriculture zone, and it hasn't existed for a very long time.

HCC §11-1-7 (E)(7)(e): Amendment to the zone map and zone text shall be consistent with the neighborhood contexts.

Applicant: “The surrounding area is transitioning from rural/agricultural to light industrial and commercial uses. This zoning amendment reflects that evolving context and will help prevent land-use conflicts by allowing a more compatible transitional use in this area. Additionally, the LI designation acts as a buffer between more intensive industrial uses and remaining residential or agricultural parcels, helping to ensure long-term compatibility.”

Staff: See Staff Analysis page 6.

**PZC Hearing:**

Applicant: Because of its location north of a railroad line, and on the corner of two major roadways, it does fit the neighborhood context very well today and in the future.

**City Council Hearing:**

Councilmember Shafter noted the company address is in Rathdrum, and according to their website they deliver sod. How does this piece of land work into their business plan being off-site from the remainder of their property.

Mr. Arts responded that although the property is about 10 acres in size, the actual area used is about an acre and a half. They don't grow sod on-site, but it facilitates customers' ability to pick up sod and or the company to deliver it out to a specific area. Looking at the GIS map, he identified the property backs up to a parcel owned by the Missouri Improvement Company. Councilmember Shafer identified that he googled this company as he didn't know anything about them. They focus on development and process for the hemp industry in the Western

United States. Mr. Arts identified that in talking with the railway employees there had been some talk about a transfer station in this location and that the property recently changed hands. Mr. Arts identified that the change in the property ownership has no effect on what they are planning on doing or the request here.

**Council Deliberations:**

Councilmember Roetter identified from a tax revenue perspective for the City the change from Agriculture to Light Industrial is a good change and for that reason he is in favor of the request.

Councilmember Shafer identified that while he was researching the request to look at the existing and future contexts, that he realized the quirkiness of the lot and the location makes perfect sense for these nodes which the councilmembers had been discussing with the Comprehensive Plan update. This is an appropriate revision to the zone.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section §67-6535 and Hayden City Code §1-1-6 must first seek reconsideration of the final decision from the Hayden City Council within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought as identified in Hayden City Code §1-1-6(A) (1) (a-f).

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section §67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code section §67-6521 (1) (a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

FINDINGS AND CONCLUSION APPROVED on the \_\_\_\_\_ day of January, 2026.

CITY OF HAYDEN, IDAHO

By: \_\_\_\_\_

Alan Davis, Mayor

ATTEST:

\_\_\_\_\_

Abbi Sanchez, City Clerk

- D. Approval of PZE-24-0133 North Government Way & Bielec Enterprises Annexation  
Written Decision



**Memo**

To: Mayor Davis and Members of the City Council

From: Donna Phillips, Community Development Director

Date: January 21, 2026

**Agenda Item: PZE-24-0133 North Government Way & Bielec Enterprises Annexation Written Decision**

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**Agenda Item Location**

Consent Calendar

**Recommended Action or Motion**

The City Council approved PZE-24-0133 North Government Way & Bielec Enterprises Annexation request with a zone designation of Commercial (C) with staff recommended conditions on January 13, 2026. The attached Written Decision is a summary of that approval.

**Functional Impact of Authorizing**

Upon approval of the written decision, the annexation agreements in accordance with the decision may be drafted for signature of the applicant and approval of the City.

**Functional Impact of Not Authorizing**

Should the written decision not be approved, then the annexation process stops and direction shall be given as to next steps.

**Fiscal Impact**

Properties annexed into the City will pay taxes to the City and will develop in accordance with the development standards of the City of Hayden.

**Budget Funding Source / Transfer Request**

NA

Attachments:

City Council Written Decision



## WRITTEN DECISION

### Annexation Request

#### **PZE-24-0133 North Government Way & Bielec Enterprises**

The City-initiated request to annex North Government Way, from West Boekel Avenue south to approximately 675 feet north of West Lancaster Road and the three parcels owned by Bielec Enterprises to the west of North Government Way, immediately north of the City limits, with a zone designation of Commercial (C) was **APPROVED by the City Council** as presented.

**CITY COUNCIL Motion on January 13, 2026:** At the conclusion of the hearing, the City Council deliberated the proposal and Councilmember Erickson moved and Councilmember Roetter seconded the motion, to approve with staff recommended conditions of approval of the file PZE-24-0133 North Government Way & Bielec Enterprises Annexation request and zone designation of Commercial (C), finding the request **IS** in accord with the standards of Hayden City Code, based upon testimony received, public and agency comments, the facts of the record and the staff analysis. All members of the Council present were in favor.

#### **FINDINGS:**

##### Standards of Review and Evidence of Record (Findings) for Approval of a Zone Map Amendment

HCC §11-1-7 (E)(1): The Commission shall consider the existing zoning district or regulations, and may recommend approval, conditional approval, modification, or denial of the proposal or the commission may defer action until the completion of such studies or plans as may be necessary to determine the advisability of the proposal.

*Staff: Based on the applicant's proposal and the existing and proposed uses, staff does not believe additional studies or plans are necessary.*

HCC §11-1-7 (E)(2): The City Council may impose conditions upon rezoning where such conditions are required to ensure that proposed uses of the area are consistent with community needs and its public health, safety, and general welfare. The Planning and Zoning Commission may recommend conditions upon rezoning for the City Council's consideration.

*Staff: Based on the applicant's request, staff does not believe additional conditions are necessary.*

#### **City Council Hearing:**

Councilmember Roetter asked if North Kootenai Water & Sewer District was going to serve sewer to this location. Donna Phillips, Community Development Director, identified the water would be

under their jurisdiction; however, sewer would be under the City of Hayden. Alan Soderling, Public Works Director, also confirmed the services provided by each of the agencies. Councilmember Roetter wanted to ensure that there wasn't a conflict in the future regarding service areas. Fonda Jovick, City Attorney identified that it would be their obligation to de-annex from a different provider and connect to City services should the City approve the request with the conditions as identified.

HCC §11-1-7 (E)(3): Amendment to the zoning map and zone text shall be in accordance with the Future Land Use Map and the goals and policies found in the Hayden Comprehensive Plan.

*Staff: See Staff Analysis pages 3 & 5. Additionally, road right-of-way does not have a land use identified separate from that provided east and west of the right-of-way.*

**PZC Deliberations:** *Commissioner Morris identified the request meets conditions of the Plan. Chair Taylor stated the request meets the Comprehensive Plan requirements.*

HCC §11-1-7 (E)(4): Amendment to the zoning map and zone text shall align with the zone district's purpose and intent.

*Staff: See Staff Analysis pages 5.*

**PZC Deliberations:** *Commissioner Morris identified the request complies with the proposed zoning designation. Chair Taylor stated the request meets the standards of approval.*

HCC §11-1-7 (E)(5): Amendment to the zone map and zone text shall be consistent with the neighborhood contexts.

*Staff: See Staff Analysis page 6-8.*

**PZC Hearing:** *Commissioner Johnson asked if the request was just for annexation. Donna Phillips, Community Development Director, confirmed the request was just for annexation. Commissioner Johnson confirmed the request sounded simple.*

**PZC Public Comment:** *Lenz, in favor, representing client who owns property to the east of the requested annexation identified the property he represents would benefit from the roadway annexation to continue his project. Additionally, he highlighted the record of the request with the property owner(s) to the west and the existing right-of-way as also being in favor of the annexation request.*

**PZC Public Comment:** *Lanker, in favor, representing future projects that would benefit from services to be provided by the City and would benefit the community and the City as a whole.*

**PZC Deliberation:** *Commissioner Grano believes the request makes sense and it falls into place. He has no reason to disapprove.*

### **City Council Hearing:**

Councilmember Erickson asked what the implications of an avigation easement are. Ms. Phillips noted the avigation easement identifies that you are near an airport, and that you are going to hear airplanes and air traffic noise. Councilmember Erickson just wanted to make sure that this is just standard of business, and the request was within the normal reach.

Councilmember Shafer asked why Mark's Marine and the property to the south declined the request to annex at this time. Ms. Phillips identified that sewer was not as far north as their properties and that the main entrance point to the Mark's Marine site was not from North Government Way. It just didn't make sense to do it now.

### **City Council Deliberation:**

Councilmember Shafer believes the request seems straightforward, and the properties adjacent to North Government Way should be in the City. It seems to just make good sense.

Council President DePriest identifies the City will now be receiving tax dollars from the property and the request has met the standards of approval.

Councilmember Erickson identifies that everything fits the zone map, it is contiguous to the City and there are no red flags.

Councilmember Roetter identified the Planning and Zoning Commission recommended approval of the annexation and zone designation of Commercial (C) and the standards of approval are met.

### **STAFF RECOMMENDED CONDITIONS OF APPROVAL**

1. Bielec Enterprises, Inc. shall enter into an annexation agreement with the City and shall abide by the terms delineated therein.
2. At the time of either site and/or subdivision, development the applicant shall comply with the requirements from the Northern Lakes Fire District.
3. Grant of "Roadway, drainage, utility & snow storage" easement and dedication of right-of-way on N Government Way in accordance with the City's adopted transportation plan and adopted intersection improvements shall be required at the time of annexation. Nothing shall preclude the City from requiring additional future right-of-way at the time of development in accordance with the adopted transportation standards at the time.
4. At the time of future development, sewer shall be extended to the boundaries of the property according to the sewer master plan. Future site plans shall indicate how the

property will be connected to municipal sewer when available and any existing or future building(s) shall be connected to municipal sewer within one (1) year of availability.

**Additional Conditions at the request of Agency Comments:**

5. An avigation easement shall be recorded as a condition of the annexation agreement and prior to the publication of the Annexation Ordinance as requested by the Coeur d'Alene Airport.

NOW THEREFORE IT IS THE FINDINGS of the Hayden City Council that the annexation with a zone designation of Commercial (C) request PZE-24-0133 are **APPROVED**.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section §67-6535 and Hayden City Code §1-1-6 must first seek reconsideration of the final decision from the Hayden City Council within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought as identified in Hayden City Code §1-1-6(A) (1) (a-f).

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section §67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code section §67-6521 (1) (a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

FINDINGS AND CONCLUSION APPROVED on the \_\_\_\_\_ day of January 2026.

CITY OF HAYDEN, IDAHO

By: \_\_\_\_\_

Alan Davis, Mayor

ATTEST:

\_\_\_\_\_

Abbi Sanchez, City Clerk

E. Approval of the Deferred Improvement Agreement with Church of Living Water, Inc.



# Memo

To: Mayor and Hayden City Council

From: Dulci Kau, P.E., City Engineer

Date: 1/22/2026

**Agenda Item: Approval of the Deferred Improvement Agreement with Church of Living Water, Inc.**

---

## **Agenda Item Location**

Consent

## **Background and Recommended Action or Motion**

As part of the site and building improvements at 1212 W Hayden Avenue, Permit No. PB25-0469, the property owner is required to construct frontage improvements along Hayden Avenue in accordance to the City of Hayden Transportation Master Plan. The property owner has agreed to the terms of the agreement to defer the construction of the frontage improvements.

Staff recommends approval of the Church of Living Water, Inc. Deferred Improvement Agreement and authorize the Mayor to sign the agreement prior to recordation with Kootenai County.

## **Functional Impact of Authorizing**

Authorization of this agreement would keep the responsibility of constructing the frontage improvements with the property owner in accordance with city code.

## **Functional Impact of Not Authorizing**

If not approved, City Council would need to provide a path forward for future TIA reviews.

## **Fiscal Impact**

There is no anticipated fiscal impact as the property owner remains responsible for the widening improvements when constructed.

## **Budget Funding Source / Transfer Request**

N/A

## **Attachment**

Vicinity Map

Deferred Improvement Agreement

Figure 1 - Vicinity Map



**Recording Request By and  
When Recorded Return to:  
CITY OF HAYDEN  
8930 N GOVERNMENT WAY  
HAYDEN, IDAHO 83835**

**DEFERRED IMPROVEMENT AGREEMENT  
CHURCH OF LIVING WATER, INC.  
1212 W. HAYDEN AVENUE**

This agreement is entered into between Church of Living Water, Inc., PO Box 434, Hayden ID 83835, hereinafter "Developer", and the City of Hayden, an Idaho municipal corporation of the state of Idaho, 8930 N. Government Way, Hayden, Idaho 83835, hereinafter "City."

WHEREAS, Developer is the owner of Kootenai County Parcel Number H-4050-23-193-AA more commonly known as 1212 W. Hayden Avenue and more particularly described in Quit Claim Deed Kootenai County Recording No. 3024951000 as shown in Exhibit "A".

WHEREAS, Hayden Municipal Code 11-4-7(C) requires the construction/installation of frontage improvements in accordance to the adopted Transportation Plan or Corridor Plan which is in effect at the time of application; and

WHEREAS, the Hayden Municipal Code 11-4-7(C) provides that in areas where the final, finish grade and/or street section cannot be established; where a frontage improvement has been installed at a prior time which is not fully consistent, but is generally consistent, with currently adopted standards; where there are safety concerns; or if there are other factors, which, as determined by the city, merit waiving or deferring the obligation to construct said improvements and instead provide related dedications and easements to the city, the obligation(s) may be deferred or waived in whole or in part by the city engineer. If deferred, the Developer shall be required to enter into a deferred improvement agreement incorporating the approved deferral(s) as a condition of approval for the application; and

WHEREAS, future roadway centerline elevation of Hayden Avenue has not been established, and it appears that frontage improvements along the Developer's frontage could not be reasonably completed independent of a larger construction project on Hayden Avenue.

WHEREAS, the description of said frontage improvements from the conditions of approval for Building Permit PB25-0469 are as follows:

1. Along the frontage of Hayden Avenue, the following is required:
  - a. Roadway pavement widening to 24' from center line, curb and gutter, 10' storm water swale and 8' sidewalk, and associated landscaping.

NOW THEREFORE, the parties agree as follows:

1. City agrees to process Building Permit #PPB25-0469 and other building permits on the site and allow Developer to defer the frontage improvements described herein until one of the following triggers occurs:

- a. The City initiates a construction project on Hayden Avenue in the vicinity of the subject parcel.
  - b. Private development occurs adjacent to the subject parcel on Hayden Avenue wherein centerline elevation has been established.
  - c. Developer initiates another project on the subject property.
  - d. In the event that none of the above triggers occur, construction of said improvements shall commence by April 1, 2030, and shall be completed by October 1, 2030, if center line elevations have been established.
2. The Developer will dedicate to the City right-of-way and grant a 10-foot permanent roadway, drainage, utility and snow storage easement in accordance with the current strategic Transportation Master Plan prior to issuance of a Certificate of Occupancy.
  3. The Developer acknowledges that a large project on Hayden Avenue could be completed with a Local Improvement District (LID) and hereby waives the right to contest the formation of a LID to complete road improvements on Hayden Avenue. This waiver does not prohibit the Developer from challenging the amount of the individual LID assessment.
  4. The Developer acknowledges that it is possible the City will improve and/or reconstruct Hayden Avenue without the use of a LID. In this case the Developer shall reimburse the City the actual costs to construct the frontage improvements that were deferred pursuant to the agreement. Said payment shall be made within one hundred eighty (180) days of the Developer being provided written notice of the project completion and the dollar amount associated with the frontage improvements.
  5. Developer may continue to use the property over which the easements and the right-of-way are granted, for purposes other than the installation of structures and any required site improvements, until the Frontage Improvements are installed or the City determines, in its sole discretion, it is not in the best interest of the City and/or the public for the use to continue, on the following conditions:
    - a. Developer shall maintain the area at Developer's sole expense;
    - b. Developer shall discontinue the use of the right-of-way and easement area upon thirty (30) day's written notice of the City;
    - c. Developer agrees to indemnify and hold the City, its elected officials, officers and employees harmless for any and all claims of damage or injury to persons or property resulting from Developer's use of the right-of-way or for the City allowing Developer to use the property.
    - d. Notwithstanding the scenario set out in Paragraph 1, Developer agrees that at such time as Developer, or any subsequent owner of the subject property or a portion thereof, applies for any subsequent building permits, site reviews, or subdivision, Developer, or any subsequent owner of the subject property or a portion thereof, shall comply with the code in effect at the time of that application.

6. All parties agree that this agreement shall run with the land and shall be binding upon their heirs and assigns and shall be recorded in the Kootenai County Recorder's office.
7. The agreement is hereby declared severable. Should any portion of this agreement be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the agreement before the declaration of partial invalidity.

## EXHIBIT A

A portion of Tract 193, Hayden Lake Irrigated Tracts, according to the plat filed in Book C of Plats at Page 67, records of Kootenai County, Idaho, more specifically described as follow:

Beginning at the Northeast corner of Tract 193, Hayden Lake Irrigated Tracts, as shown on the filed plat in the Kootenai County Recorder's Office in Coeur d'Alene, said Northeast corner of Tract 193 being:

1329.2 feet East 30.0 feet South of the Northwest corner of Section 23, Township 51 North, Range 4 West, Boise Meridian, Idaho;

Thence:

South 0°29' West, along the East line of said Tract 93, 631.18 feet to an iron pipe, which is the Southeast corner of said Tract 193,

North 89°58' West, along the South line of said Tract 193, to an iron pin;

North 0°37' East, 332.66 feet to an iron pin;

North 89°59' East, 199.18 feet to an iron pin;

North 0°29' East, 299.18 feet to an iron pin on the North line of said Tract 193;

East, along said North line of Tract 193, 85.0 feet to the point of beginning.

Excepting therefrom a portion of land in the Southeast corner of Tract 193, Hayden Lake Irrigated Tracts, according to the plat filed in Book C of Plat at Page 67, records of Kootenai County, Idaho, in the Northwest quarter of Section 23, Township 51 North, Range 4 West, Boise Meridian, Idaho;

Measuring:

284.81 feet East and West by 132.60 feet North and South.

STATE OF IDAHO )  
 ) ss  
County of Kootenai )

On this 14<sup>th</sup> day of January 2026 before me, a Notary for the state of Idaho, personally appeared Oleg Bueller known, or identified to be the S Pastor [Title] or a member of \_\_\_\_\_ Church of Living Water, Inc. a corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that are authorized to execute said instrument.

GIVEN under my hand and official seal the day and year last above written.



Amber Smitham

Notary Public in and for the State of Idaho,  
Residing at: Hyden, ID  
My commission expires: April 18, 2028

CITY OF HAYDEN

CHURCH OF THE LIVING WATER

By: \_\_\_\_\_

Alan Davis, Mayor

By: 

Printed Name: O. BUELLER

ATTEST:

\_\_\_\_\_  
Abbi Sanchez, City Clerk

STATE OF IDAHO            )  
  ) ss:  
County of Kootenai        )

On this \_\_\_\_ day of \_\_\_\_\_, 202\_\_ before me, a Notary for the State of Idaho, personally appeared Alan Davis and Abbi Sanchez known, or identified to me to be the Mayor and City Clerk, of the City of Hayden, Kootenai County, Idaho executing the herein instrument, and acknowledged to me that such city of Hayden executed the same.

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

\_\_\_\_\_  
Notary Public for the State of Idaho  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

F. Approval of Engineering Services Agreement for Iteris Inc.



# Memo

To: Mayor and Hayden City Council

From: Dulci Kau, P.E., City Engineer

Date: 1/22/2026

**Agenda Item: Approval of Engineering Services Agreement for Iteris Inc.**

---

## **Agenda Item Location**

Consent

## **Background and Recommended Action or Motion**

Iteris Inc., has provided the Traffic Impact Analysis (TIA) Review's for projects for the past several years. This agreement allows staff to continue to have Iteris review TIAs, with a pass-through fee to the developer, in accordance with the adopted fee schedule.

