

CITY COUNCIL AGENDA REQUEST FORM

Today's date: 10 / 25 / 16

Date of meeting 11 / 2 / 16

(City Council meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month.)

Name of Citizen, Organization, Elected Official, or Department Head making request:

Jared Yost GIS Admin/ Urban Forester

Address: 1123 Lake Street

Phone number and email address: 208-265-1480, jyost@sandpointidaho.gov

Authorized by:

*Jared Yost*  
name of City official

*Jared Yost*  
City official's signature

(Department Heads, City Council members, and the Mayor are City officials.)

Subject: Renew Idaho Department of lands, road use permit, access to Baldy communication tower.

Summary of what is being requested: Road access to Baldy communication towers passes through IDL lands. IDL request that we have a permit to for ingress and egress across IDL lands.

**The following information MUST be completed before submitting your request to the City Clerk:**

1. Would there be any financial impact to the city?    
**Yes or No**  
If yes, in what way? \$700 for 5 years

2. Name(s) of any individual(s) or group(s) that will be directly affected by this action: \_\_\_\_\_ Have they been contacted? **Yes or No**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Is there a need for a general public information or public involvement plan? **Yes or No**  
If yes, please specify and suggest a method to accomplish the plan:

\_\_\_\_\_

4. Is an enforcement plan needed? **Yes or No** Additional funds needed? **Yes or No**

5. Have all the affected departments been informed about this agenda item? **Yes or No**

**This form must be submitted no later than 6 working days prior to the scheduled meeting. All pertinent paperwork to be distributed to City Council must be attached.**

**ITEMS WILL NOT BE AGENDIZED WITHOUT THIS FORM**

**CITY OF SANDPOINT  
AGENDA REPORT**

**DATE: 11/02/16**

**TO: MAYOR AND CITY COUNCIL**

**FROM: Jared Yost, Urban Forester**

**SUBJECT:** Renew Idaho Department of lands, road use permit for access to Baldy communication tower.

**DESCRIPTION/BACKGROUND:** Road access to Baldy communication towers passes through IDL lands. (See map) IDL request that we have a permit for ingress and egress across IDL lands. Permits have been concurrently in place since 2006 signed by Mayor Miller and 2012 Signed by Chief Lockwood. (Documents attached) Current permit expired January 1<sup>st</sup> 2016.

**STAFF RECOMMENDATION:**

Provide authority to Mayor to renew permit.