Staff recommends City Council approve the Engineering Services Agreement with Iteris Inc.

## **Functional Impact of Authorizing**

If authorized, staff can continue to have Iteris review TIAs, with a pass-through fee to the developer, in accordance with the adopted fee schedule.

## **Functional Impact of Not Authorizing**

If not approved, City Council would need to provide a path forward for future TIA reviews.

## **Fiscal Impact**

This item has no fiscal impact on the City of Hayden, as the fee from Iteris is passed to the developer.

## **Budget Funding Source / Transfer Request**

N/A

## **Attachment**

Engineering Services Agreement

## ENGINEERING SERVICES AGREEMENT

THIS ENGINEERING SERVICES AGREEMENT (“Agreement”) is made and entered into this \_\_\_ day of January, 2026 (“Effective Date”) by and between **THE CITY OF HAYDEN**, a political subdivision of the state of Idaho (“CITY”) and **ITERIS, Inc.** (“ENGINEER”). The CITY and ENGINEER may be collectively referred to herein as the “parties” and individually referred to as a “party.” The promise and agreements of each being in consideration of the promises and agreements of the other. The parties agree as follows:

1. SCOPE OF WORK: The CITY engages ENGINEER to perform the work of on-call travel demand modeling and traffic engineering including, but not limited to completing traffic studies for developments as a pass thru cost, providing data from the City’s travel demand model for traffic studies completed by others as a pass thru cost, and updating the City’s travel demand model as necessary, to stay up to date with KMPO’s regional model.

2. PAYMENT: The CITY agrees to pay ENGINEER for its services on rendered under this Agreement on a time and materials basis for said services rendered. The parties agree that ENGINEER will invoice the CITY for payment under this Agreement for services rendered herein and will create a separate task or item number for each service requested to simplify tracking. Hourly rates are included as Appendix A.

3. RIGHT OF CONTROL: The CITY agrees that it will have no right to control or direct the details, manner, or means by which ENGINEER accomplishes the results of the services performed hereunder. ENGINEER has no obligation to work any particular hours or days or any particular number of hours or days. ENGINEER agrees, however, that its other contracts or services shall not interfere with the performance of its services under this Agreement.

4. INDEPENDENT ENGINEER RELATIONSHIP: ENGINEER is an independent contractor and is not an employee, servant, agent, partner, or joint venturer of the CITY. The CITY shall determine the scope of work to be done by ENGINEER, but ENGINEER shall determine the legal means by which it accomplishes the work specified by the CITY.

5. FEDERAL, STATE, AND LOCAL PAYROLL TAXES: Neither federal, state or local income taxes, nor payroll taxes of any kind shall be withheld and paid by the CITY on behalf of ENGINEER or the employees of ENGINEER. ENGINEER shall not be treated as an employee with respect to the services performed hereunder for federal or state tax purposes. ENGINEER understands that ENGINEER is responsible to pay, according to law, ENGINEER's income tax. ENGINEER further understands that ENGINEER may be liable for self-employment (Social Security) tax to be paid by ENGINEER according to law.

6. LICENSES AND LAW: ENGINEER represents that it possess the skill and experience necessary and all licenses required to perform the services under this Agreement. ENGINEER further agrees to comply with all applicable laws in the performance of the services hereunder.

7. FRINGE BENEFITS: Because ENGINEER is engaged in its own independently established business, ENGINEER is not eligible for, and shall not participate in, any employee pension, health, or other fringe benefit plans of CITY.

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

9. EQUIPMENT, TOOLS, MATERIALS OR SUPPLIES: ENGINEER shall supply, at ENGINEER's sole expense, all equipment, tools, materials and/or supplies to accomplish the services to be provided herein.

10. EFFECTIVE DATE: This contract will run from January 1, 2026 through December 31, 2026. The above set date shall be the Effective Date of this Agreement.

11. WARRANTY: ENGINEER warrants that all services will be performed in a good workmanlike manner and in conformance with the standards established for Engineers in the state of Idaho. ENGINEER acknowledges that it will be liable for any breach of this warranty.

12. INDEMNIFICATION AND INSURANCE:

As respects to acts, errors or omissions in the performance of professional services, ENGINEER agrees to indemnify and hold harmless the CITY, its officers, employees, and the CITY's designated volunteers from and against any and all claims, demands, defense costs, liability or consequential damages of any kind or nature arising directly out of ENGINEER's negligent acts, errors or omissions in the performance of its professional services under the terms of this contract.

As respects all acts, errors or omissions which do not arise directly out of the performance of professional services including, but not limited to those acts or omissions normally covered by general and automobile liability insurance, ENGINEER agrees to indemnify, defend (at the CITY's option), and hold harmless the CITY, its officers, agents, employees, representatives, and volunteers from and against any and all claims, demands, defense costs, liability, or consequential damages of any kind or nature arising out of or in connection with ENGINEER's (or ENGINEER's subcontractors, if any) performance or failure to perform, under the terms of this contract; excepting those which arise out of the sole negligence of CITY.

Without limiting the CITY's right to indemnification, it is agreed that ENGINEER shall secure prior to commencing any activities under this Agreement, and maintain during the term of this Agreement, insurance coverage as follows:

- a. Worker's compensation insurance as required by Idaho statutes.
- b. Comprehensive general liability insurance or commercial general liability insurance, including coverage for premises and operations, contractual liability, personal injury liability, products/completed operations liability, broad-form property damage (if applicable) and independent ENGINEER's liability (if applicable), in an amount of not less than One Million Dollars (\$1,000,000.00) per occurrence, combined single limit, written on an occurrence form.

- c. Comprehensive automobile liability coverage including, as applicable, owned, non-owned and hired autos, in an amount of not less than One Million Dollars (\$1,000,000.00) per occurrence, combined single limit, written on an occurrence form.
- d. Professional liability insurance coverage, including contractual liability, in an amount not less than One Million Dollars (\$1,000,000.00), and ENGINEER shall maintain such coverage for at least four (4) years from the termination of this Agreement; and during this four-year period, ENGINEER shall use ENGINEER's best efforts to ensure that there is no change of the retroactive date on this insurance coverage.

The CITY is hereby authorized to reduce the requirements set forth above in the event the CITY determines that such reduction is in the CITY's best interest.

Each insurance policy required by this Agreement shall contain the following clauses:

- a. This insurance shall not be canceled, limited in scope or coverage, or non-renewed until after thirty (30) days prior written notice has been given to the Clerk of the CITY.
- b. It is agreed that any insurance maintained by the CITY shall apply in excess of and not contribute with insurance provided by this policy.

Each insurance policy required by this Agreement, excepting policies for worker's compensation and professional liability, shall contain the following clause:

The CITY, its officers, agents, employees, representatives and volunteers are added as additional insureds as respects operations and activities of, or on behalf of, the named insured, performed under contract with the CITY.

Prior to commencing any work under this Agreement, ENGINEER shall deliver to the CITY insurance certificates confirming the existence of the insurance required by this Agreement, and including the applicable clauses referenced above. Also, within thirty (30) days of the execution date of this Agreement, ENGINEER shall provide to CITY endorsements to the above-required policies, which add to these policies the applicable clauses referenced above. Said endorsements shall be signed by an authorized representative of the insurance company and shall include the signature's company affiliation and title. Should it be deemed necessary by the CITY, it shall be ENGINEER's responsibility to see that the CITY receives documentation acceptable to the CITY which sustains that the individual signing said endorsements is indeed authorized to do so by the insurance company. Also, the CITY has the right to demand, and to receive within a reasonable time period, copies of any insurance policies required under this Agreement.

In addition to any other remedies the CITY may have if ENGINEER fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, the CITY may, at its sole option:

- a. Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

- b. Order ENGINEER to stop work under this Agreement and/or withhold any payment(s) which become due to ENGINEER hereunder until ENGINEER demonstrates compliance with the requirements hereof.
- c. Terminate this Agreement.

Exercise of any of the above remedies, however, is an alternative to other remedies the CITY may have and is not the exclusive remedy for ENGINEER's failure to maintain insurance or secure appropriate endorsements.

Nothing herein contained shall be construed as limiting in any way the extent to which ENGINEER may be held responsible for payments of damages to persons or property resulting from ENGINEER's, or its subcontractor's, performance of the work covered under this Agreement.

13. NONDISCRIMINATION: ENGINEER, for itself and its successors and assigns, agrees that in the performance of services provided for in this Agreement, ENGINEER will not unlawfully discriminate against any employee or applicant for employment because of age, race, handicap, color, creed, religion, sex, marital status, ancestry, or national origin.

14. CONFLICT OF INTEREST: ENGINEER warrants that it presently has no interest and will not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of its services hereunder. ENGINEER further covenants that, in performing this Agreement, it will employ no person who has any such interest. Should any conflict of interest arise, it will be disclosed and managed accordingly.

15. OWNERSHIPS: All work performed by ENGINEER on behalf of the CITY shall become the property of the CITY upon payment by the CITY for the services, including but not limited to electronic data and data compiled for the purpose of generating the final work product. The CITY shall have the right to use the data without obtaining prior approval by the ENGINEER.

16. NONWAIVER: Failure of either party to exercise any of the rights under this Agreement, or breach thereof, shall not be deemed to be a waiver of such right or a waiver of any subsequent breach.

17. CHOICE OF LAW: Any dispute under this Agreement, or related to this Agreement, shall be decided in accordance with the laws of the state of Idaho.

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

19. SEVERABILITY: If any part of this Agreement is held unenforceable, the remaining portions of the Agreement will nevertheless remain in full force and effect.

20. 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.

21. CERTIFICATION CONCERNING BOYCOTT OF ISREAL: Pursuant to Idaho Code section 67-2346, if payments under the Contract exceed one hundred thousand dollars and

CONSULTANT employs ten or more persons, CONSULTANT 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 it's control. The terms in this section defined in Idaho Code section 67-2346 have the meaning defined therein.

22. CERTIFICATION THAT COMPANY IS NOT CURRENTLY OWNED OR OPERATED BY THE GOVERNMENT OF CHINA: Pursuant to Idaho Code section 67-2359, CONSULTANT certifies that the company is not currently owned or operated, and will not for the duration of the contract be owned or operated by the government of China. The terms defined in Idaho Code section 67-2359 shall have the meaning defined therein.

23. NOTICES: Any and all notices required or permitted to be given under this Agreement will be sufficient if furnished in writing, hand delivered, or sent by registered or certified mail to:

To the City: City of Hayden  
Attn: Lisa Ailport, City Administrator  
8930 N. Government Way  
Hayden, Idaho 83835  
Telephone: (208) 772-4411  
Facsimile: (208) 772-6522  
E-mail: [lailport@haydenid.gov](mailto:lailport@haydenid.gov)

With a copy to: Fonda Jovick  
Lake City Law  
435 W Hanley Avenue, Suite 101  
Coeur d'Alene, Idaho 83815  
Telephone: (208) 664-8115  
Facsimile: (208) 664-6338  
E-mail: [fjovick@lclattorneys.com](mailto:fjovick@lclattorneys.com)

To Contractor: ITERIS, Inc.  
Attn: Scott Carlson  
1700 Carnegie Avenue, Suite 100  
Santa Ana, CA 92705

**Iteris Project Manager (Spokane)**  
Jennifer Martin, P.E.  
(509)309-8581  
[jmartin@iteris.com](mailto:jmartin@iteris.com)

IN WITNESS WHEREOF, the parties have made and entered into this Agreement as of the Effective Date first above written.

The parties have executed this Agreement as of the Effective Date.

CITY

ENGINEER

CITY OF HAYDEN

ITERIS, Inc.

By: \_\_\_\_\_  
Alan Davis, Mayor

By: \_\_\_\_\_

ATTEST:

Its: \_\_\_\_\_

\_\_\_\_\_  
Abbi Sanchez, City Clerk

\_\_\_\_\_

## APPENDIX A – ITERIS FEE SCHEDULE

	Through 12/31/26	
STAFF CLASSIFICATION	MIN	MAX
Support Staff I	\$110	\$133
Support Staff II	\$180	\$253
Assistant Engineer/Planner	\$119	\$136
Associate Engineer/Planner	\$138	\$177
Engineer/Planner	\$146	\$219
Senior Engineer/Planner I	\$199	\$222
Senior Engineer/Planner II	\$222	\$262
Lead Engineer/Senior Manager	\$247	\$303
Associate Vice President/Principal/Director	\$257	\$358
Vice President/Chief Scientist	\$363	\$435

### Standard Terms and Conditions

- Subconsultant, Subcontractor, equipment or other direct expenses to be billed at cost, unless otherwise negotiated.
- Mileage rates will be based upon current IRS standard rates.

- G. Approval of Western Real Property, LLC Appraisal Services Agreement Amendment 1 for the Hayden Avenue and Atlas Road Intersection Project.



# Memo

To: Mayor and Hayden City Council

From: Alan Soderling, Public Works Director

Date: 1.27.2026

**Agenda Item:** Authorize Amendment #01 to Western Real Property, LLC contract for appraisal services related to the Hayden Avenue and Atlas Road Intersection project.

---

## **Agenda Item Location**

Consent

## **Recommended Action or Motion**

**Motion:** Move to Authorize Amendment #01 to Western Real Property, LLC contract for appraisal services related to the Hayden Avenue and Atlas Road Intersection project.

## **Functional Impact of Authorizing**

This action authorizes a contract amendment attached as Exhibit A that adjusts the scope of work on the parcels located at 9551 North Atlas Road and 9561 North Atlas Road to include “Before and After” appraisals, which results in a \$7,000 increase to the existing contract authority. These parcels require complex before and after appraisals due to potential impacts on use of existing structures. These appraisals are necessary to support the process of acquiring the right-of-way at appropriate valuations and providing property owners with just compensation for the necessary acquisitions.

## **Functional Impact of Not Authorizing**

If this action is not authorized, further appraisal work will be necessary to acquire these parcels, and may delay right of way acquisition and project construction.

## **Fiscal Impact**

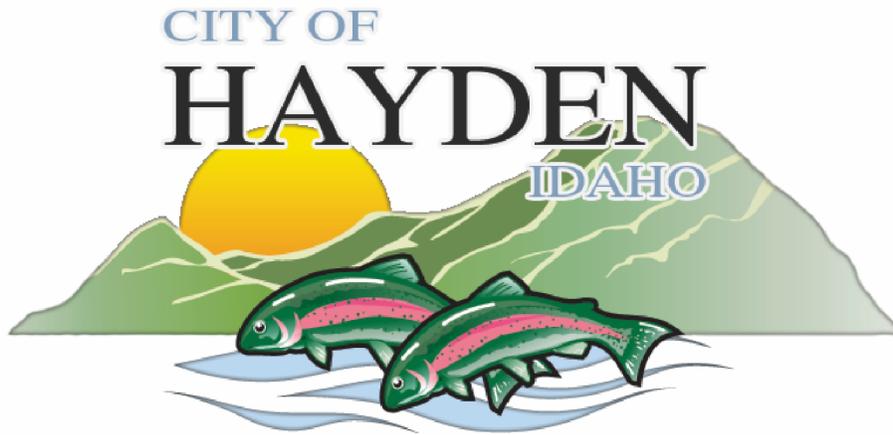
The additional cost for the updated appraisal scope is \$7,000, which are budgeted project costs.

## **Budget Funding Source**

120-112-59237 Hayden/Atlas Intersection ROW Acquisition

## **Attachments**

Western Real Property, LLC Appraisal Contract Amendment #01



**WESTERN REAL PROPERTY, LLC**  
**PROFESSIONAL SERVICES AGREEMENT AMENDMENT #01**

The AGREEMENT executed on November 5, 2025 between the City of Hayden Governmental Entity, a political subdivision of the State of Idaho, herein "ENTITY" and, Western Real Property, LLC., herein "CONSULTANT" for appraisal services supporting the Hayden Avenue and Atlas Road Intersection improvements is hereby amended to include the following adjustments to the scope and price.

The parties agree as follows:

1. The scope is adjusted to require "Before and After" appraisals of 9551 North Atlas Road and 9561 North Atlas Road to be conducted by CONSULTANT.
2. The contract price is increased by \$7,000 due to this scope adjustment.
3. All other provisions of the contract remain in force.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ENTITY:

\_\_\_\_\_  
Mayor

CONSULTANT:

By \_\_\_\_\_  
Owner

ATTEST:

\_\_\_\_\_  
City Clerk

## H. Approval of Bills for Payment

INVOICE REGISTER FOR CITY OF HAYDEN

EXP CHECK RUN DATES 01/27/2026 - 01/27/2026

POSTED AND UNPOSTED OPEN

BANK ACCOUNTS: 01 - POOLED A/P CHECKING

Invoice Number

Inv Ref #	Vendor Description GL Distribution	Invoice Date Entered By	Due Date	Invoice Amount	Amount Due	Status	Posted Post Date
Inventory					Units	Quantity	Unit Price
1HNP-RKDD-VQCT 00050813	AMAZON CAPITAL SERVICES, INC. BLUE SUMMIT ENVELOPES, BATTERIES, 8X10 F 11afleur 110-211-56101	01/20/2026 OFFICE SUPPLIES	01/27/2026	94.14 94.14	94.14	Open	N 01/27/2026 94.14
1LW1-M4HL-WY9V 00050814	AMAZON CAPITAL SERVICES, INC. USB, POWER 512 GB SSD 110-230-57717	01/18/2026 GENERAL HARDWARE	01/27/2026	161.00 161.00	161.00	Open	N 01/27/2026 161.00
17WM-4YM6-KVJ9 00050815	AMAZON CAPITAL SERVICES, INC. SEAGATE STORAGE 4TB 110-230-57717	12/15/2025 GENERAL HARDWARE	01/27/2026	128.99 128.99	128.99	Open	N 01/27/2026 128.99
000915768 00050856	APWA-AMERICAN PUBLIC WORKS ASSOCIAT MEMBERSHIP DUES 110-511-55701	01/22/2026 dcollins DUES, MEMBERSHIPS & SUBSCRIPTIONS	01/27/2026	262.00 262.00	262.00	Open	N 01/27/2026 262.00
14422 00050802	ARCHITECTS WEST, INC. MCINTIRE PARK MASTER PLAN 121-113-59332	01/12/2026 11afleur MCINTIRE PARK	01/27/2026	8,371.80 8,371.80	8,371.80	Open	N 01/27/2026 8,371.80
S18936 00050778	ARROW CONSTRUCTION SUPPLY, LLC SAFETY VESTS 3XL, 2XL 110-541-56403	12/18/2025 11afleur UNIFORM ALLOWANCE	01/27/2026	26.00 26.00	26.00	Open	N 01/27/2026 26.00
21241499 00050719	AWARDS ETC. NAME PLATE-DAVID ERICKSON, NAME BADGE 110-111-56101	01/01/2026 11afleur OFFICE SUPPLIES	01/27/2026	30.00 30.00	30.00	open	N 01/27/2026 30.00
20241549 00050816	AWARDS ETC. ENGRAVED PLATE (ERICKSON) 110-111-56101	01/12/2026 11afleur OFFICE SUPPLIES	01/27/2026	30.00 30.00	30.00	open	N 01/27/2026 30.00

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Inv Ref #	Vendor Description	Invoice Date	Due Date	Invoice Amount	Amount Due	Status	Posted
Inventory	GL Distribution	Entered By			Units	Quantity	Post Date
							Unit Price
20241440 00050824	AWARDS ETC. NAME PLATE 110-111-56101	12/15/2025 dcollins	01/27/2026	18.00	18.00	Open	N 01/27/2026
		OFFICE SUPPLIES		18.00		1.00	18.00
20241011 00050825	AWARDS ETC. NAME PLATE- SHAWN MEYER 110-111-58027	08/25/2025 dcollins	01/27/2026	18.00	18.00	Open	N 01/27/2026
		PUBLIC SAFETY COMMISSION		18.00		1.00	18.00
20241456 00050859	AWARDS ETC. AWARD 110-111-56101	12/19/2025 dcollins	01/27/2026	75.00	75.00	Open	N 01/27/2026
		OFFICE SUPPLIES		75.00		1.00	75.00
20-23-071 #9 00050843	BIG SKY ID CORP H-6 LIFT STATION - FORCE MAIN AND FORCE 211-899-59837-8016 211-899-59837-8015	01/21/2026 dcollins	01/27/2026	144,105.95	144,105.95	Open	N 01/27/2026
		CONSTRUCTION-CEI		84,935.21		1.00	84,935.21
		CONSTRUCTION-CEI		59,170.74		1.00	59,170.74
165195 00050806	BS&A SOFTWARE SERVICE FEE FOR ONLINE SERVICE 110-211-55901	01/14/2026 llafleur	01/27/2026	414.00	414.00	Open	N 01/27/2026
		BANKING FEES & CHARGES		414.00		1.00	414.00
159998 00050868	Cable Huston LLP LEGAL SERVICES HARSB DISSOLUTION 210-241-53102	01/23/2026 llafleur	01/27/2026	43,077.13	43,077.13	Open	N 01/27/2026
		CIVIL LEGAL SERVICES		43,077.13		1.00	43,077.13
44545-12302025 00050779	CDA PRESS Check Request For Escrow: BPN25-0009 110-228-22813	01/13/2026 dcollins	01/27/2026	85.00	85.00	Open	N 01/27/2026
		BPN25-0009 - PZE-25-0102		85.00		1.00	85.00
CDA-1090789 00050818	CDA TRACTOR CO. ASSEMBLY ELEMENT, OIL FILTER, FUEL FILTE 110-542-54089	01/05/2026 llafleur	01/27/2026	58.83	58.83	Open	N 01/27/2026
		2022 KUBOTA F2690 TRACTOR & 72" REAR DEC		58.83		1.00	58.83

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Inventory	GL Distribution	Entered By			Units	Quantity	Post Date
							Unit Price
CDA-1090790 00050820	CDA TRACTOR CO. CASE OF 12 OIL 10W-30 110-542-54089	01/15/2026 llafleur	01/27/2026	23.52	23.52	Open	N 01/27/2026
	2022 KUBOTA F2690 TRACTOR & 72" REAR DEC			23.52		1.00	23.52
CDA-1090805 00050821	CDA TRACTOR CO. OIL FILTER, BLADE 110-542-54089	01/16/2026 llafleur	01/27/2026	114.12	114.12	Open	N 01/27/2026
	2022 KUBOTA F2690 TRACTOR & 72" REAR DEC			114.12		1.00	114.12
620300000356 00050863	CHAPMAN FINANCIAL SERVICES COLLECTION FEE DEC 2025 210-250-24999	12/31/2025 dcollins	01/27/2026	303.71	303.71	Open	N 01/27/2026
	SUSPENSE			303.71		1.00	303.71
189562701011426 00050862	CHARTER COMMUNICATIONS DIGITAL ADAPTOR MONTHLY CHARGE 110-211-55300	01/14/2026 dcollins	01/27/2026	7.34	7.34	Open	N 01/27/2026
	COMMUNICATIONS/PHONES			7.34		1.00	7.34
INV05637 00050807	CITY OF POST FALLS PROSECUTION SERVICES NOV 2025 110-252-59001	12/15/2025 llafleur	01/27/2026	12,026.00	12,026.00	Open	N 01/27/2026
	CONTRACTED PROSECUTOR			12,026.00		1.00	12,026.00
INV05640 00050808	CITY OF POST FALLS PROSECUTION SERVICES DEC 2025 110-252-59001	01/15/2026 llafleur	01/27/2026	12,026.00	12,026.00	Open	N 01/27/2026
	CONTRACTED PROSECUTOR			12,026.00		1.00	12,026.00
CL53292 00050780	CITYSERVICEVALCON, LLC FUEL 110-542-54001 110-533-54001 110-512-54001 110-712-54001 110-350-54001 210-241-54001 210-246-57009	01/09/2026 dcollins	01/27/2026	2,964.02	2,964.02	open	N 01/09/2026
	VEHICLE FUEL			561.46		1.00	561.46
	VEHICLE FUEL			1,889.29		1.00	1,889.29
	VEHICLE FUEL			53.75		1.00	53.75
	VEHICLE FUEL			0.00		1.00	0.00
	VEHICLE FUEL			230.26		1.00	230.26
	VEHICLE FUEL			0.00		1.00	0.00
	H-1 LIFT STATION O&M			229.26		1.00	229.26

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Inventory					Units	Quantity	
INV-344685 00050781	CITYSERVICEVALCON, LLC SHOP FUEL 110-533-54001	12/31/2025 dcollins	01/27/2026	4,638.29	4,638.29	Open	N 01/27/2026
	VEHICLE FUEL			4,638.29		1.00	4,638.29
0906530 00050822	CITYSERVICEVALCON, LLC DIESEL EXHAUST FLUID-BULK 110-533-54000	01/14/2026 llafleur	01/27/2026	178.52	178.52	Open	N 01/27/2026
	BULK PRODUCTS - STREETS			178.52		1.00	178.52
LOAN #ww1310-PM 00050793	DEPARTMENT OF ENVIRONMENTAL QUALITY DEQ WWTP PHASE 1 LOAN: PAYMENT 19 OF 40 212-245-52705 212-245-52706	01/02/2026 dcollins	02/02/2026	239,201.09	239,201.09	Open	N 02/02/2026
	2016 IDEQ BOND PRINCIPAL (PHASE I)			191,791.67		1.00	191,791.67
	2016 IDEQ BOND INTEREST (PHASE I)			47,409.42		1.00	47,409.42
219043 00050817	ELAM & BURKE - ATTORNEYS AT LAW HAYDEN URBAN RENEWAL PLAN 110-211-53102	11/30/2025 dcollins	01/27/2026	3,425.65	3,425.65	Open	N 01/27/2026
	CIVIL LEGAL SERVICES			3,425.65		1.00	3,425.65
219591 00050819	ELAM & BURKE - ATTORNEYS AT LAW HAYDEN URBAN RENEWAL PLAN 110-211-53102	12/31/2025 dcollins	01/27/2026	3,950.65	3,950.65	Open	N 01/27/2026
	CIVIL LEGAL SERVICES			3,950.65		1.00	3,950.65
5235630 00050823	EMPLOYEE BENEFITS CORPORATION ADMIN FEE 1/1/26 110-211-52102	01/15/2026 llafleur	01/27/2026	141.00	141.00	Open	N 01/27/2026
	ADMIN COSTS FSA/HRA/COBRA			141.00		1.00	141.00
41035601 00050805	GREATAMERICA FINANCIAL SERVICES COPIER LEASE 43 OF 63 110-291-53401	01/14/2026 llafleur	01/27/2026	1,221.06	1,221.06	Open	N 01/27/2026
	COPIER LEASE PRINCIPAL			1,221.06		1.00	1,221.06
548192 00050809	HAWLEY TROXELL ENNIS & HAWLEY LLP SVCS THROUGH DEC 2025 210-241-53102	01/15/2026 llafleur	01/27/2026	9,380.50	9,380.50	Open	N 01/27/2026
	CIVIL LEGAL SERVICES			9,380.50		1.00	9,380.50

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Inventory	GL Distribution	Entered By			Units	Quantity	Post Date
							Unit Price
1412842 00050782	HAYDEN ACE HARDWARE BLUE RHINO 110-531-56101	01/14/2026 llafleur	01/27/2026	17.87	17.87	Open	N 01/27/2026
		STREET SHOP SUPPLIES		17.87		1.00	17.87
1413097 00050811	HAYDEN ACE HARDWARE LIQUID HAND SOAP, ODOR ELIMINATOR 110-811-54301-3221	01/15/2026 llafleur	01/27/2026	26.86	26.86	Open	N 01/27/2026
		BUILDING MAINT & REPAIR		26.86		1.00	26.86
1413297 00050812	HAYDEN ACE HARDWARE HOSE FLEXOGEN, WATER JET NOZZLE 110-531-56101	01/16/2026 llafleur	01/27/2026	30.54	30.54	Open	N 01/27/2026
		STREET SHOP SUPPLIES		30.54		1.00	30.54
288 00050864	HAYDEN SENIOR CENTER (GCCPG) QUARTERLY COMPENSATION 110-111-53301	01/23/2026 dcollins	01/27/2026	8,750.00	8,750.00	Open	N 01/27/2025
		SENIOR CENTER		8,750.00		1.00	8,750.00
06-3372203 00050803	HAYDEN SUPER 1 FOODS PLATES, FORKS, CUPS PW FACILITY 110-811-54301-3221	01/12/2026 llafleur	01/27/2026	17.18	17.18	Open	N 01/27/2026
		BUILDING MAINT & REPAIR		17.18		1.00	17.18
INV-00473078 00050784	INTERMAX NETWORKS PW SHOP PHONE SERVICE 110-511-55300	01/12/2026 llafleur	01/27/2026	227.66	227.66	Open	N 01/27/2026
		PHONE/INTERNET/COMMUNICATIONS		227.66		1.00	227.66
22043 00050766	INTERMOUNTAIN SIGN & SAFETY INC. COMMERCE DR, HONEYSUCKLE AVE, SIGN HOLDE 110-532-54308	01/07/2026 llafleur	01/27/2026	162.00	162.00	open	N 01/27/2026
		STREET SIGN MAINTENANCE		162.00		1.00	162.00
22056 00050826	INTERMOUNTAIN SIGN & SAFETY INC. POST CAP, CROSSPIECE, DUTY BASE 110-532-54308	01/19/2026 llafleur	01/27/2026	162.00	162.00	open	N 01/27/2026
		STREET SIGN MAINTENANCE		162.00		1.00	162.00

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Inventory					Units	Quantity	
187241 00050866	ITERIS, INC. Check Request For Escrow: BEN25-0001 110-228-22813	01/23/2026 dcollins BEN25-0001 - PZE-25-0016	01/27/2026	437.50 437.50	437.50	Open	N 01/27/2026 437.50
186548 00050867	ITERIS, INC. Check Request For Escrow: BEN25-0009 110-228-22813	01/23/2026 dcollins BEN25-0009 - PZE-22-0149	01/27/2026	8,347.50 8,347.50	8,347.50	Open	N 01/27/2026 8,347.50
2026-00000004 00050785	KOOTENAI COUNTY 911 FY26 700MHZ RADIOS X4 110-511-55300	01/07/2026 lflafleur PHONE/INTERNET/COMMUNICATIONS	01/27/2026	193.76 193.76	193.76	Open	N 01/27/2026 193.76
10-84982.00 12/ 00050849	KOOTENAI COUNTY SOLID WASTE PW DUMPSTER 110-811-54104	01/15/2026 lflafleur UTILITIES - PARKS	01/27/2026	554.40 554.40	554.40	Open	N 01/27/2026 554.40
10-84587.00 12/ 00050850	KOOTENAI COUNTY SOLID WASTE CROOFOOT PARK DUMPSTER 110-811-54104	01/15/2026 lflafleur UTILITIES - PARKS	01/27/2026	924.00 924.00	924.00	Open	N 01/27/2026 924.00
10-30143.00 12/ 00050851	KOOTENAI COUNTY SOLID WASTE CITY OF HAYDEN DUMPSTER-GENERAL 110-811-54102	01/15/2026 lflafleur UTILITIES - CITY HALL	01/27/2026	89.04 89.04	89.04	Open	N 01/27/2026 89.04
10-88291.00 12/ 00050852	KOOTENAI COUNTY SOLID WASTE PUBLIC WORKS 110-811-54103	01/15/2026 lflafleur UTILITIES - STREETS	01/27/2026	800.80 800.80	800.80	open	N 01/27/2026 800.80
10-80581.00 12/ 00050853	KOOTENAI COUNTY SOLID WASTE HONEYSUCKLE BEACH DUMPSTER 110-811-54104	01/15/2026 lflafleur UTILITIES - PARKS	01/27/2026	1,062.60 1,062.60	1,062.60	open	N 01/27/2026 1,062.60

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Inventory					Units	Quantity	Unit Price
10-80583.00 12/ 00050854	KOOTENAI COUNTY SOLID WASTE FINUCANE PARK DUMPSTER 110-811-54104	01/15/2026 llafleur UTILITIES - PARKS	01/27/2026	400.40 400.40	400.40	Open	N 01/27/2026 400.40
10-80582.00 12/ 00050855	KOOTENAI COUNTY SOLID WASTE CITY HALL 110-811-54102	01/15/2026 llafleur UTILITIES - CITY HALL	01/27/2026	371.70 371.70	371.70	Open	N 01/27/2026 371.70
1458464 12/2025 00050848	KOOTENAI ELECTRIC COOPERATIVE INC BROADMOORE ESTATES LIGHTS 110-532-56220-0050	12/30/2025 llafleur STREET LIGHTING & SIGNAL UTILITIES	01/27/2026	1,392.19 1,392.19	1,392.19	Open	N 01/27/2026 1,392.19
INV-15024 00050860	MOUNTAIN DOG SIGN COMPANY ROOM/OFFICE SIGNS 110-211-56101	12/24/2025 dcollins OFFICE SUPPLIES	01/27/2026	1,450.50 1,450.50	1,450.50	Open	N 01/27/2026 1,450.50
543573 00050773	NAPA AUTO PARTS RAIN X 110-542-54068	01/09/2026 llafleur 2023 GMC SIERRA 1500 PRO R&M	01/27/2026	15.49 15.49	15.49	Open	N 01/27/2026 15.49
541727 00050774	NAPA AUTO PARTS DIESEL FUEL ADDITIVE 110-541-56101	12/29/2025 llafleur PARKS SHOP SUPPLIES	01/27/2026	119.88 119.88	119.88	Open	N 01/27/2026 119.88
540137 00050775	NAPA AUTO PARTS BK SUPPORT 110-542-54076	12/16/2025 llafleur 2008 WALKER MOWER R&M	01/27/2026	36.52 36.52	36.52	open	N 01/27/2026 36.52
540521 00050776	NAPA AUTO PARTS 22IN TRIC TITAN BLADE 110-542-54026	12/18/2025 llafleur 2019 FORD F550 CREW CAB R&M	01/27/2026	44.80 44.80	44.80	open	N 01/27/2026 44.80

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Inventory					Units	Quantity	Unit Price
540026 00050777	NAPA AUTO PARTS HOOD LIFT, SEAT COVER, WINDSHIELD WASHER 110-533-54012	12/16/2025 llafleur 2006 DODGE RAM PICKUP R&M	01/27/2026	157.15 157.15	157.15	Open	N 01/27/2026 157.15
543468 00050796	NAPA AUTO PARTS 2 IN 1 TIRE GUAGE 110-531-56101	01/09/2026 llafleur STREET SHOP SUPPLIES	01/27/2026	26.32 26.32	26.32	Open	N 01/27/2026 26.32
543137 00050797	NAPA AUTO PARTS OIL FILTER AND OIL 110-512-54040 110-512-54205	01/07/2026 llafleur 2023 GMC SIERRA 1500 PRO R&M 2025 GMC SIERRA 1500 PRO	01/27/2026	84.32 42.16 42.16	84.32	Open	N 01/27/2026 42.16 42.16
543172 00050798	NAPA AUTO PARTS GEAR OIL & SPOUT 110-512-54040	01/07/2026 llafleur 2023 GMC SIERRA 1500 PRO R&M	01/27/2026	17.48 17.48	17.48	Open	N 01/27/2026 17.48
542914 00050799	NAPA AUTO PARTS ALTERNATOR 110-533-54027	01/06/2026 llafleur TRAIN R&M	01/27/2026	77.67 77.67	77.67	Open	N 01/27/2026 77.67
543541 00050800	NAPA AUTO PARTS STICK, DRY MOLY LUBE 110-533-54029	01/09/2026 llafleur 2015 JOHN DEERE LOADER #3509 R&M	01/27/2026	432.82 432.82	432.82	Open	N 01/27/2026 432.82
543537 00050801	NAPA AUTO PARTS FILTER WRENCH 110-531-56101	01/09/2026 llafleur STREET SHOP SUPPLIES	01/27/2026	11.68 11.68	11.68	Open	N 01/27/2026 11.68
543973 00050841	NAPA AUTO PARTS FUEL FILTER, AIR FILTER, #77 110-542-54077	01/13/2026 llafleur 2014 ZERO-TURN MOWER R&M	01/27/2026	50.97 50.97	50.97	Open	N 01/27/2026 50.97

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Inventory	GL Distribution	Entered By			Units	Quantity	Post Date
							Unit Price
543975 00050842	NAPA AUTO PARTS OIL FILTERS, FUEL FILTERS, #88 110-542-54088	01/13/2026 llafleur	01/27/2026	76.00	76.00	Open	N 01/27/2026
	2020 KUBOTA UTILITY VEHICLE R&M			76.00		1.00	76.00
544287 00050844	NAPA AUTO PARTS CM-FUEL FILTER, #88 110-542-54088	01/14/2026 llafleur	01/27/2026	(25.42)	(25.42)	Open	N 01/27/2026
	2020 KUBOTA UTILITY VEHICLE R&M			(25.42)		1.00	(25.42)
545150 00050845	NAPA AUTO PARTS RED WIRE LOOP FLAG, SAFETY FLAG, SUPERWE 110-542-54089	01/20/2026 llafleur	01/27/2026	34.88	34.88	Open	N 01/27/2026
	2022 KUBOTA F2690 TRACTOR & 72" REAR DEC			34.88		1.00	34.88
544382 00050846	NAPA AUTO PARTS FUEL FILTERS, #89 110-542-54089	01/15/2026 llafleur	01/27/2026	44.15	44.15	Open	N 01/27/2026
	2022 KUBOTA F2690 TRACTOR & 72" REAR DEC			44.15		1.00	44.15
053766 E 00050770	NORTH 40 OUTFITTERS XL GLOVE SHEEPLINED SUEDE, XL GLOVE SOFT 110-531-56403	01/08/2026 llafleur	01/27/2026	39.98	39.98	Open	N 01/27/2026
	UNIFORM ALLOWANCE			39.98		1.00	39.98
053759/E 00050795	NORTH 40 OUTFITTERS XL GLOVES LEATHER GLOVES 110-531-56403	01/07/2026 llafleur	01/27/2026	42.38	42.38	Open	N 01/27/2026
	UNIFORM ALLOWANCE			42.38		1.00	42.38
102746002 1/202 00050861	NORTH KOOTENAI WATER DIST H-1 LIFT STATION HONEYSUCKLE 210-247-57009	01/20/2026 dcollins	01/27/2026	40.07	40.07	open	N 01/27/2026
	H-1 LIFT STATION UTIL			40.07		1.00	40.07
01-179662 00050804	RAGAN EQUIPMENT INC. LV3520H451253 DIAG & ADVISE (THROWING CO 110-542-54079	01/12/2026 llafleur	01/27/2026	206.25	206.25	open	N 01/27/2026
	2008 JOHN DEERE 3520 MOWER R&M			206.25		1.00	206.25