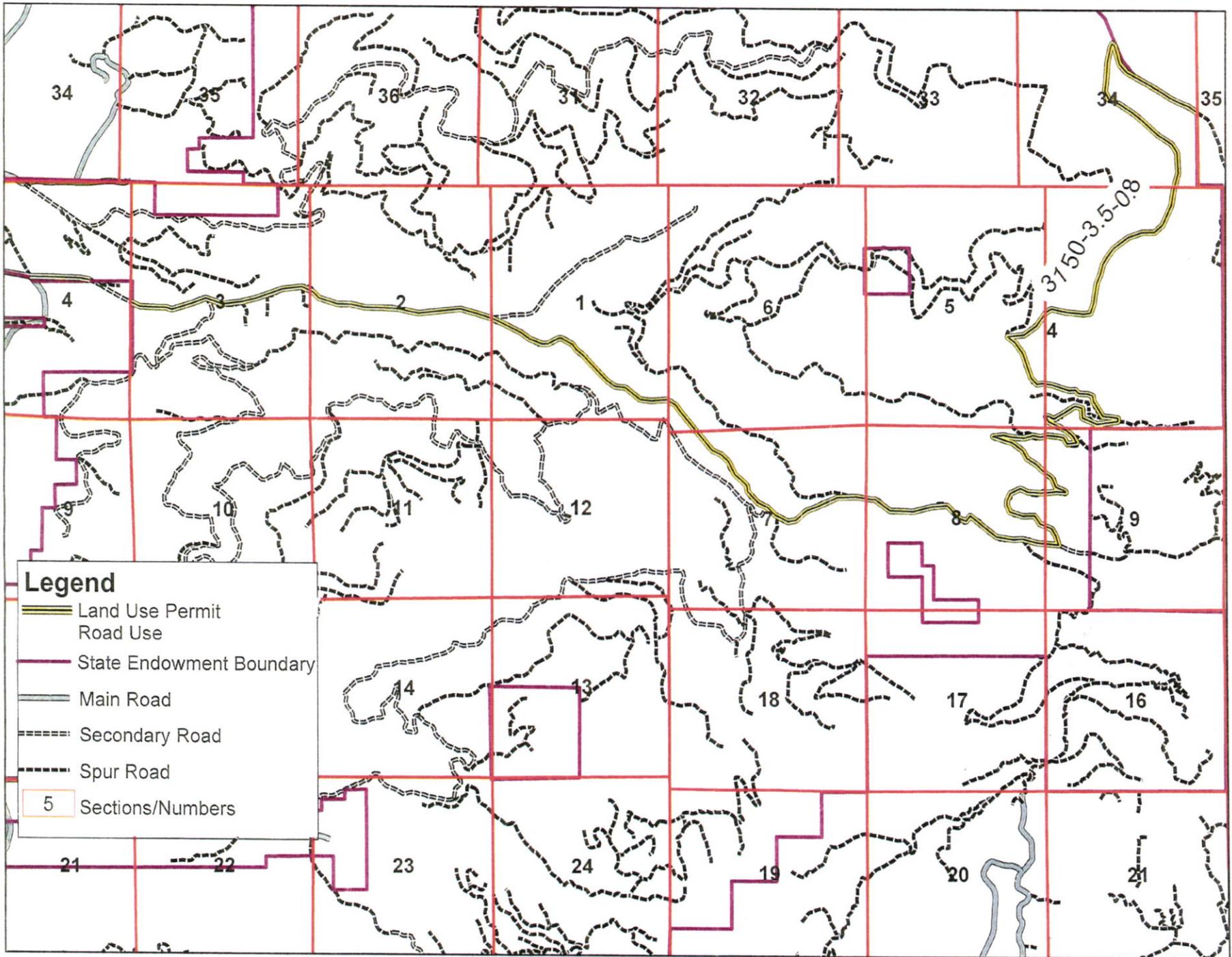
**ACTION:**

**WILL THERE BE ANY FINANCIAL IMPACT?** Cost for renewal is \$700

**HAS THIS ITEM BEEN BUDGETED?** Yes

**ATTACHMENTS:**

CITY OF SANDPOINT



No: 16-  
Date: November 2, 2016

RESOLUTION  
OF THE CITY COUNCIL  
CITY OF SANDPOINT

**TITLE: RENEWAL OF BALDY MOUNTAIN ROAD USE PERMIT FROM IDAHO DEPARTMENT OF LANDS**

WHEREAS: The City owns real property on Baldy Mountain, where transmitter towers have been erected and are actively maintained;

WHEREAS: Road access to the City's property passes through property owned by the State of Idaho, requiring a permit for ingress and egress across the State-owned lands;

WHEREAS: The City has, in the past, maintained such a permit, the latest rendition of which expired earlier this year;

WHEREAS: A new permit has been proposed, which would expire on January 1, 2021; and

WHEREAS: The cost of permit renewal is \$700, which amount is provided for within the current budget.

NOW, THEREFORE, BE IT RESOLVED THAT: The Mayor is hereby authorized, on behalf of the City, to execute State of Idaho Road Use Permit No. RU-200002, a copy of which is attached hereto and made a part hereof as if fully incorporated herein.

\_\_\_\_\_  
Shelby Rognstad, Mayor

ATTEST:

\_\_\_\_\_  
Maree Peck, City Clerk

City Council Members:

YES NO ABSTAIN ABSENT

1. Eddy
2. Aitken
3. Williamson
4. Camp
5. Ruehle
6. Snedden

STATE OF IDAHO

ROAD USE PERMIT NO. RU-200002

Permission is hereby granted to **City of Sandpoint of 1123 Lake Street, Sandpoint, Idaho 83864**, its contractors and cooperators, for purposes of ingress and egress across an existing road located in the following described lands as shown on the map attached and made a part thereof.

(Legal Description)

<u>Twn</u>	<u>Rng</u>	<u>Sec</u>	<u>Description</u> <i>(to the quarter-quarter)</i> <i>(include name of lake or riverbed, if applicable)</i>	<u>County</u>	<u>Acres</u>	<u>(IDL Fund)</u>	<u>AUMs (If Needed)</u>
57 N	3W	4	Pts. Lots 2, 3, and 6, Pts. S2NW, Pts. W2SW, Pts. SESW	BONNER	11.7	PS	NA
57N	3W	5	Pts. SENE, Pts. NESE	BONNER	2.9	PS	NA
57N	3W	6	Pts. Lot 11	BONNER	1.1	PS	NA
57N	3W	7	Pts. Lot 1, Pts. S2NE, Pts. E2NW, Pts. NWSE	BONNER	6.0	PS	NA
57N	3W	8	Pts. NE, Pts. S2NW, Pts. N2SE	BONNER	10.9	PS	NA
57N	3W	9	Pts. W2NW, Pts. NWSW	BONNER	3.4	PS	NA
58N	3W	34	Pts. W2NE, Pts. SENE, Pts. NESW, Pts. N2SE, Pts. SESE	BONNER	5.9	PS	NA
57N	4W	1	Pts. SWNW, Pts. N2SW, Pts. W2SE, Pts. SESE	BONNER	5.7	PS	NA
57N	4W	2	Pts. S2N2	BONNER	5.1	PS	NA
57N	4W	3	Pts. S2N2	BONNER	5.0	PS	NA
57N	4W	4	Pts. Lots 6, 7, and 8	BONNER	1.7	PS	NA

This permit is subject to the following terms and conditions:

1. This authorization is effective upon signature by the area supervisor and upon payment of the required fee by the Permittee.
2. This permit is granted in consideration of Seven Hundred dollars (\$700.00).
3. The Permittee, its contractors and cooperators, shall indemnify and hold harmless the State of Idaho and its representatives against and from any and all demands, claims or liabilities of every nature whatsoever, arising directly or indirectly from or in any way connected with the use authorized under this permit.

4. This permit may be cancelled after written notice to the Permittee of non-compliance with the terms herein and failure of the Permittee to correct noted non-compliance.
5. This permit is non-exclusive to the Permittee, except that other uses will not be designed to restrict the Permittee in the exercise of this permit.
6. This permit may be assigned with the approval of the area supervisor. If approved, the Permittee will give written notice of the name and address of the assignee to the supervisor of the Area Office, Department of Lands.
7. The Permittee shall exercise every reasonable effort to protect the forage and watershed resources.
8. The Permittee will comply with all federal, state, and local laws and with all rules and regulations of the State Board of Land Commissioners pertaining to forest and watershed protection, and with the Stream Channel Protection Act as designated in Chapter 38, Title 42 of the Idaho Code as administered by the Department of Water Resources.
9. The Permittee will be required to maintain and leave the permitted area in a clean and tidy condition.
10. This authorization is limited to the activities which are associated with the maintenance and operation of the City of Sandpoint owned communication towers located in the SW of Section 35, Township 58 North, Range 3 West, B.M..
11. Permitted activities shall not interfere with nor restrict any management activity occurring on endowment lands. Management activities of State Endowment Lands shall take precedence over all other uses.
12. Permittee shall be responsible for road maintenance and erosion control measures on road 3150-3.5-0.8, further described as follows:
  - a. Maintenance work shall include keeping the road surface graded, the berm on the outside edge removed, the inside ditches open, culverts and culvert catch basins clean and rolling dips and cross-ditches maintained as needed. Side casting of material shall be minimized by spreading the material on the road surface. Damaged culverts will be repaired or replaced at the permittee's expense.
  - b. The Permittee shall install and maintain drivable cross-ditches to control road surface erosion. Each ditch shall be cut into the roadbed, tied to the cutbank, sloped to the shoulder, open at the lower end and capable of diverting water flow completely off the road at that point. Cross-ditch

spacing shall be as follows: 0-4%, 150 feet; 5-10%, 100 feet; 11% and greater 50 feet or as designated by the State (Forester-in-charge).

- c. Brush and submerchantable trees may be removed from the road surface with a dozer blade. All brush and submerchantable trees removed from cut and fill slopes shall be severed using a chainsaw or brush cutter, leaving the root system intact.
  - b. The lessee shall submit to the State, a Road maintenance plan prior to performing any road maintenance work. No road maintenance work shall be performed prior to State written approval.
13. This permit shall expire on January 1st, 2021, but may be extended upon request of the Permittee and at the discretion of the Area Manager. If extended, the permit will be subject to such terms, conditions and fees as may be imposed by the Area Manager.

ISSUED this 29th day of July, 2016.

---

Tom Fleer  
Pend Oreille Lake  
Area Manager

---

Permittee

---

Title

---

Date

STATE OF IDAHO

LAND USE PERMIT NO. LU-200019

Permission is hereby granted to **City of Sandpoint of 1123 Lake Street, Sandpoint, Idaho 83864**, its contractors and cooperators, for purposes of ingress and egress across an existing road located in the following described lands as shown on the map attached and made a part thereof.