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Inventory					Units	Quantity	
01-179727 00050838	RAGAN EQUIPMENT INC. HYGARD 5 GAL X4 #86 110-542-54086	01/14/2026 llafleur	01/27/2026	613.52	613.52	Open	N 01/27/2026 613.52
	2018 JD 1600 TURBO SERIES 1 MOWER			613.52		1.00	
01-179689 00050839	RAGAN EQUIPMENT INC. OIL FILTERS, OIL 15W-40 1QT X25 #86 110-542-54086	01/13/2026 llafleur	01/27/2026	420.50	420.50	Open	N 01/27/2026 420.50
	2018 JD 1600 TURBO SERIES 1 MOWER			420.50		1.00	
01-179878 00050840	RAGAN EQUIPMENT INC. JDC-COVER #77 110-542-54077	01/20/2026 llafleur	01/27/2026	223.20	223.20	Open	N 01/27/2026 223.20
	2014 ZERO-TURN MOWER R&M			223.20		1.00	
108713 00050858	SATURDAY NIGHT INC. 3RD-9TH REC BB TEAM SHIRTS 110-711-56404	01/08/2026 dcollins	01/27/2026	5,061.30	5,061.30	Open	N 01/27/2026 5,061.30
	TEAM SHIRTS			5,061.30		1.00	
14964 00050783	SHL CPA'S PLLC AUDIT FY25 110-211-53101	12/31/2025 llafleur	01/27/2026	9,602.50	9,602.50	Open	N 01/27/2026 9,602.50
	AUDIT			9,602.50		1.00	
20-21-022-030 # 00050772	SIMCO DEVELOPMENT GROUP H6 LIFT STATION CONSTRUCTION 211-899-59829	01/06/2026 dcollins	01/27/2026	166,190.29	166,190.29	Open	N 01/27/2026 166,190.29
	H-6 LIFT STATION CONSTRUCTION			166,190.29		1.00	
744820 00050810	THE HILLER COMPANIES, LLC SEMI ANNUAL INSPECTION 110-811-54301	01/14/2026 llafleur	01/27/2026	695.00	695.00	open	N 01/27/2026 695.00
	BUILDING MAINT & REPAIR			695.00		1.00	
1795721 00050786	THORCO INC REPLACE DBL HEADED LIGHT POLE-SKI SHACK 130-899-56221	12/31/2025 llafleur	01/27/2026	15,022.00	15,022.00	open	N 01/27/2026 15,022.00
	STREET LIGHTING MAINTENANCE			15,022.00		1.00	

INVOICE REGISTER FOR CITY OF HAYDEN

EXP CHECK RUN DATES 01/27/2026 - 01/27/2026

POSTED AND UNPOSTED OPEN

BANK ACCOUNTS: 01 - POOLED A/P CHECKING

Invoice Number

Inv Ref #	Vendor Description GL Distribution	Invoice Date Entered By	Due Date	Invoice Amount	Amount Due	Status	Posted Post Date
Inventory					Units	Quantity	Unit Price
1795722 00050787	THORCO INC REPLACED DBL HEAD POLE AND BASE w/BREAKA llafleur 130-899-56221	12/31/2025 llafleur	01/27/2026	19,745.00 19,745.00	19,745.00	Open	N 01/27/2026 19,745.00
1795723 00050788	THORCO INC REPLACED DBL HEAD POLE-PEAK FITNESS llafleur 130-899-56221	12/31/2025 llafleur	01/27/2026	15,103.00 15,103.00	15,103.00	Open	N 01/27/2026 15,103.00
1795724 00050789	THORCO INC REPLACE DBL HEAD POLE, STRAIGHTENED FOUN llafleur 130-899-56221	12/31/2025 llafleur	01/27/2026	15,333.00 15,333.00	15,333.00	Open	N 01/27/2026 15,333.00
1795725 00050790	THORCO INC REPLACE DBL HEAD POLE, FOUNDATION w/BREA llafleur 130-899-56221	12/31/2025 llafleur	01/27/2026	19,745.00 19,745.00	19,745.00	Open	N 01/27/2026 19,745.00
1795726 00050791	THORCO INC REPLACE 14' POLE-N SIDE OF ZIPS llafleur 130-899-56221	12/31/2025 llafleur	01/27/2026	10,554.00 10,554.00	10,554.00	Open	N 01/27/2026 10,554.00
11623010 00050857	TRACY TANNER SPONSORSHIP REFUND 110-740-44776	01/22/2026 dcollins	01/27/2026	165.00 165.00	165.00	Open	N 01/27/2026 165.00
141853 00050769	VANGUARD CLEANING SYSTEMS OF THE IN llafleur BATHROOM SUPPLIES llafleur 110-811-54301	11/26/2025 llafleur	01/27/2026	193.84 193.84	193.84	open	N 01/27/2026 193.84
41014040-043 00050865	WELCH COMER & ASSOCIATES INC. PROJECT 41014.04.0 NOV 2025-DEC 2025 llafleur 110-345-53206	01/06/2026 llafleur	01/27/2026	1,260.89 1,260.89	1,260.89	open	N 01/27/2026 1,260.89

INVOICE REGISTER FOR CITY OF HAYDEN

EXP CHECK RUN DATES 01/27/2026 - 01/27/2026

POSTED AND UNPOSTED OPEN

BANK ACCOUNTS: 01 - POOLED A/P CHECKING

Invoice Number

Inv Ref #	Vendor Description GL Distribution	Invoice Date Entered By	Due Date	Invoice Amount	Amount Due	Status	Posted Post Date
Inventory					Units	Quantity	Unit Price
IN003464685 00050792	WESTERN STATES EQUIPMENT COMPANY KBTA SEAL O RING 110-531-56101	01/09/2026 l1afleur STREET SHOP SUPPLIES	01/27/2026	20.70 20.70	20.70	Open	N 01/27/2026 20.70
IN003466483 00050794	WESTERN STATES EQUIPMENT COMPANY KBTA COUPLING 110-531-56101	01/12/2026 l1afleur STREET SHOP SUPPLIES	01/27/2026	104.89 104.89	104.89	Open	N 01/27/2026 104.89
IN003467961 00050836	WESTERN STATES EQUIPMENT COMPANY INHIBITOR X2 110-533-54015	01/13/2026 l1afleur 2019 CAT BACKHOE 420F2 W/BUCKET & THUMB	01/27/2026	11.88 11.88	11.88	Open	N 01/27/2026 11.88
IN003469539 00050837	WESTERN STATES EQUIPMENT COMPANY HEATER 110-533-54015	01/14/2026 l1afleur 2019 CAT BACKHOE 420F2 W/BUCKET & THUMB	01/27/2026	69.17 69.17	69.17	Open	N 01/27/2026 69.17

# of Invoices:	90	# Due: 90	Totals:	793,669.30	793,669.30
# of Credit Memos:	1	# Due: 1	Totals:	(25.42)	(25.42)
Net of Invoices and Credit Memos:				793,643.88	793,643.88

--- TOTALS BY FUND ---

110 GENERAL FUND	87,242.08	87,242.08
121 IMPACT FEE PARKS FUND	8,371.80	8,371.80
130 MAJOR CAPITAL PROJECTS FUND	95,502.00	95,502.00
210 SEWER OPER. & MAINT. FUND	53,030.67	53,030.67
211 SEWER CAPITALIZATION FUND	310,296.24	310,296.24
212 WASTEWATER REVENUE BOND FUND	239,201.09	239,201.09

--- TOTALS BY DEPT/ACTIVITY ---

111 GEN-MYR OPERATING & ADMINISTRAT	8,921.00	8,921.00
113 PLANNED PROJECTS - PARKS	8,371.80	8,371.80
211 GEN-ADM OPERATING & ADMINISTRAT	19,085.78	19,085.78
228 PASSTHRU & BAD DEBT EXPENSES	8,870.00	8,870.00
230 GEN-ADM INFORMATION TECHNOLOGY	289.99	289.99
241 OPERATING & ADMINISTRATIVE	52,457.63	52,457.63
245 DEBT SERVICE	239,201.09	239,201.09
246 LIFT/PUMP STATION R&M	229.26	229.26

INVOICE REGISTER FOR CITY OF HAYDEN

EXP CHECK RUN DATES 01/27/2026 - 01/27/2026

POSTED AND UNPOSTED OPEN

BANK ACCOUNTS: 01 - POOLED A/P CHECKING

Invoice Number

Inv Ref #	Vendor Description	Invoice Date	Due Date	Invoice Amount	Amount Due	Status	Posted
Inventory	GL Distribution	Entered By			Units	Quantity	Post Date Unit Price
	247 LIFT/PUMP STATION UTIL			40.07	40.07		
	250 FUND BALANCES			303.71	303.71		
	252 LAW ENFORCEMENT OPERATING & ADM			24,052.00	24,052.00		
	291 GEN-ADM CAPITAL LEASES PRINCIPA			1,221.06	1,221.06		
	345 COMDEV P&D OPERATING & ADMINIST			1,260.89	1,260.89		
	350 COMDEV VEHICLES			230.26	230.26		
	511 PW-ADM OPERATING & ADMINISTRATI			683.42	683.42		
	512 PW-ADM EQUIP/VEHICLE FUEL & MAI			155.55	155.55		
	531 PW-STR OPERATING & ADMINISTRATI			294.36	294.36		
	532 PW-STR ROAD MAINTENANCE			1,716.19	1,716.19		
	533 PW-STR EQUIP/VEHICLE R&M			7,454.79	7,454.79		
	541 PW-PKS OPERATING & ADMINISTRATI			145.88	145.88		
	542 PW-PKS EQUIP/VEHICLE R&M			2,498.79	2,498.79		
	711 REC OPERATING & ADMINISTRATIVE			5,061.30	5,061.30		
	740 RECREATION PROGRAMS			165.00	165.00		
	811 FACIL OPERATING & ADMINISTRATIV			5,135.82	5,135.82		
	899 CAPITAL PURCHASES/PROJECTS			405,798.24	405,798.24		

2. **VISITOR/PUBLIC COMMENT (3-minutes maximum)**
3. **COMMISSION REPORT**
  - A. Quarterly Written Reports

# **Parks, Recreation and Community Forestry Commission**

## **Quarter 1 2026 Update**

### Commissioners

Malea Sampsel- Chair  
Helen Paris- Vice Chair  
Adam Reed  
Kholt Moore  
Aundrea Leckie

### **Current Focus:**

Our focus continues to be forming effective subcommittees to allow productive focus on our goals. Currently we are working to instigate a pickle ball court, reviewing our parks signage and refreshing our commission ordinance and goals. We have two commissioner vacancies as our beloved Lisa Troxel has finally retired after decades of service to our community. She will continue to be involved as an event volunteer and resource to us when she is not off with the grandkids!

### **Current subcommittees:**

- Ordinance clarification/ modifications
  - goal is to simplify and clarify our current ordinance. We will be working closely with city staff and city council
- Pickleball
  - there is huge demand in our area for public pickleball courts. This committee will work to develop and fund courts in existing and new parks as needed.
- Signage
  - this is to evaluate, update and add any signage needs inside our parks. From rules at honeysuckle beach to better location signs for neighborhood parks, to location/ presence of amenities at various parks.

### **Recent City events we have supported:**

- Friday Night Frights (Trunk or Treat)
  - We had a subcommittee organize costumes and decorate a vehicle for our commission to hand out candy. We also provided volunteers to assist city staff in traffic and event management. It was a fantastic turnout!
- Hayden Lights Parade and Christmas Tree Lighting Ceremony
  - another very successful community parade that went smoothly. Our commissioners assisted with parade line-up and judging. We got very very lucky with the weather this year!

B. Hayden Arts Commission

Arts Commission Report  
Delivered to Hayden City Council  
Tuesday, January 27, 2026

Submitted by: Nancy Jones, Commission Chair

Membership: Five (5) current members – an increase of two members since our last report

Commission Projects:

I. Procedural/Internal

a. T-Mobile Hometown Grant

The Arts Commission has completed an application to be considered for a T-Mobile Hometown Grant. Our proposed project is a beautification project for the 4<sup>th</sup> street retaining wall. We need to procure a few more letters of support in order to apply by the March 31, 2026, quarterly application deadline.

b. Public Art Survey

Our public survey is now posted on the City website. Our hope is to gain insight from our community members on how they perceive public art, as well as what events or projects would draw support and interest from our residents.

II. Public Events and Projects

a. Community Snowman Photo Project

We are encouraging community members to submit photos of snowmen this winter that can be shared on the City website and/or social media. This project is intended to encourage some light-hearted family fun and to raise awareness of the Arts Commission.

b. Come Together Bench Program

We have completed the wording for our Call to Artists and will begin community outreach in the coming weeks. We plan to receive and review artist submissions this Spring. Finalists will be presented to the Council for consideration. Painting of the benches will be completed in late Spring or early Summer so the benches can be in place by Fall.

c. 2026 Community Arts Event

Commission members will be working this quarter on creating plans for a community-wide or youth-specific arts event. We are looking forward to planning something that creates interest around the arts in our community in a way that is both educational and fun.

d. Commission Participation in City Events

This year, commission members will be participating in Arbor Day events, Hayden Days, Friday Night Frights, and the Hayden Lights Parade, in addition to our Commission activities.

On behalf of the Arts Commission, I wish to extend our thanks to the Council for their continued support of our efforts. We value the opportunity to enhance the City of Hayden through art. We remain committed to fostering community through creative initiatives in the coming year.

Nancy Jones  
Arts Commission Chair

4. **UNFINISHED BUSINESS**

- A. **ACTION ITEM** PZE-25-0098 Vacation of Easement (Honeysuckle Glade)  
Ordinance



**Memo**

To: Mayor Davis and Members of the City Council

From: Donna Phillips, Community Development Director

Date: January 21, 2026

**Agenda Item: PZE-25-0098 Vacation of Easement (Honeysuckle Glade) Ordinance**

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**Agenda Item Location**

Unfinished Business

**Recommended Action or Motion**

The City Council approved PZE-25-0098 Vacation of Easement (Honeysuckle Glade) request on December 9, 2025. The Ordinance to implement the decision is attached for review and approval.

**Functional Impact of Authorizing**

Upon approval of the ordinance and publication the development of the area may continue accordingly.

**Functional Impact of Not Authorizing**

Should the ordinance not be approved, then development shall continue in accordance with the existing easements in place.

**Fiscal Impact**

Properties will develop in accordance with the development standards of the planned unit development and/or the underlying zone designation.

**Budget Funding Source / Transfer Request**

NA

Attachments:

City Council Ordinance

After Recording return document to:  
City of Hayden  
8930 N Government Way  
Hayden, Idaho 83835

**ORDINANCE NO. \_\_\_\_\_**

Easement Vacation  
(Honeysuckle Glade)

AN ORDINANCE OF THE CITY OF HAYDEN, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR EASEMENT VACATION AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE AND LOCATED IN THE CITY OF HAYDEN; PROVIDING THAT TITLE TO SAID VACATED EASEMENT SHALL VEST WITH THE OWNERS OF PROPERTY WHERE THE EASEMENT IS LOCATED; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Mike Curry, Big Sky Idaho Corp, on behalf of the owner, Timbered Ridge Homes, LLC, filed an application with the City of Hayden for the vacation of an easement area totaling +/- 0.06 acres on the east side of North Reed Road approximately 75' north of North Snowflake Lane, and continuing north and west of West Monashee Lane, more particularly described in Exhibit "A"; and

WHEREAS, the City Council considered the matter at an open public hearing to determine the appropriateness of request for the vacation of a portion of the easement area (PZE-25-0098) on December 9, 2025, pursuant to the procedures of Idaho Code; and

WHEREAS, the City Council did find in favor of the vacation request concluding that:

1. The City has the power to vacate public easements under Idaho Code; and
  2. The abandonment of the public easement is in the public interest; and
  3. The City has received no objections to the application to vacate the portion of the easement;
- and

WHEREAS, it has been found by the City Council that vacating said easement is deemed expedient for the public interest pursuant to Idaho Code; and

WHEREAS, Idaho Code provides that a vacated area will revert to the underlying property owners of real property; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL AS FOLLOWS:

Section 1: The land described in Exhibit “A” be, and the same hereby is, vacated as of the effective date of this Ordinance:

Section 2: The City Council finds it is in the best interests of the underlying property that ownership in the vacated easement within the above-described parcel of land be, and the same hereby is granted to the owner of the underlying property as shown of record..

Section 3: This Ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED by the City Council as an Ordinance of the city of Hayden upon roll call vote on the \_\_\_\_\_ day of January 2026.

APPROVED by the Mayor on this \_\_\_\_\_ day of January 2026.

CITY OF HAYDEN, IDAHO

\_\_\_\_\_  
Alan Davis, Mayor

ATTEST:

\_\_\_\_\_  
Abbi Sanchez, City Clerk

# Exhibit A

## LEGAL DESCRIPTION EASEMENT VACATION

### PORTIONS OF ADJUSTED LOT 6 AND ADJUSTED LOT 5, BLOCK "C", HONEYSUCKLE GLADE 1<sup>st</sup> ADD.

A TRACT OF LAND BEING PORTIONS OF ADJUSTED LOT 5 AND ADJUSTED LOT 6, BLOCK "C", HONEYSUCKLE GLADE 1<sup>st</sup> ADDITION AS RECORDED IN QUITCLAIM DEED INSTRUMENT NUMBER 3006277000, KOOTENAI COUNTY RECORDS; SAID TRACT DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF SAID ADJUSTED LOT 5; THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 89°57'05" WEST, 15.75 FEET TO THE TRUE *POINT-OF-BEGINNING*;

THENCE CONTINUING ALONG SAID SOUTH LOT LINE, SOUTH 89°57'05" WEST, 24.84 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 34°27'49" WEST, 61.90 FEET TO THE POINT OF TANGENT CURVATURE TO THE LEFT;

THENCE NORTHWESTERLY, 10.06 FEET ALONG SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 11°31'36" AND A CHORD BEARING NORTH 40°13'37" WEST, 10.04 FEET TO THE POINT OF NON-TANGENT CUSP OF A CURVE TO THE RIGHT;

THENCE SOUTHEASTERLY, 89.68 FEET ALONG SAID CURVE HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF 31°08'23" AND A CHORD BEARING SOUTH 48°30'44" EAST, 88.58 FEET RETURNING TO THE POINT -OF-BEGINNING.

CONTAINING 1055 SQUARE FEET, MORE OR LESS;

AND

### PORTION OF ADJUSTED LOT 6, BLOCK "C", HONEYSUCKLE GLADE 1<sup>st</sup> ADD.

TWO TRACTS OF LAND BEING A PORTION OF ADJUSTED LOT 6, BLOCK "C", HONEYSUCKLE GLADE 1<sup>st</sup> ADDITION AS RECORDED IN QUITCLAIM DEED INSTRUMENT NUMBER 3006277000, KOOTENAI COUNTY RECORDS; SAID TRACT DESCRIBED AS FOLLOWS;

#### TRACT 1:

COMMENCING AT THE SOUTHWEST CORNER COMMON TO SAID ADJUSTED LOTS; THENCE, SOUTH 85°20'38" WEST, 2.47 FEET TO THE TRUE *POINT-OF-BEGINNING*;

SAID POINT OF BEGINNING BEING THE POINT OF NON-TANGENT CURVATURE TO THE LEFT; THENCE WESTERLY, 1.19 FEET ALONG SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 01°21'37" AND A CHORD BEARING SOUTH 82°05'13" WEST, 1.19 FEET TO THE POINT OF TANGENCY;

THENCE, SOUTH 81°24'25" WEST, 28.47 FEET;

THENCE, NORTH 00°38'22" EAST, 7.36 FEET TO THE POINT OF NON-TANGENT CURVATURE TO THE RIGHT;

THENCE EASTERLY, 29.43 FEET ALONG SAID CURVE HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF 10°13'09" AND A CHORD BEARING SOUTH 84°15'03" EAST, 29.39 FEET RETURNING TO THE POINT-OF-BEGINNING.

CONTAINING 120 SQUARE FEET, MORE OR LESS;

**TRACT 2:**

COMMENCING AT THE SOUTHWEST CORNER COMMON TO SAID ADJUSTED LOTS; THENCE, SOUTH 81°37'26" WEST, 48.57 FEET TO THE TRUE *POINT-OF-BEGINNING*;

THENCE, SOUTH 81°24'25" WEST, 9.59 FEET TO THE POINT OF TANGENT CURVATURE TO THE LEFT;

THENCE NORTHWESTERLY, 78.38 FEET ALONG SAID CURVE HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 99°47'57" AND A CHORD BEARING NORTH 48°41'37" WEST, 68.84 FEET TO THE POINT OF TANGENCY;

THENCE, NORTH 01°12'22" EAST, 2.12 FEET TO THE POINT OF NON-TANGENT CUSP OF A CURVE TO THE LEFT;

THENCE SOUTHEASTERLY, 71.13 FEET ALONG SAID CURVE HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 90°33'59" AND A CHORD BEARING SOUTH 44°04'37" EAST, 63.95 FEET TO THE POINT OF TANGENCY;

THENCE, SOUTH 89°21'37" EAST, 16.67 FEET RETURNING TO THE POINT-OF-BEGINNING.

CONTAINING 118 SQUARE FEET, MORE OR LESS;

AND

**PORTION OF LOT 5, BLOCK "D", HONEYSUCKLE GLADE 1<sup>st</sup> ADD.**

A TRACT OF LAND BEING A PORTION OF LOT 5, BLOCK "D", HONEYSUCKLE GLADE 1<sup>st</sup> ADDITION AS RECORDED IN BOOK "L" OF PLATS AT PAGE 644, KOOTENAI COUNTY RECORDS AND DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER THEREOF; THENCE ALONG THE NORTH LINE OF SAID LOT 5, NORTH  $89^{\circ}57'05''$  EAST, 12.43 FEET TO THE TRUE *POINT-OF-BEGINNING*;

THENCE CONTINUING ALONG SAID NORTH LINE, NORTH  $89^{\circ}57'05''$  EAST, 23.53 FEET TO THE POINT OF NON-TANGENT CURVATURE TO THE RIGHT;

THENCE LEAVING SAID NORTH LINE, SOUTHERLY, 37.34 FEET ALONG SAID CURVE HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF  $12^{\circ}58'02''$  AND A CHORD BEARING SOUTH  $05^{\circ}19'04''$  EAST, 37.26 FEET TO THE POINT OF TANGENCY;

THENCE, SOUTH  $01^{\circ}09'57''$  WEST, 28.41 FEET TO THE POINT LINE OF SAID LOT 5;

THENCE ALONG SAID SOUTH LOT LINE, SOUTH  $89^{\circ}53'04''$  WEST, 15.00 FEET TO THE POINT OF NON-TANGENT CURVATURE TO THE LEFT;

THENCE LEAVING SAID SOUTH LINE NORTHERLY, 66.55 FEET ALONG SAID CURVE HAVING A RADIUS OF 480.98 FEET, A CENTRAL ANGLE OF  $07^{\circ}55'41''$  AND A CHORD BEARING NORTH  $09^{\circ}52'27''$  WEST, 66.50 FEET RETURNING TO THE POINT-OF-BEGINNING.

CONTAINING 1297 SQUARE FEET, MORE OR LESS;

- B. **ACTION ITEM** PZE-25-0102 Arts (King Sod) Zone Map Amendment Request Ordinance



**Memo**

To: Mayor Davis and Members of the City Council

From: Donna Phillips, Community Development Director

Date: January 21, 2026

**Agenda Item: PZE-25-0102 Arts (King Sod) Zone Map Amendment Request Ordinance**

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**Agenda Item Location**

Unfinished Business

**Recommended Action or Motion**

The City Council approved PZE-25-0102 Arts (King Sod) Zone Map Amendment request from Agricultural (A) to Light Industrial (LI) with staff recommended conditions on January 13, 2026. Should the Written Decision have been approved then the Ordinance to implement the decision is attached for review and approval.

**Functional Impact of Authorizing**

Upon approval of the ordinance and upon its approval and publication the zone map shall be amended.

**Functional Impact of Not Authorizing**

Should the ordinance not be approved, then the zone map amendment process shall stop, and direction shall be given to staff and/or applicant as to the next steps.

**Fiscal Impact**

Properties will develop in accordance with the development standards of the zone designation.

**Budget Funding Source / Transfer Request**

NA

Attachments:

City Council Ordinance

ORDINANCE NO. \_\_\_\_\_

ARTS (KING SOD) ZONE MAP AMENDMENT (PZE-25-0102)

ZONE MAP AMENDMENT

AN ORDINANCE OF THE CITY OF HAYDEN, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR CHANGE IN ZONING CLASSIFICATION FOR THE LANDS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM AGRICULTURAL TO COMMERCIAL; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT THESE CHANGES; PROVIDING THAT ALL PRIOR ZONES APPLICABLE TO THE LANDS DESCRIBED IN SECTION 1 ARE HEREBY SUPERSEDED; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Hayden has carried out the procedures required by law to consider the Zone Map amendment request addressed by this Ordinance and has adopted Findings of Fact and Conclusions concerning this matter.

**NOW, THEREFORE, BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAYDEN, IDAHO AS FOLLOWS:**

**Section 1:** That the zoning classification for the property located on the southeast corner of North Huetter Road and West Lancaster Road and more specifically described in Exhibit “A”.

Be changed from the current zone designation Agricultural (A) to Commercial (C).

**Section 2:** The Official Zoning Map of the City of Hayden shall be modified to include the land described in Section 1 and to reflect the zoning applied thereto, and that prior zoning designations for the lands described in Section 1 of this Ordinance are hereby superseded to reflect the same.

**Section 3:** This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

**Section 4:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law, and may be published by summary.

PASSED by the City Council as an Ordinance of the City of Hayden upon roll call vote on the \_\_\_\_\_ day of January 2026.

{Continued on the next page.}

APPROVED on this \_\_\_\_\_ day of January 2026.

City of Hayden

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Alan Davis, Mayor

ATTEST:

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Abbi Sanchez, City Clerk

**Exhibit A – Legal Description :**

**A parcel of land lying in the Northwest Quarter of Section 9, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and described as follows:**

**Commencing at the Northwest corner of Section 9; thence**

**Running East along the North line of said Section to a point of intersection of said line with North line of the Right of Way of Spokane International Railway 660 feet; thence**

**Southwesterly along said North line of said Railway, to its intersection with the West line of said Section, 805 feet; thence**

**North 468 feet to the Beginning, lying Northwest of the Railway.**

**Excepting therefrom a parcel of land situate in the Northwest Quarter of the Northwest Quarter of Section 9, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:**

**Commencing at the Northwest corner of said Section 9, thence**

**Along the North line of said Section, South 88°26' East, a distance of 586.17 feet to the True Point of Beginning, said point being 150 feet Northwesterly, measured at right angles, from the center line of the main track of the Spokane International Railway, as now constructed and operated; thence**

**Along the North line of said Section 9, South 88°26' East, a distance of 166.55 feet to a point that is 50 feet Northwesterly, measured at right angles, from said center line of the main track; thence**

**Parallel with said center line, South 54°40'00" West, a distance of 910 feet, more or less, to a point on the West line of said Section 9; thence**

**Along the West line of said Section, North, a distance of 122.58 feet to a point 150 feet distance Northwesterly, measured at right angles, from said center line of the main track; thence**

**Parallel with said center line, North 54°40'00" East, a distance of 705.92 feet, more or less, to the True Point of Beginning.**

5. **NEW BUSINESS**

- A. **ACTION ITEM** Viking Construction Appeal Extraordinary Impact Decision for Battleground Subdivision



# Memo

To: Mayor and Hayden City Council

From: Lisa M. Ailport, AICP

Date: January 21, 2026

**Agenda Item: Appeal Battleground Subdivision- Extraordinary Impact Decision**

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## **Agenda Item Location**

New Business

## **Recommended Action or Motion**

Staff recommends upholding the Administrative decision regarding the Extraordinary Impact findings, finding that is in keeping with the City of Hayden subdivision process; is an allowance within Hayden City Code and Idaho Code, and wherein nothing within Idaho Code shall obligates the city to approve any development that results in extraordinary impacts in the City.

## **Summary**

Pursuant to HCC §9-2-14 and Idaho Statues §67-8214 extraordinary impacts are an allowed accommodation that cities in Idaho can impose on subdivisions where the results of the subdivision require the need for system improvements which are not identified in the capital improvement plans and the impacts result in a lower than acceptable level of service. Both of those conditions are in fact present at the conclusion or build out of the Battleground subdivision (see 3/24/24 letter to Viking Construction).

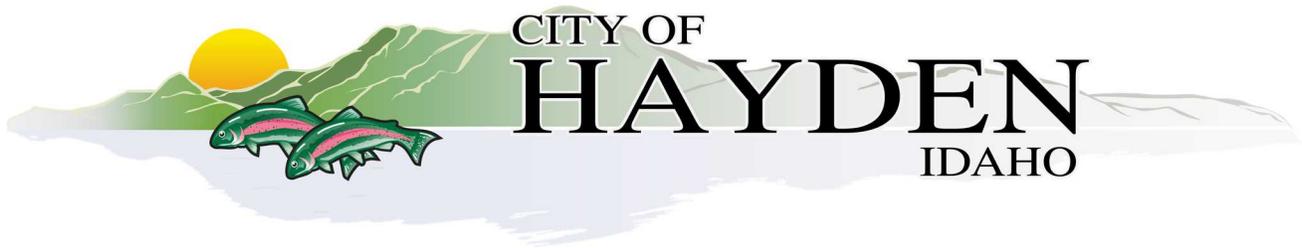
Viking Construction timely filed for appeal within the required 30-day window pursuant to HCC9-2-14

## **Attachment**

March 24, 2025, Determination Letter

Appeal Letter dated April 23, 2024

January 20, 2026, Letter from Fennemore



March 24, 2025

Viking Construction, Inc.  
C/O Wendell Olson  
2605 W. Hayden Ave  
Hayden, Idaho 83835

**RE: Extraordinary Impact Analysis – Battleground Subdivision**

Dear Landowners,

Please accept this letter as the City of Hayden’s formal determinations of an extraordinary impact, pursuant to Hayden City Code, §9-2-14(B). Hayden City Code (HCC) and Idaho Code provide for the allowance of review of extraordinary impacts to be considered as part of the approval process of developments. Most importantly is the allowance both in Idaho Code and HCC which states “...*Nothing in this chapter shall obligate the city to approve any development that results in extraordinary impact.*” This is also supported in Idaho Code §67-8214, wherein it also states: “*Nothing in this chapter shall obligate a governmental entity to approve development which results in an extraordinary impact.*”

HCC, §9-2-14 provides authority for which the City Administrator shall: “...*consider whether any extraordinary costs will be incurred in serving the development based upon an "extraordinary impact", as defined in section 9-2-2 of this chapter.*”

Under HCC 9-2-2, an Extraordinary Impact is defined as:

- EXTRAORDINARY IMPACT: An impact which is reasonably determined by the city to:*
- A. Result in the need for system improvements, the cost of which will significantly exceed the sum of the development impact fees to be generated from the project or the sum agreed to be paid pursuant to a development agreement as allowed by Idaho Code section 67-8214(2);*
  - B. Result in the need for system improvements which are not identified in the capital improvements plan;*
  - C. Have an impact which results in a lower than acceptable level of service.*

**ANAYLSIS**

In preparing the analysis below the following was relied upon for preparing this response:

- Transportation Impact Analysis (TIA) prepared by CivTrans Engineering, Inc. dated July 2, 2024.

- Peer analysis prepared by Iteris prepared on March 5, 2025.
- 2022 Development Impact Fee Methodology report prepared by FCS.
- Resolution 2024-04, FY2025-2029 Capital Improvement Plan
- Resolution 2021-02 Resolution adopting transportation policies for the city of Hayden

Within the TIA, the engineers identify the following intersections as contributing to the study area and provides their current Level of Service (CivTrans TIA page 23):

**Table 3 -2024 Existing Intersections Levels of Service**

INTERSECTION	(S)ignalized (U)nsignalized	Approach Or Overall	AM Peak		PM Peak	
			Delay (sec)	LOS	Delay (sec)	LOS
Hayden Avenue & Huetter Road	U	NB	27.0	D	48.4	E
		SB	47.2	E	80.1	F
Hayden Avenue & Carrington Street	U	NB	13.3	B	17.4	C
		SB	13.1	B	13.5	B
Hayden Avenue & Atlas Road	U	NB	24.4	C	49.5	E
		SB	15.5	C	26.9	D
Robison Avenue & Atlas Road	U	EB	10.7	B	10.8	B
Bean / Honeysuckle Ave & Atlas Road	U	EB	10.7	B	10.8	B
		WB	17.0	C	17.0	C
Prairie Avenue & Huetter Road	S	Ovr	26.1	C	26.3	C
Prairie Avenue & Carrington Lane	U	NB	28.8	D	42.3	E
		SB	23.4	C	45.8	E
Prairie Avenue & Atlas Road	S	Ovr	29.4	C	32.0	C
Prairie Avenue & Ramsey Road	S	Ovr	28.6	C	32.8	C

Within the CivTrans TIA, the plan suggests in year 2035 ambient growth with or without the project(s) will impact all intersections negatively from current levels. However, with the project, regardless of ambient conditions, the intersections will be impacted negatively. Ambient conditions include the conditions when projected build out of the following developments occur: Hayden Sky, Madison Ranch, Northwinds and Hazelnut Glen.

City of Hayden Resolution 2021-02 adopts city’s standards around transportation systems and provides the acceptable baseline operating LOS for intersections as a Level D operating at peak hours. This means the intersection delay is equal or greater than 5-second per vehicle. However, there is no formal process for the city initiating improving intersections that operate below this level of service after the current day.

This means the city may maintain an intersection at pre-development levels even if that intersection is operating below the minimum threshold of service. However, if a development decreases the LOS or extends the delay by 2.5 second per vehicle from current day, the city can require system improvements as part of that subdivision approval process (Table 3.2, Significant Impact Criteria).

The following tables are taken from the CivTrans report indicating LOS **and** delay increases with the project.

**Table 6 - Year 2035 Levels of Service without Project**

INTERSECTION	(S)ignalized (U)nsignalized (R)oundabout	Approach Or Overall	AM Peak		PM Peak	
			Delay (sec)	LOS	Delay (sec)	LOS
Hayden Ave & Huetter Rd • All-way Stop • Signalized	U (S)	NB SB Ovr	184.9 >300 (140.9) (11.8)	F F (F) (B)	>300 >300 (260.7) (33.1)	F F (F) (D)
Hayden Ave & Carrington St • Hayden widened to 5-lane road	U	NB SB (NB) (SB)	20.1 125.9 (16.7) (42.1)	C F (C) (E)	57.5 >300 (33.8) (178.2)	F F (D) (F)
Hayden Ave & Atlas Rd • Roundabout	U (R)	NB SB (Ovr)	>300 27.5 (9.3)	F D (A)	>300 >300 (26.7)	F F (D)
Robison Ave & Atlas Rd	U	EB	11.8	B	14.1	B
Bean / Honeysuckle Ave & Atlas Road	U	EB WB	11.2 22.0	B D	13.4 36.4	B E
Prairie Avenue & Huetter Road • Retime signal, add EB right	S	Ovr	149.5 (35.1)	F (D)	70.8 (30.1)	E (C)
Prairie Avenue & Carrington Lane • Signalized (by others)	NB SB (S)	Ovr	>300 105.6 (14.3)	F F (B)	>300 >300 (10.0)	F F (B)
Prairie Avenue & Atlas Road • Retime signal, add EB/WB right turn lanes	S	Ovr	157.4 (38.1)	F (D)	99.1 (38.6)	F (D)
Prairie Avenue & Ramsey Road • Retime signal, add EB right turn lane, NB left turn lane	S	Ovr	55.9 (29.4)	E (C)	79.7 (38.2)	F (D)

\*level of service and delay shown in parentheses is associated with mitigated intersection

**Table 7 – Year 2035 Levels of Service with Project**

INTERSECTION	(S)ignalized (U)nsignalized (R)oundabout	Approach Or Overall	AM Peak		PM Peak	
			Delay (sec)	LOS	Delay (sec)	LOS
Hayden Ave & Huetter Rd – All-way stop • Signalized	U (S)	Ovr	145.7 (12.0)	F (B)	276.6 (42.6)	F (D)
Hayden Ave & Carrington St - with Hayden widened to 5-lane road	U	NB SB	26.8 71.4	E F	189.0 >300	F F
Hayden Ave & Atlas Rd • Roundabout	U (R)	NB SB (Ovr)	>300 30.1 (9.9)	F D (A)	>300 >300 33.9	F F (D)
Robison Ave & Atlas Rd	U	EB	12.0	B	14.5	B
Bean / Honeysuckle Ave & Atlas Road	U	EB WB	11.4 24.3	B C	13.8 41.3	B E
Prairie Avenue & Huetter Road • Retime signal, add EB right	S	Ovr	148.0 (36.0)	F (D)	70.5 (30.5)	E (C)
Prairie Avenue & Carrington Lane • Signalized	NB SB (S)	Ovr	>300 105.6 (14.3)	F F (B)	>300 >300 (10.1)	F F (B)
Prairie Avenue & Atlas Road • Retime signal, add EB/WB right turn lanes	S	Ovr	157.2 (39.2)	F (D)	99.3 (39.1)	F (D)
Prairie Avenue & Ramsey Road • Retime signal, add EB right turn lane, NB left turn lane	S	Ovr	56.0 (29.5)	E (C)	80.6 (38.5)	F (D)

\*level of service and delay shown in parentheses is associated with mitigated intersection

When reviewing the City’s 2022 adopted Impact Fee Study, only two of the intersections are included in the CIP. Those include Hayden Ave and Huetter and, Hayden and Atlas intersection. The capital improvement plan as noted within the 2022 Impact Fee Study allocates the following towards the noted intersections as being attributed directly to growth.

Hayden and Huetter- \$291,000 for a 4-way intersection improvement  
Hayden and Atlas Road - \$1,979,000 for a roundabout improvement

## **FINDINGS**

Below are the findings supporting the decision regarding whether an extraordinary impact exists for each intersection established in the CivTrans TIA. Subsequent of the finding staff does provide the required developer led improvements as part of this determination.

1. **Hayden and Huetter Intersection Impact**, finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. Supporting this finding is the following supportive evidence:
  - All-way stop is documented as insufficient, and a full signalized intersection is desired which thus imposes a system improvement not identified within the city’s capital improvement plan (CivTrans page 49)
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

### ***Required Improvement:***

Improve intersection to full signalized access intersection.

The CivTrans TIA suggests that the intersection considered using a spanwire over the traditional pole and mast arm permanent structures.

However, it is the belief of the city that spanwire should only be considered with the improvement that are temporary in nature. The city uses a 10-year or less window to determine if an improvement will be temporary. Given the status of the Huetter Bypass on the Idaho Statewide Transportation Improvement Program (STIP) (2025-2031), the Huetter Bypass is not listed on the project list. No other indications anticipate that the project will make the STIP in future years, so it is expected that this intersection should be constructed to the full permanent intersection improvement.

Improvement should be completed and accepted by the city as part of the acceptance of the final platting process.

### ***Impact Fee Contribution***

The city will allow up to \$291,000 of impact fees to be used towards this project. Depending on the timing of this project, the city may consider entering into an impact fee reimbursement agreement for this amount, should the city not have sufficient funding at the time of construction.

2. **Hayden and Carrington Street Impact**, finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. Supporting this finding is the following supportive evidence:
- The improvement has not been identified within the City’s 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service and significant delays in both AM and PM traffic times (CivTrans TIA, Table 7, Levels of Service).

***Required Improvements:***

Improve intersection to full signalized access intersection.

The Developer should be prepared to illustrate how they can bring the intersection up to a full signalized access as part of the completion of the 1<sup>st</sup> phase of final platting process of this subdivision. This impact is anticipated to be part of the development agreement for this subdivision.

***Impact Fee Contribution***

No impact fees current or future can be utilized for planning, development or construction of this, pursuant to Idaho Code §67-8210 and HCC 9-2-11(A), unless a plan modification is completed, and the project is included.

3. **Prairie and Carrington Impact**, finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. This is based on the following:
- The improvement has not been identified within the City’s 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

However, due to the nature of the city’s authority to require improvements, it will not impose system improvements as part of this subdivision but reserves the right to impose system improvements if land is annexed into the city and future subdivision phases have not been completed.

***Required Improvements:***

N/A- However, if land is annexed into the City making the full intersection subject to City of Hayden Authority then the following may be required of future phases of the subdivision:

- Full signalization of the intersection

***Impact Fee Contribution***

N/A

4. **Prairie and Huetter Impact**, finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. This is based on the following:

- The improvement has not been identified within the City’s 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
- Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

However, due to the nature of the city’s authority to require improvements, it will not impose system improvements as part of this subdivision but reserves the right to impose system improvements if land is annexed into the city and future subdivision phases have not been completed.

***Required Improvements:***

N/A- However, if land is annexed into the City making the full intersection subject to City of Hayden Authority then the following may be required of future phases of the subdivision:

- Install eastbound right turn lanes from Prairie to Huetter.

***Impact Fee Contribution***

N/A.

5. **Prairie and Atlas Impact** finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. This is based on the following:

- The improvement has not been identified within the City’s 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
- Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

However, due to the nature of the city’s authority to require improvements, it will not impose system improvements as part of this subdivision but reserves the right to impose system improvements if land is annexed into the city and future subdivision phases have not been completed.

***Required Improvements:***

N/A- However, if land is annexed into the city making the full intersection subject to City of Hayden authority then the following may be required of future phases of the subdivision:

- Install East and West bound right turn lanes
- Retime signal

***Impact Fee Contribution***

N/A

6. **Prairie and Ramsey Impact**, finding that there ***IS*** an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. This is based on the following:
- The improvement has not been identified within the City’s 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

However, due to the nature of the city’s authority to require improvements, it will not impose system improvements as part of this subdivision but reserves the right to impose system improvements if land is annexed into the city and future subdivision phases have not been completed.

***Required Improvements:***

N/A- However, if land is annexed into the city making the full intersection subject to City of Hayden authority then the following may be required of future phases of the subdivision:

- Add East bound right turn lane
- Add North and South bound left turn lanes
- Retime Signal

***Impact Fee Contribution***

N/A

7. **Hayden and Atlas Impact**, finding there ***IS NOT*** an extraordinary impact, provided that costs for installment of the full roundabout does not exceed subsection (A) of HCC, 9-2-2.

***Required Improvements:***

None as part of this subdivision.

***Impact Fee Contribution***

\$1,979,000 for roundabout construction. The city has paid for some design work for this intersection and any remaining funds would be less those already spent on design.

8. **Robison and Atlas Impact**, finding there ***IS NOT*** an extraordinary impact, as defined under HCC 9-2-2 because level of service is not affected, although the delay does increase by ±5-sec post development.

The city recognizes that this intersection may change from the current CivTrans TIA and reserves the right to reevaluate the extraordinary impact given any changes that could occur between the July 2024 version and any future modified versions.

***Required Improvements:***

None as part of this subdivision.

***Impact Fee Contribution***

N/A

9. **Honeysuckle Ave and Atlas Road Impact**, finding there ***IS NOT*** an extraordinary impact, as defined under HCC 9-2-2 because LOS overall is not lessened, although delay time is anticipated to increase by 2X the current day delay.

The city recognizes that this intersection may change from the current CivTrans TIA and reserves the right to reevaluate the extraordinary impact given any changes that could occur between the July 2024 version and any future modified versions.

***Required Improvements:***

None as part of this subdivision.

***Impact Fee Contribution:***

N/A.

**DECISION SUMMARY**

Pursuant to the authority provided for within HCC, it has been determined that extraordinary impacts ***DO EXIST*** based on development impacts that are not either identified within the 2022 Impact Fee study *and* on impacts to system design that reduce level of service or increase the delay on the following intersections:

1. Hayden and Huetter
  - a. Full Signalized intersection shall be installed- Mast and Arm System
2. Hayden and Carrington
  - a. Full Signalized intersection shall be installed- Mast and Arm System

Idaho Code is very specific on how the use of Impact Fees can be invested as part of system improvements.

§67-8210(2) states: *Expenditures of development impact fees shall be made **only for the category of system improvements and within or for the benefit of the service area for which the development impact fee was imposed as shown by the capital improvements plan and as authorized in this chapter.***

This is further supported within HCC, §9-2-11(A) specifically states:

*“Credit or reimbursement shall not be given for project improvements unless those improvements are identified in the "report" as a system improvement. In that event, the credit given will only be given for those project improvements that are specifically listed in the ‘report...’”*

Since HCC and Idaho Code prevent the city from using transportation impacts fees that are not identified within the current adopted impact fee capital plan, the only other way to pay for transportation system improvements is by:

- Requiring extraordinary transportation impacts be paid for by developers,

- Shifting funds away other municipal services,
- Seeking state or federal grants or,
- Saving for capital improvements.

With extraordinary impacts areas identified above, the city requires those impacts be fully funded and mitigated by the developer(s) to the satisfaction of the City of Hayden. The city does make available to the Developers the opportunity for reimbursement of Transportation Impact Fees for Hayden and Huetter of up to, but not to exceed \$291,000, or any remaining dollars not yet spent on this intersection by the city. A separate agreement with the city is required to make funds eligible for reimbursement.

Since the CivTrans plan is still in review, the city also reserves the right to make changes to their determination of extraordinary impacts should the plan change in a way that results in new/additional impacts being identified.

Pursuant to HCC §9-2-14(D), D, the applicant may appeal the determination of an extraordinary impact or the amount of extraordinary costs incurred in writing by filing a notice of appeal to the city council with the city clerk pursuant to the terms set forth in section 9-2-13, "Appeals", of HCC. When filing an appeal, the requestor shall submit a letter providing the reason for the appeal along with supporting documentation. The city council shall consider the appeal and make a final determination within ninety (90) days of receipt of the written appeal.

Regards,



Lisa Ailport, AICP  
City Administrator

Cc: Via Electronic Mail: Fonda Jovick, Lake City Law, Donna Phillips, Hayden Community Development Director, Rob Wright, PE City of Hayden Engineer, Scott Krajack, Viking Construction.

Reference Documents:

7/2/2024 TIA

3/5/2025 Peer Review

2022 FCS Impact Fee Study

Resolution 2024-04- Adoption of the FY2025-2029 Capital Improvement Plan

Resolution 2021-02 Resolution adopting transportation policies for the city of Hayden

References Code/Statutes:

I.C. §67-8214 (1), (3-5)

HCC §9-2-2 Definition of Extraordinary Impact

HCC §9-2-14

HCC§-9-2-1

Received  
04/23/2025  
as

**FENNEMORE.**

Peter J. Smith IV  
Director  
peter.smith@fennemorelaw.com  
409 E. Coeur d'Alene Ave, Suite 1  
Coeur d'Alene, Idaho 83814  
PH (208) 956-0145  
fennemorelaw.com

April 23, 2025

Via Hand Delivery

Abbi Sanchez  
Hayden City Clerk  
8930 North Government Way  
Hayden, ID 83835

**Re: Appeal of Proportionate Share Analysis Determination**

Dear Ms. Sanchez,

I represent Viking Construction, Inc.

### **Introduction**

Pursuant to Hayden City Code § 9-2-13, Viking Construction, Inc. hereby appeals the City's written determination regarding the applicability and amount of the development impact fee, as well as other discretionary actions and inactions by the City. This appeal is filed within thirty (30) days following the City's determination, as required by the ordinance. We submit this letter to provide a full explanation of our request, the reasons for our appeal, and all supporting documentation. We respectfully request that the City Council reconsider the proportionate share analysis methodology used in the determination of extraordinary impacts, the requirement for a full permanent signalized intersection at Huetter/Hayden, and the conflicting statements regarding the Traffic Impact Analysis (TIA) review. Additionally, if desired by the City, Viking Construction, Inc. is willing to engage in mediation with a qualified independent party to resolve any disagreements related to the impact fee for the proposed development, with mediation costs to be shared equally between Viking Construction, Inc. and the City.

### **Background**

On March 24, 2025, the City of Hayden issued a determination of extraordinary impact for the Battleground Subdivision. The City's analysis, based on the Transportation Impact Analysis (TIA) prepared by CivTrans Engineering, Inc., identified several intersections that would be negatively impacted by the new development.

## **FENNEMORE.**

Abbi Sanchez, Hayden City Clerk

April 23, 2025

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The purpose of a TIA is to identify impacts generated by a particular development. Given the regional growth of our community, it is immutable that every major intersection will reach a point of operational failure at some point in the future. The TIA helps parse out the timing of such failures that may result from a particular development project, giving the City the tools needed to properly plan for and mitigate these failures at the appropriate time. In this case, the TIA identified intersection improvements that have not been contemplated in the City's current Capital Improvement Plan (CIP). This lack of foresight means that the project impact mitigation largely falls into the "Extraordinary Impacts" category as defined by the Code.

The City found that the intersections at Hayden and Huetter, Hayden and Carrington Street, Prairie and Carrington, Prairie and Huetter, Prairie and Atlas, and Prairie and Ramsey would experience extraordinary impacts due to the new development. These findings were based on the insufficiency of current traffic control measures and the lack of identification of necessary improvements in the capital improvement plan. The City required full signalized intersections or other improvements at these locations, with limited or no impact fee contributions available for some intersections.

### **Proportionate Share Analysis**

The City's current methodology for calculating the proportionate share of traffic impacts for new developments is fundamentally flawed and unjust. By only considering the increase in traffic caused by the new development, the City unfairly places the entire burden of improvement costs on the developer. This approach is not only inequitable but also violates the principles set forth in the Hayden City Code and Idaho statutes.

The impact fee charged by the City of Hayden blatantly violates the language of the ordinance in several ways. The ordinance clearly states, "A development impact fee shall not exceed a proportionate share of the cost of system improvements determined in accordance with Idaho Code section 67-8207" (Section 9-2-8(B)). The City's current method grossly exceeds this proportionate share by placing the entire cost burden on the developer. Furthermore, "Development impact fees shall be based on actual system improvement costs or reasonable estimates of such costs" (Section 9-2-8(B)). The City's calculation method fails to accurately reflect the actual system improvement costs attributable to the new development.

Idaho Code § 67-8203(9) defines "development impact fee" as "a payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve development". Furthermore, Idaho Code § 67-8204(1) states that "a development impact fee shall not exceed a proportionate share of the cost of system improvements determined in accordance with section 67-8207, Idaho Code". This statutory framework unequivocally supports the argument that Viking Construction, Inc. should only be

**FENNEMORE.**

Abbi Sanchez, Hayden City Clerk

April 23, 2025

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responsible for a proportionate share of the street improvement costs, as the fee is intended to cover the proportionate share of the cost of system improvements needed to serve the new development. The Idaho Development Impact Fee Act (IDIFA) establishes uniform standards by which local governments may require that those who benefit from new growth and development pay a proportionate share of the cost of new public facilities. This principle is reinforced by the definition of “proportionate share” in Idaho Code § 67-8203(23), which means “that portion of the cost of system improvements determined pursuant to section 67-8207, Idaho Code, which reasonably relates to the service demands and needs of the project”.

The purpose of development impact fees is to ensure that adequate public facilities are available to serve new growth and development. Idaho Code § 67-8202 states that “new growth and development should be required to pay a proportionate share of the cost of new public facilities needed to serve new growth and development”. This ensures that the costs are distributed equitably among those who benefit from the new development.

A hypothetical is helpful to illustrate the analysis. Imagine an intersection that already has 1,000 cars passing through it daily. A new development adds 100 more cars. The City's current method calculates the developer's share based only on the 100 new cars. This means the developer would be responsible for the entire cost of improvements, which for the sake of discussion we'll assume is \$1,000,000.

The calculation should consider all 1,100 cars (1,000 existing + 100 new). By including all traffic in the calculation, the developer's share of the cost would be smaller and more equitable. This approach ensures that the cost of improvements is shared fairly among all users of the intersection, not just the new development.

Under our suggested method, the developer's share of the cost would be calculated based on the proportion of new traffic to total traffic. For example, under the current method, the developer pays \$1,000,000 (entire cost of improvements). The developer pays \$90,909.09 (proportionate share based on new traffic). This method allocates the “proportional share” to the developer and distributes the cost more equitably among all users of the intersection.

By considering all traffic contributing to the intersection, the calculation reflects the actual usage and impact on the infrastructure. This approach aligns with principles of equity and fairness, ensuring that developers are not disproportionately burdened with costs that should be shared among all users.

**Requirement for Full Permanent Signalized Intersection at Huetter/Hayden**

The City's mandate for a full permanent signalized intersection at Huetter/Hayden should be re-evaluated in light of the consultant's recommendation for a less expensive traffic signal. The

**FENNEMORE.**

Abbi Sanchez, Hayden City Clerk

April 23, 2025

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CivTrans TIA suggests that the intersection be improved using a spanwire over the traditional pole and mast arm permanent structures. This recommendation provides a cost-effective solution that addresses the traffic impact without resorting to high-cost measures like full signalization. Given the uncertainty of the Huetter Bypass on the Idaho Statewide Transportation Improvement Program (STIP) (2025-2031), and the fact that the Huetter Bypass is not listed on the project list, it is reasonable to consider the spanwire solution as a viable alternative. Therefore, we urge the City to adopt the solution proposed by CivTrans, which ensures effective traffic management while being mindful of costs.

**Conflicting Statements Regarding the TIA Review**

The City's letter contains conflicting statements regarding the status of the Traffic Impact Analysis (TIA). On one hand, it represents the City's final decision based on the TIA, while on the other hand, it states that the TIA is still under review with no specified timeline for completion. This ambiguity could potentially allow the City to change its decision at any time, creating uncertainty for Viking Construction, Inc. It is crucial to address this inconsistency, emphasizing the need for a clear and final determination to avoid any future disputes or changes in requirements.

**Conclusion**

We propose that the City use the TIA and those of surrounding developments to refine the CIP and include the now known issues expected to arise in the future. By including these mitigation projects in the CIP and making appropriate adjustments to the City's traffic impact fees, it ensures that all builders are treated fairly and equitably. This approach also gives the City the ability to provide impact fee credits to any builder/developer that completes the construction of a traffic mitigation project.

We demand that the City Council reconsider the proportionate share analysis methodology used in the determination of extraordinary impacts. The current method is unjust, inequitable, and in direct violation of the Hayden City Code and Idaho statutes. Additionally, we request a re-evaluation of the requirement for a full permanent signalized intersection at Huetter/Hayden and a resolution to the conflicting statements regarding the TIA review.

**FENNEMORE.**

Abbi Sanchez, Hayden City Clerk

April 23, 2025

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Thank you for your attention to this matter. Please let me know if you would like to discuss this further.

Sincerely,

FENNEMORE CRAIG, P.C.

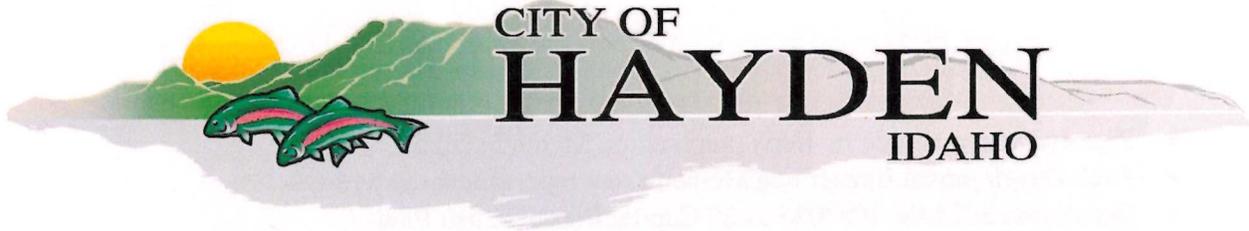


Peter J. Smith IV

cc: Via Email: City Attorney Fonda Jovick, Esq.  
Lake City Law Group, PLLC  
435 W. Hanley Avenue  
Suite 101  
Coeur d'Alene, ID 83815

Enclosure: March 24, 2025 Letter from City of Hayden

PJS



March 24, 2025

Viking Construction, Inc.  
C/O Wendell Olson  
2605 W. Hayden Ave  
Hayden, Idaho 83835

**RE: Extraordinary Impact Analysis – Battleground Subdivision**

Dear Landowners,

Please accept this letter as the City of Hayden's formal determinations of an extraordinary impact, pursuant to Hayden City Code, §9-2-14(B). Hayden City Code (HCC) and Idaho Code provide for the allowance of review of extraordinary impacts to be considered as part of the approval process of developments. Most importantly is the allowance both in Idaho Code and HCC which states "*...Nothing in this chapter shall obligate the city to approve any development that results in extraordinary impact.*" This is also supported in Idaho Code §67-8214, wherein it also states: "*Nothing in this chapter shall obligate a governmental entity to approve development which results in an extraordinary impact.*"

HCC, §9-2-14 provides authority for which the City Administrator shall: "*...consider whether any extraordinary costs will be incurred in serving the development based upon an "extraordinary impact", as defined in section 9-2-2 of this chapter.*"

Under HCC 9-2-2, an Extraordinary Impact is defined as:

*EXTRAORDINARY IMPACT: An impact which is reasonably determined by the city to:*

- A. Result in the need for system improvements, the cost of which will significantly exceed the sum of the development impact fees to be generated from the project or the sum agreed to be paid pursuant to a development agreement as allowed by Idaho Code section 67-8214(2);*
- B. Result in the need for system improvements which are not identified in the capital improvements plan;*
- C. Have an impact which results in a lower than acceptable level of service.*

**ANAYLSIS**

In preparing the analysis below the following was relied upon for preparing this response:

- Transportation Impact Analysis (TIA) prepared by CivTrans Engineering, Inc. dated July 2, 2024.

- Peer analysis prepared by Iteris prepared on March 5, 2025.
- 2022 Development Impact Fee Methodology report prepared by FCS.
- Resolution 2024-04, FY2025-2029 Capital Improvement Plan
- Resolution 2021-02 Resolution adopting transportation policies for the city of Hayden

Within the TIA, the engineers identify the following intersections as contributing to the study area and provides their current Level of Service (CivTrans TIA page 23):

**Table 3 -2024 Existing Intersections Levels of Service**

INTERSECTION	(S)ignalized (U)nsignalized	Approach Or Overall	AM Peak		PM Peak	
			Delay (sec)	LOS	Delay (sec)	LOS
Hayden Avenue & Huetter Road	U	NB	27.0	D	48.4	E
		SB	47.2	E	80.1	F
Hayden Avenue & Carrington Street	U	NB	13.3	B	17.4	C
		SB	13.1	B	13.5	B
Hayden Avenue & Atlas Road	U	NB	24.4	C	49.5	E
		SB	15.5	C	26.9	D
Robison Avenue & Atlas Road	U	EB	10.7	B	10.8	B
Bean / Honeysuckle Ave & Atlas Road	U	EB	10.7	B	10.8	B
		WB	17.0	C	17.0	C
Prairie Avenue & Huetter Road	S	Ovr	26.1	C	26.3	C
Prairie Avenue & Carrington Lane	U	NB	28.8	D	42.3	E
		SB	23.4	C	45.8	E
Prairie Avenue & Atlas Road	S	Ovr	29.4	C	32.0	C
Prairie Avenue & Ramsey Road	S	Ovr	28.6	C	32.8	C

Within the CivTrans TIA, the plan suggests in year 2035 ambient growth with or without the project(s) will impact all intersections negatively from current levels. However, with the project, regardless of ambient conditions, the intersections will be impacted negatively. Ambient conditions include the conditions when projected build out of the following developments occur: Hayden Sky, Madison Ranch, Northwinds and Hazelnut Glen.

City of Hayden Resolution 2021-02 adopts city’s standards around transportation systems and provides the acceptable baseline operating LOS for intersections as a Level D operating at peak hours. This means the intersection delay is equal or greater than 5-second per vehicle. However, there is no formal process for the city initiating improving intersections that operate below this level of service after the current day.

This means the city may maintain an intersection at pre-development levels even if that intersection is operating below the minimum threshold of service. However, if a development decreases the LOS or extends the delay by 2.5 second per vehicle from current day, the city can require system improvements as part of that subdivision approval process (Table 3.2, Significant Impact Criteria).

The following tables are taken from the CivTrans report indicating LOS **and** delay increases with the project.

**Table 6 - Year 2035 Levels of Service without Project**

INTERSECTION	(S)ignalized (U)nsignalized (R)oundabout	Approach Or Overall	AM Peak		PM Peak	
			Delay (sec)	LOS	Delay (sec)	LOS
Hayden Ave & Huetter Rd	U	NB	184.9	F	>300	F
		SB	>300	F	>300	F
• All-way Stop			(140.9)	(F)	(260.7)	(F)
• Signalized	(S)	Ovr	(11.8)	(B)	(33.1)	(D)
Hayden Ave & Carrington St	U	NB	20.1	C	57.5	F
		SB	125.9	F	>300	F
• Hayden widened to 5-lane road		(NB)	(16.7)	(C)	(33.8)	(D)
		(SB)	(42.1)	(E)	(178.2)	(F)
Hayden Ave & Atlas Rd	U	NB	>300	F	>300	F
		SB	27.5	D	>300	F
• Roundabout	(R)	(Ovr)	(9.3)	(A)	(26.7)	(D)
Robison Ave & Atlas Rd	U	EB	11.8	B	14.1	B
Bean / Honeysuckle Ave & Atlas Road	U	EB	11.2	B	13.4	B
		WB	22.0	D	36.4	E
Prairie Avenue & Huetter Road	S	Ovr	149.5	F	70.8	E
• Retime signal, add EB right			(35.1)	(D)	(30.1)	(C)
Prairie Avenue & Carrington Lane	NB	Ovr	>300	F	>300	F
	SB		105.6	F	>300	F
• Signalized (by others)	(S)		(14.3)	(B)	(10.0)	(B)
Prairie Avenue & Atlas Road	S	Ovr	157.4	F	99.1	F
• Retime signal, add EB/WB right turn lanes			(38.1)	(D)	(38.6)	(D)
Prairie Avenue & Ramsey Road	S	Ovr	55.9	E	79.7	F
• Retime signal, add EB right turn lane, NB left turn lane			(29.4)	(C)	(38.2)	(D)

\*level of service and delay shown in parentheses is associated with mitigated intersection

**Table 7 – Year 2035 Levels of Service with Project**

INTERSECTION	(S)ignalized (U)nsignalized (R)oundabout	Approach Or Overall	AM Peak		PM Peak	
			Delay (sec)	LOS	Delay (sec)	LOS
Hayden Ave & Huetter Rd – All-way stop	U	Ovr	145.7	F	276.6	F
• Signalized	(S)		(12.0)	(B)	(42.6)	(D)
Hayden Ave & Carrington St - with Hayden widened to 5-lane road	U	NB	26.8	E	189.0	F
		SB	71.4	F	>300	F
Hayden Ave & Atlas Rd	U	NB	>300	F	>300	F
		SB	30.1	D	>300	F
• Roundabout	(R)	(Ovr)	(9.9)	(A)	33.9	(D)
Robison Ave & Atlas Rd	U	EB	12.0	B	14.5	B
Bean / Honeysuckle Ave & Atlas Road	U	EB	11.4	B	13.8	B
		WB	24.3	C	41.3	E
Prairie Avenue & Huetter Road	S	Ovr	148.0	F	70.5	E
• Retime signal, add EB right			(36.0)	(D)	(30.5)	(C)
Prairie Avenue & Carrington Lane	NB	Ovr	>300	F	>300	F
	SB		105.6	F	>300	F
• Signalized	(S)		(14.3)	(B)	(10.1)	(B)
Prairie Avenue & Atlas Road	S	Ovr	157.2	F	99.3	F
• Retime signal, add EB/WB right turn lanes			(39.2)	(D)	(39.1)	(D)
Prairie Avenue & Ramsey Road	S	Ovr	56.0	E	80.6	F
• Retime signal, add EB right turn lane, NB left turn lane			(29.5)	(C)	(38.5)	(D)

\*level of service and delay shown in parentheses is associated with mitigated intersection

When reviewing the City's 2022 adopted Impact Fee Study, only two of the intersections are included in the CIP. Those include Hayden Ave and Huetter and, Hayden and Atlas intersection. The capital improvement plan as noted within the 2022 Impact Fee Study allocates the following towards the noted intersections as being attributed directly to growth.

Hayden and Huetter- \$291,000 for a 4-way intersection improvement  
Hayden and Atlas Road - \$1,979,000 for a roundabout improvement

### **FINDINGS**

Below are the findings supporting the decision regarding whether an extraordinary impact exists for each intersection established in the CivTrans TIA. Subsequent of the finding staff does provide the required developer led improvements as part of this determination.

1. **Hayden and Huetter Intersection Impact**, finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. Supporting this finding is the following supportive evidence:
  - All-way stop is documented as insufficient, and a full signalized intersection is desired which thus imposes a system improvement not identified within the city's capital improvement plan (CivTrans page 49)
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

#### ***Required Improvement:***

Improve intersection to full signalized access intersection.

The CivTrans TIA suggests that the intersection considered using a spanwire over the traditional pole and mast arm permanent structures.

However, it is the belief of the city that spanwire should only be considered with the improvement that are temporary in nature. The city uses a 10-year or less window to determine if an improvement will be temporary. Given the status of the Huetter Bypass on the Idaho Statewide Transportation Improvement Program (STIP) (2025-2031), the Huetter Bypass is not listed on the project list. No other indications anticipate that the project will make the STIP in future years, so it is expected that this intersection should be constructed to the full permanent intersection improvement.

Improvement should be completed and accepted by the city as part of the acceptance of the final platting process.

#### ***Impact Fee Contribution***

The city will allow up to \$291,000 of impact fees to be used towards this project. Depending on the timing of this project, the city may consider entering into an impact fee reimbursement agreement for this amount, should the city not have sufficient funding at the time of construction.

2. **Hayden and Carrington Street Impact**, finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. Supporting this finding is the following supportive evidence:
- The improvement has not been identified within the City’s 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service and significant delays in both AM and PM traffic times (CivTrans TIA, Table 7, Levels of Service).

***Required Improvements:***

Improve intersection to full signalized access intersection.

The Developer should be prepared to illustrate how they can bring the intersection up to a full signalized access as part of the completion of the 1<sup>st</sup> phase of final platting process of this subdivision. This impact is anticipated to be part of the development agreement for this subdivision.

***Impact Fee Contribution***

No impact fees current or future can be utilized for planning, development or construction of this, pursuant to Idaho Code §67-8210 and HCC 9-2-11(A), unless a plan modification is completed, and the project is included.

3. **Prairie and Carrington Impact**, finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. This is based on the following:
- The improvement has not been identified within the City’s 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

However, due to the nature of the city’s authority to require improvements, it will not impose system improvements as part of this subdivision but reserves the right to impose system improvements if land is annexed into the city and future subdivision phases have not been completed.

***Required Improvements:***

N/A- However, if land is annexed into the City making the full intersection subject to City of Hayden Authority then the following may be required of future phases of the subdivision:

- Full signalization of the intersection

***Impact Fee Contribution***

N/A

4. **Prairie and Huetter Impact**, finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. This is based on the following:
- The improvement has not been identified within the City's 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

However, due to the nature of the city's authority to require improvements, it will not impose system improvements as part of this subdivision but reserves the right to impose system improvements if land is annexed into the city and future subdivision phases have not been completed.

***Required Improvements:***

N/A- However, if land is annexed into the City making the full intersection subject to City of Hayden Authority then the following may be required of future phases of the subdivision:

- Install eastbound right turn lanes from Prairie to Huetter.

***Impact Fee Contribution***

N/A.

5. **Prairie and Atlas Impact** finding that there *IS* an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. This is based on the following:
- The improvement has not been identified within the City's 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

However, due to the nature of the city's authority to require improvements, it will not impose system improvements as part of this subdivision but reserves the right to impose system improvements if land is annexed into the city and future subdivision phases have not been completed.

***Required Improvements:***

N/A- However, if land is annexed into the city making the full intersection subject to City of Hayden authority then the following may be required of future phases of the subdivision:

- Install East and West bound right turn lanes
- Retime signal

***Impact Fee Contribution***

N/A

6. **Prairie and Ramsey Impact**, finding that there ***IS*** an extraordinary impact based on HCC 9-2-2 (B) & (C) definition of an extraordinary impact. This is based on the following:
- The improvement has not been identified within the City's 5-year capital improvement plan nor is it within the 2022 Impact Fee Study.
  - Without the system improvement, the project will cause impacts that result in lower than acceptable levels of service (Table 7, Levels of Service).

However, due to the nature of the city's authority to require improvements, it will not impose system improvements as part of this subdivision but reserves the right to impose system improvements if land is annexed into the city and future subdivision phases have not been completed.

***Required Improvements:***

N/A- However, if land is annexed into the city making the full intersection subject to City of Hayden authority then the following may be required of future phases of the subdivision:

- Add East bound right turn lane
- Add North and South bound left turn lanes
- Retime Signal

***Impact Fee Contribution***

N/A

7. **Hayden and Atlas Impact**, finding there ***IS NOT*** an extraordinary impact, provided that costs for installment of the full roundabout does not exceed subsection (A) of HCC, 9-2-2.

***Required Improvements:***

None as part of this subdivision.

***Impact Fee Contribution***

\$1,979,000 for roundabout construction. The city has paid for some design work for this intersection and any remaining funds would be less those already spent on design.

8. **Robison and Atlas Impact**, finding there ***IS NOT*** an extraordinary impact, as defined under HCC 9-2-2 because level of service is not affected, although the delay does increase by  $\pm 5$ -sec post development.

The city recognizes that this intersection may change from the current CivTrans TIA and reserves the right to reevaluate the extraordinary impact given any changes that could occur between the July 2024 version and any future modified versions.

***Required Improvements:***

None as part of this subdivision.

**Impact Fee Contribution**

N/A

9. **Honeysuckle Ave and Atlas Road Impact**, finding there ***IS NOT*** an extraordinary impact, as defined under HCC 9-2-2 because LOS overall is not lessened, although delay time is anticipated to increase by 2X the current day delay.

The city recognizes that this intersection may change from the current CivTrans TIA and reserves the right to reevaluate the extraordinary impact given any changes that could occur between the July 2024 version and any future modified versions.

**Required Improvements:**

None as part of this subdivision.

**Impact Fee Contribution:**

N/A.

**DECISION SUMMARY**

Pursuant to the authority provided for within HCC, it has been determined that extraordinary impacts ***DO EXIST*** based on development impacts that are not either identified within the 2022 Impact Fee study *and* on impacts to system design that reduce level of service or increase the delay on the following intersections:

1. Hayden and Huetter
  - a. Full Signalized intersection shall be installed- Mast and Arm System
2. Hayden and Carrington
  - a. Full Signalized intersection shall be installed- Mast and Arm System

Idaho Code is very specific on how the use of Impact Fees can be invested as part of system improvements.

§67-8210(2) states: *Expenditures of development impact fees shall be made **only for the category of system improvements and within or for the benefit of the service area for which the development impact fee was imposed as shown by the capital improvements plan and as authorized in this chapter.***

This is further supported within HCC, §9-2-11(A) specifically states:

*“Credit or reimbursement shall not be given for project improvements unless those improvements are identified in the "report" as a system improvement. In that event, the credit given will only be given for those project improvements that are specifically listed in the 'report...'”*

Since HCC and Idaho Code prevent the city from using transportation impacts fees that are not identified within the current adopted impact fee capital plan, the only other way to pay for transportation system improvements is by:

- Requiring extraordinary transportation impacts be paid for by developers,

- Shifting funds away other municipal services,
- Seeking state or federal grants or,
- Saving for capital improvements.

With extraordinary impacts areas identified above, the city requires those impacts be fully funded and mitigated by the developer(s) to the satisfaction of the City of Hayden. The city does make available to the Developers the opportunity for reimbursement of Transportation Impact Fees for Hayden and Huetter of up to, but not to exceed \$291,000, or any remaining dollars not yet spent on this intersection by the city. A separate agreement with the city is required to make funds eligible for reimbursement.

Since the CivTrans plan is still in review, the city also reserves the right to make changes to their determination of extraordinary impacts should the plan change in a way that results in new/additional impacts being identified.

Pursuant to HCC §9-2-14(D), D, the applicant may appeal the determination of an extraordinary impact or the amount of extraordinary costs incurred in writing by filing a notice of appeal to the city council with the city clerk pursuant to the terms set forth in section 9-2-13, "Appeals", of HCC. When filing an appeal, the requestor shall submit a letter providing the reason for the appeal along with supporting documentation. The city council shall consider the appeal and make a final determination within ninety (90) days of receipt of the written appeal.

Regards,



Lisa Ailport, AICP  
City Administrator

Cc: Via Electronic Mail: Fonda Jovick, Lake City Law, Donna Phillips, Hayden Community Development Director, Rob Wright, PE City of Hayden Engineer, Scott Krajack, Viking Construction.

Reference Documents:

7/2/2024 TIA  
3/5/2025 Peer Review  
2022 FCS Impact Fee Study  
Resolution 2024-04- Adoption of the FY2025-2029 Capital Improvement Plan  
Resolution 2021-02 Resolution adopting transportation policies for the city of Hayden

References Code/Statues:

I.C. §67-8214 (1), (3-5)  
HCC §9-2-2 Definition of Extraordinary Impact  
HCC §9-2-14  
HCC§-9-2-1

January 20, 2026

Via Hand Delivery

Abbi Sanchez  
Hayden City Clerk  
8930 North Government Way  
Hayden, ID 83835

**Re: Appeal of Proportionate Share Analysis Determination**

Dear Ms. Sanchez,

We represent Viking Construction, Inc. (“Viking”). Viking respectfully submits this letter in support of the appeal that will be heard on January 27, 2026.

**BACKGROUND**

Viking proposes to develop the Battleground Subdivision in the City of Hayden. The proposal is for 176 single family residential lots, one commercial lot, one 12-acre park, and one commercial lot with 144 multi-family dwelling units. More detail is contained in Case No. PZE-20-0193.

On March 24, 2025, the City Administrator, Lisa Ailport, sent a letter to Viking. The letter contained the “City of Hayden’s formal determinations of an extraordinary impact, pursuant to Hayden City Code, §9-2-14(B).” The City Administrator determined that:

*extraordinary impacts **DO EXIST** based on development impacts that are not either identified within the 2022 Impact Fee study and on impacts to the system design that reduce level of service or increase the delay in the following intersections:*

1. *Hayden Avenue and Huetter Road*
  - a. *Full Signalized intersection shall be installed- Mast and Arm System*
2. *Hayden Avenue and Carrington Street*
  - a. *Full Signalized intersection shall be installed- Mast and Arm System*

This determination was based on the Transportation Impact Analysis (TIA) prepared by CivTrans Engineering, Inc. dated July 2, 2024, peer analysis prepared by Iteris dated March 5, 2025, 2022 Development Impact Fee Methodology Report prepared by FCS Group, Resolution

**FENNEMORE.**

Abbi Sanchez, Hayden City Clerk  
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2024-04, FY2025-2029 Capital Improvement Plan, and Resolution 2021-02 Resolution adopting transportation policies of the City of Hayden.

The CivTrans TIA stated that Hayden Avenue and Huetter Road, and Hayden Avenue and Carrington Street had the following levels of service (“LOS”) as of 2024.

<b>Hayden Avenue and Huetter Road</b>	
<b>AM Peak</b>	<b>PM Peak</b>
NORTHBOUND – Level D	NORTHBOUND – Level E
SOUTHBOUND - Level E	SOUTHBOUND - Level F
<b>Hayden Avenue and Carrington Street</b>	
<b>AM Peak</b>	<b>PM Peak</b>
NORTHBOUND – Level B	NORTHBOUND – Level C
SOUTHBOUND - Level B	SOUTHBOUND - Level B

The City strives for an acceptable baseline operating LOS of Level D. If an intersection’s LOS is already below a Level D, the city has no formal process for improving the intersections. This means, the City “may maintain an intersection at pre-development levels even if that intersection is operating below the minimum threshold of service.” If a development “decreases the level of service or extends the delay by 2.5 second per vehicle from current day, the city can require system improvements as part that subdivision approval process.”

The CivTrans TIA also analyzed the levels of service of Hayden Avenue and Huetter Road, and Hayden Avenue and Carrington Street in 2035 with or without the Battleground subdivision.

The LOS without the Battleground subdivision in 2035 is predicted to be:

<b>Hayden Avenue and Huetter Road</b>	
<b>AM Peak</b>	<b>PM Peak</b>
NORTHBOUND – Level F	NORTHBOUND – Level F
SOUTHBOUND - Level F	SOUTHBOUND - Level F
<b>Hayden Avenue and Carrington Street</b>	
<b>AM Peak</b>	<b>PM Peak</b>
NORTHBOUND – <b>Level C</b>	NORTHBOUND – Level F
SOUTHBOUND - Level F	SOUTHBOUND - Level F

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The LOS with the Battleground subdivision in 2035 is predicted to be:

<b>Hayden Avenue and Huetter Road</b>	
<b>AM Peak</b>	<b>PM Peak</b>
NORTHBOUND – Level F	NORTHBOUND – Level F
SOUTHBOUND - Level F	SOUTHBOUND - Level F
<b>Hayden Avenue and Carrington Street</b>	
<b>AM Peak</b>	<b>PM Peak</b>
NORTHBOUND – <b>Level E</b>	NORTHBOUND – Level F
SOUTHBOUND - Level F	SOUTHBOUND - Level F

The **highlighted LOS** represents the only difference between the predicted LOS in 2035 with only “ambient growth” and the addition of the Battleground subdivision.<sup>1</sup>

The City Administrator found that Hayden Avenue and Huetter Road will experience an “extraordinary impact” caused by the Battleground subdivision. To mitigate this extraordinary impact, the City requires Viking to build and pay for a “full signalized access intersection.” The “full signalized access intersection” must be completed and accepted by the City as part of the final platting process.

The City Administrator also found Hayden Avenue and Carrington Street will experience an “extraordinary impact” caused by the Battleground subdivision. To mitigate this extraordinary impact, the City requires Viking to build and pay for a “full signalized access intersection.” The “full signalized access intersection” must be completed and accepted by the City as part of the 1<sup>st</sup> phase of final platting process.

**LEGAL STANDARD**

The legal basis for the City Administrator’s findings are found in Chapter 2, Section 9 of the Hayden City Code (“City Code”). City Code Section 9-2-14 addresses “extraordinary impacts.” It states:

*A. In determining the proportionate share of the cost of system improvements to be paid by the developer, the city administrator, or his or her duly designated agent, shall consider whether any extraordinary costs will be incurred in serving the development based upon an “extraordinary*

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<sup>1</sup> Ambient growth includes the buildout of several other developments, including Hayden Sky, Madison Ranch, Northwinds, and Hazelnut Glen. See page 2 of March 24, 2025 letter from City Administrator, Lisa Ailport.

**FENNEMORE.**

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*impact”, as defined in section [9-2-2](#) of this chapter. This determination shall be made prior to issuance of any permit for development and shall be paid prior to any such issuance except as may be provided pursuant to a private agreement between the parties as authorized by Idaho Code section 67-8214.*

*B. If the city administrator, or his or her duly designated agent, determines that the development will result in an extraordinary impact, it shall advise the fee payer in writing what the extraordinary impact is, the reason for the extraordinary impact, and the estimated costs to be incurred as a result of the extraordinary impact.*

*C. Nothing in this chapter shall obligate the city to approve any development that results in extraordinary impact.*

*D. The fee payer may appeal the determination of an extraordinary impact or the amount of extraordinary costs incurred in writing by filing a notice of appeal to the city council with the city clerk pursuant to the terms set forth in section [9-2-13](#), “Appeals”, of this chapter. When filing an appeal, the fee payer shall submit a letter providing the reason for the appeal along with supporting documentation. The city council shall consider the appeal and make a final determination within ninety (90) days of receipt of the written appeal. (Ord. 412, 3-14-2006)*

City Code Section 9-2-2 defines Extraordinary Impact. It states:

*EXTRAORDINARY IMPACT: An impact which is reasonably determined by the city to:*

*A. Result in the need for system improvements, the cost of which will significantly exceed the sum of the development impact fees to be generated from the project or the sum agreed to be paid pursuant to a development agreement as allowed by Idaho Code section 67-8214(2);*

*B. Result in the need for system improvements which are not identified in the capital improvements plan;*

*C. Have an impact which results in a lower than acceptable level of service.*

**ARGUMENT**

The City Administrator found that the addition of the Battleground subdivision meets the definition of subsection (B) and (C) of the City Code Section 9-2-2. In short, the approval of the Battleground subdivision will “result in the need for system improvements which are not identified in the capital improvements plan” and it will “have an impact which results in a lower than acceptable level of service.” Neither of these grounds is supported by the facts for these reasons.

Abbi Sanchez, Hayden City Clerk

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First, without the Battleground subdivision, Hayden Avenue and Huetter Road will be a Level F in all directions at all peak times. Importantly, Viking causes ZERO degradation to the intersection: Level F to Level F equals no change whatsoever. How can Viking be said to cause an “extraordinary impact” when the measurable impact is, in fact, zero? The intersection will fail regardless of Viking’s development, due to ambient growth and other developments in the area. The Battleground subdivision will not “result in the need for system improvements not identified in the capital improvements plan.” Nor will it “have an impact which results in a lower level of service.” Therefore, the Battleground subdivision does not meet the definition of an extraordinary impact.

Second, without the Battleground subdivision, Hayden Avenue and Carrington Street will be at Level F in 7 out of 8 metrics all directions and times except Northbound AM Peak. Viking’s development affects only 1 out of 8 metrics: Northbound AM Peak, where the LOS degrades from Level C to Level E. Put differently, 87.5% of the intersection metrics will be at Level F regardless of whether Viking builds the Battleground subdivision. This single directional degradation during one peak period is de minimis compared to the overall Level F conditions that will exist regardless of the subdivision. Requiring full signalization for a marginal change affecting only 12.5% of intersection metrics, when 87.5% will fail regardless, is unreasonable and not supported by the extraordinary impact definition. The overall intersection operates at Level F. Therefore, the Battleground subdivision does not meet the definition of an extraordinary impact.

Third, even if an extraordinary impact exists, the City Administrator failed to calculate Viking’s proportionate share. The City Code states the purpose of the Impact Fee Ordinance in Section 9-2-1. It states:

*The provisions of this chapter shall be known as the CITY OF HAYDEN DEVELOPMENT IMPACT FEE ORDINANCE. The purpose of these regulations is to prescribe the procedure whereby developers of land shall pay an impact fee as set forth in this chapter for the purpose of providing the public facilities and system improvements needed to serve future residents and users of such development. It is further the purpose of this chapter to:*

- A. Ensure that adequate facilities are available to serve new growth and development;*
- B. Promote orderly growth and development by establishing uniform standards by which the city may require that those who benefit from new growth and development pay a proportionate share of the cost of new public facilities needed to serve new growth and development;*
- C. Ensure that those who benefit from new growth and development are required to pay no more than their proportionate share of the cost of public facilities needed to serve new growth and development and to prevent duplicate and ad hoc development requirements;*

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*D. Collect and expend development impact fees pursuant to the enabling powers granted by the provision of the Idaho development impact fee act, Idaho Code title 67, chapter 82;*

*E. Provide the legal and procedural basis for the implementation of development impact fees within the area of city impact; and*

*F. Ensure that any capital improvement funded wholly or in part with impact fee revenue shall first be included in an approved capital improvements plan that lists the capital improvements that may be funded with impact fee revenues as well as the estimated costs and timing for each improvement. (Ord. 412, 3-14-2006)*

(Underlining added for emphasis).

Section 9-2-8 of the City Code provides the methodology for calculating the proportional share. It states:

*A. Report: The amount of the impact fee shall be calculated using the methodology contained in the “report”.*

*B. Proportionate Share: A development impact fee shall not exceed a proportionate share of the cost of system improvements determined in accordance with Idaho Code section 67-8207. Development impact fees shall be based on actual system improvement costs or reasonable estimates of such costs.*

*C. Developers: A developer shall have the right to elect to pay a project’s proportionate share of system improvement costs by payment of development impact fees according to the fee schedule as full and complete payment of the development project’s proportionate share of system improvement costs, except as provided in Idaho Code section 67-8214(3). The schedule of development impact fees for various land users per unit of development shall be as set forth in the “report”.*

*D. Proportionate Share Determination:*

*1. All development impact fees shall be based on a reasonable and fair formula or method under which the development impact fee imposed does not exceed a proportionate share of the costs incurred or to be incurred by the city in the provision of system improvements to serve the new development. The proportionate share is the cost attributable to the new development after the city considers the following:*

*a. Any appropriate credit, offset, or contribution of money, dedication of land, or construction of system improvements;*

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*b. Payments reasonably anticipated to be made by or as a result of a new development in the form of user fees, debt service payments, or taxes which are dedicated for system improvements for which development impact fees would otherwise be imposed; and*

*c. All other available sources of funding such system improvements.*

*2. In determining the proportionate share of the cost of system improvements to be paid by the developer, the following factors shall be considered by the city:*

*a. The cost of existing system improvements within the service area or areas;*

*b. The means by which existing system improvements have been financed;*

*c. The extent to which the new development will contribute to the cost of system improvements through taxation, assessments, or developer or landowner contributions, or has previously contributed to the cost of system improvements through developer or landowner contributions.*

*d. The extent to which the new development is required to contribute to the cost of existing system improvements in the future.*

*e. The extent to which the new development should be credited for providing system improvements, without charge to other properties within the service area or areas;*

*f. Extraordinary costs, if any, incurred in serving the new development;*

*g. The time and price differential inherent in a fair comparison of fees paid at different times; and*

*h. The availability of other sources of funding system improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation. The city shall develop a plan for alternative sources of revenue, which shall include, but not necessarily be limited to, plans generated during the city's annual budget process, lobbying efforts, tax increment financing, implementation of user fees and various forms of utilities. (Ord. 412, 3-14-2006)*

(Underlining added for emphasis).

In addition, Idaho Code defines “proportionate share” as “that portion of the cost of the system improvements determined pursuant to section 67-8207, Idaho Code, which reasonably

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relates to the service demands and needs of the project.” Idaho Code § 67-8207 provides for how the proportionate share is determined. It states:

*Proportionate share determination. (1) All development impact fees shall be based on a reasonable and fair formula or method under which the development impact fee imposed does not exceed a proportionate share of the costs incurred or to be incurred by the governmental entity in the provision of system improvements to serve the new development. The proportionate share is the cost attributable to the new development after the governmental entity considers the following: (i) any appropriate credit, offset or contribution of money, dedication of land, or construction of system improvements; (ii) payments reasonably anticipated to be made by or as a result of a new development in the form of user fees and debt service payments; (iii) that portion of general tax and other revenues allocated by the jurisdiction to system improvements; and (iv) all other available sources of funding such system improvements.*

*(2) In determining the proportionate share of the cost of system improvements to be paid by the developer, the following factors shall be considered by the governmental entity imposing the development impact fee and accounted for in the calculation of the impact fee:*

*(a) The cost of existing system improvements within the service area or areas;*

*(b) The means by which existing system improvements have been financed;*

*(c) The extent to which the new development will contribute to the cost of system improvements through taxation, assessment, or developer or landowner contributions, or has previously contributed to the cost of system improvements through developer or landowner contributions.*

*(d) The extent to which the new development is required to contribute to the cost of existing system improvements in the future;*

*(e) The extent to which the new development should be credited for providing system improvements, without charge to other properties within the service area or areas;*

*(f) Extraordinary costs, if any, incurred in serving the new development;*

*(g) The time and price differential inherent in a fair comparison of fees paid at different times; and*

*(h) The availability of other sources of funding system improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation. The governmental entity shall develop a plan for alternative sources of revenue.*

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Here, the City Administrator failed to proportion the cost of the full signalized access intersections between Viking and others in the community. As shown in the TIA, if the Battleground subdivision is never built, the intersections in question will fall well below the acceptance LOS.

Even if the City were to calculate a proportionate share, the analysis would demonstrate that Viking's contribution to the need for signalization is minimal. At Hayden Avenue and Huetter Road, Viking contributes zero additional degradation because the intersection operates at Level F with or without the subdivision. At Hayden Avenue and Carrington Street, Viking's development affects only one of eight directional/temporal metrics. A proper proportionate share analysis accounting for ambient growth, contributions from other developments, and Viking's actual marginal impact would result in a significantly lower and fair allocation of costs to Viking.

Fourth, the failure to calculate proportionate share is not merely a technical oversight. It results in a fundamentally unfair allocation of costs. Viking would be required to pay 100% of the cost of signalization improvements that will primarily benefit the broader community and future developments. Meanwhile, the ambient growth and other developments that are the primary cause of the Level F conditions contribute nothing. This creates a perverse incentive structure that penalizes early developers for regional growth patterns beyond their control and effectively makes development economically infeasible. Such a result directly contradicts the express purpose of the Impact Fee Ordinance, which exists to ensure developers pay "no more than their proportionate share" of infrastructure costs.

### **CONCLUSION AND PRAYER FOR RELIEF**

For the foregoing reasons, Viking respectfully requests that the City Council:

1. Overturn the City Administrator's determination that the Battleground subdivision will result in an extraordinary impact at the intersections of Hayden Avenue and Huetter Road and Hayden Avenue and Carrington Street, as such determination is not supported by the facts or the applicable provisions of the Hayden City Code; or
2. In the alternative, if the City Council determines that an extraordinary impact exists, remand this matter to the City Administrator with instructions to:
  - a. Calculate Viking's proportionate share of the cost of any required system improvements in strict accordance with City Code Section 9-2-8 and Idaho Code Section 67-8207;
  - b. Consider and account for all mandatory factors, including but not limited to: the cost of existing improvements, ambient traffic growth, contributions from other

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- developments, impact fees already paid or to be paid by Viking, future tax contributions from the Battleground subdivision, and all other available funding sources;
- c. Provide a detailed written analysis showing the methodology and calculations used to determine Viking's proportionate share; and
  - d. Credit Viking for any system improvements that will benefit other properties in the service area.

The City Administrator's current determination violates the fundamental principle underlying both the City Code and Idaho Code: developers must pay their fair share, no more and no less. By requiring Viking to subsidize infrastructure that benefits the entire community, the City is asking Viking to bear 100% of the cost of improvements necessitated primarily by ambient growth and other developments, which is neither fair nor lawful. This approach violates both the letter and spirit of Idaho's impact fee statutes, as the extraordinary impact determination, as applied here, becomes a mechanism to circumvent the proportionate share requirements mandated by law. The Council should reject this attempt to impose disproportionate costs on Viking in violation of statutory protections.

Sincerely,

FENNEMORE CRAIG, P.C.



Peter J. Smith IV

cc: Via Email: City Attorney Fonda Jovick, Esq.  
Lake City Law Group, PLLC

Enclosure: March 24, 2025 Letter from City of Hayden

PJS

- B. **ACTION ITEM** Consider and Set Date for Strategic Planning Workshop to Set Prioritization Around City Tasks



# Memo

To: Mayor and Hayden City Council

From: Lisa Ailport, City Administrator

Date: January 21, 2026

**Agenda Item: Consider and set date for strategic planning workshop to set prioritization around city tasks**

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## **Agenda Item Location**

New Business

## **Background and Recommended Action or Motion**

Around the first of the year is a good time to workshop with Council on the goals and tasks the city wants to see completed over the course of the calendar year. Staff suggests setting that date outside of our regular meetings so staff may focus with council on completing a prioritization list as an outcome of the workshop.

I will be away from the office February 10<sup>th</sup> through February 20<sup>th</sup>, so if we can plan around this time I would be grateful.

## **Functional Impact of Authorizing or Not Authorizing**

N/A.

## **Fiscal Impact**

There is no direct fiscal impact on this agenda item.

## **Budget Funding Source / Transfer Request**

N/A

## **Attachment**

None.

C. **ACTION ITEM** Use of City Hall as a Polling Place for 2026 Elections



# Memo

To: Mayor and Hayden City Council

From: Abbi Sanchez, City Clerk

Date: January 22, 2026

**Agenda Item: Use of City Hall as a Polling Place for 2026 Elections**

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## **Agenda Item Location**

New Business

## **Recommended Action or Motion**

Council may choose to allow or not allow the use of City Hall as a polling place.

## **Functional Impact of Authorizing**

The Kootenai County Elections Office is requesting to use Hayden City Hall for a polling place from 7:00 a.m. to 8:00 p.m. for the 2026 Elections. The dates requested are May 19<sup>th</sup> and November 3<sup>rd</sup>.

## **Functional Impact of Not Authorizing**

Hayden City Hall would not be a polling place for Elections.

## **Fiscal Impact**

No revenue is received for the County's Use. Staff time is required to open and close City Hall for poll workers.

## **Budget Funding Source / Transfer Request**

N/A

## **Attachment**

Request Letter from Kootenai County Elections



# Kootenai County Elections

Jennifer Locke • Clerk

1808 N 3<sup>rd</sup> St • P.O. Box 9000 • Coeur d'Alene, ID 83816-9000

Phone (208) 446-1030

<http://www.kcgov.us/elections> • Email [kcelections@kcgov.us](mailto:kcelections@kcgov.us)

January 13, 2026

Hayden City Hall  
Attn: Abbi Sanchez  
8930 N Government Way  
Hayden, ID 83835

Hello,

Kootenai County Elections greatly appreciates your continued partnership in service to our community. We hope we will be able to utilize your facility as a polling place again in 2026. If this is possible, we would like to confirm the use of Hayden City Hall, as a polling place for these election dates:

**May 19, 2026**

**November 3, 2026**

The Precinct Judge who oversees the polling location will contact you prior to each Election regarding admittance to the building. Please indicate at the bottom of this letter how you expect to provide access to your facility.

Please retain a copy for your records and return this letter as confirmation of availability for the 2026 Elections at your earliest convenience. You may return the letter by:

- E-mail to [kcelections@kcgov.us](mailto:kcelections@kcgov.us)
- Mail to: Kootenai County Elections Department  
P.O. Box 9000  
Coeur d' Alene, ID 83816-9000

Most of the sites we use as polling places waive their fees. We humbly ask that you consider that option. However, if it is not possible, please let us know the fee amount you require, so we can either meet your expectations or have time to find a suitable alternative site. Thank you.

Sincerely,  
Kootenai County Elections Department

## Please Complete the Following:

This is to confirm the use of the Hayden City Hall as a polling place for the **2026** Elections.

Contact for scheduling facility use is: \_\_\_\_\_  
Print name Phone Email

Contact for Election set up/closing is: \_\_\_\_\_  
Print name Phone Email

Will we be able to set up the Polling Place sometime Monday (the day prior to the election)? Yes No Unsure

Facility Access will be provided via (circle one):

Access Code      A Key provided to the Poll Judge      Staff Member on Site      Other

Fees: Yes, we will waive our fee (Initial) \_\_\_\_\_ OR we will send an invoice to you for our fee \$ \_\_\_\_\_

Signature: \_\_\_\_\_

6. **REPORTS**

A. City Administrator Report and Calendar Review

# January 2026

January 2026							February 2026						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31							

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Dec 28	29	30	31	Jan 1, 26 City Hall Closed	2	3
4	5 5:30pm Planning and Zoning Commission (Council Chambers)	6	7	8 11:00am Historic Preservation Commission Meeting	9	10
11	12	13 5:00pm City Council Meeting (City Hall Council Chambers)	14 3:00pm Arts Commission	15	16	17
18	19 City Hall Closed 5:30pm Planning and Zoning Commission (Council Chambers)	20 4:00pm Hayden City Hall Featured Artist Reception	21 4:00pm Parks & Recreation Commission	22	23	24
25	26	27 5:00pm City Council Meeting	28	29	30	31

# February 2026

February 2026							March 2026						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28
							29	30	31				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Feb 1	2 5:30pm Planning and Zoning Commission (Council Chambers)	3	4	5 4:00pm Veterans Commission	6	7
8	9	10 5:00pm City Council Meeting (City Hall Council Chambers)	11 3:00pm Arts Commission	12 11:00am Historic Preservation Commission Meeting	13	14
15	16 8:00am City Hall Closed Presidents Day 5:30pm Planning and Zoning Commission (Council Chambers)	17	18 4:00pm Parks & Recreation Commission	19	20	21
22	23	24 5:00pm City Council Meeting	25	26	27	28

- B. Law Enforcement
- C. Mayor/Council
- 7. **REQUEST FOR FUTURE AGENDA ITEMS**
- 8. **ADJOURNMENT**