(Legal Description)

<u>Twn</u>	<u>Rng</u>	<u>Sec</u>	<u>Description</u> (to the quarter-quarter) (include name of lake or riverbed, if applicable)	<u>County</u>	<u>Acres</u>	<u>(IDL Fund)</u>	<u>AUMs (if Needed)</u>
57 N	3W	4	Pts. Lots 2, 3, and 6, Pts. S2NW, Pts. W2SW, Pts. SESW	BONNER	11.7	PS	NA
57N	3W	5	Pts. SENE, Pts. NESE	BONNER	2.9	PS	NA
57N	3W	6	Pts. Lot 11	BONNER	1.1	PS	NA
57N	3W	7	Pts. Lot 1, Pts. S2NE, Pts. E2NW, Pts. NWSE	BONNER	6.0	PS	NA
57N	3W	8	Pts. NE, Pts. S2NW, Pts. N2SE	BONNER	10.9	PS	NA
57N	3W	9	Pts. W2NW, Pts. NWSW	BONNER	3.4	PS	NA
58N	3W	34	Pts. W2NE, Pts. SENE, Pts. NESW, Pts. N2SE, Pts. SESE	BONNER	5.9	PS	NA
57N	4W	1	Pts. SWNW, Pts. N2SW, Pts. W2SE, Pts. SESE	BONNER	5.7	PS	NA
57N	4W	2	Pts. S2N2	BONNER	5.1	PS	NA
57N	4W	3	Pts. S2N2	BONNER	5.0	PS	NA
57N	4W	4	Pts. Lots 6, 7, and 8	BONNER	1.7	PS	NA

This permit is subject to the following terms and conditions:

1. This authorization is effective upon signature by the area supervisor and upon payment of the required fee by the Permittee.
2. This permit is granted in consideration of Seven Hundred dollars (\$700.00).

*necessary*  
3. The Permittee <sup>contractor</sup> shall indemnify and hold harmless the State of Idaho and its representatives against and from any and all demands, claims or liabilities of every nature whatsoever, arising directly or indirectly from or in any way connected with the use authorized under this permit.

4. This permit may be cancelled after written notice to the Permittee of non-compliance with the terms herein and failure of the Permittee to correct noted non-compliance.
5. This permit is non-exclusive to the Permittee, except that other uses will not be designed to restrict the Permittee in the exercise of this permit.
6. This permit may be assigned with the approval of the area supervisor. If approved, the Permittee will give written notice of the name and address of the assignee to the supervisor of the Area Office, Department of Lands.
7. The Permittee shall exercise every reasonable effort to protect the forage and watershed resources.
8. The Permittee will comply with all federal, state, and local laws and with all rules and regulations of the State Board of Land Commissioners pertaining to forest and watershed protection, and with the Stream Channel Protection Act as designated in Chapter 38, Title 42 of the Idaho Code as administered by the Department of Water Resources.
9. The Permittee will be required to maintain and leave the permitted area in a clean and tidy condition.
10. This authorization is limited to the activities which are associated with the maintenance and operation of the City of Sandpoint owned communication towers located in the SW of Section 35, Township 58 North, Range 3 West, B.M..
11. Permitted activities shall not interfere with nor restrict any management activity occurring on endowment lands. Management activities of State Endowment Lands shall take precedence over all other uses.
12. Permittee shall be responsible for road maintenance and erosion control measures on road 3150-3.5-0.8, further described as follows:
  - a. Maintenance work shall include keeping the road surface graded, the berm on the outside edge removed, the inside ditches open, culverts and culvert catch basins clean and rolling dips and cross-ditches maintained as needed. Side casting of material shall be minimized by spreading the material on the road surface. Damaged culverts will be repaired or replaced at the permittee's expense.
  - b. The Permittee shall install and maintain drivable cross-ditches to control road surface erosion. Each ditch shall be cut into the roadbed, tied to the cutbank, sloped to the shoulder, open at the lower end and capable of diverting water flow completely off the road at that point. Cross-ditch

spacing shall be as follows: 0-4%, 150 feet; 5-10%, 100 feet; 11% and greater 50 feet or as designated by the State (Forester-in-charge).

- c. Brush and submerchantable trees may be removed from the road surface with a dozer blade. All brush and submerchantable trees removed from cut and fill slopes shall be severed using a chainsaw or brush cutter, leaving the root system intact.
  - b. The lessee shall submit to the State, a Road maintenance plan prior to performing any road maintenance work. No road maintenance work shall be performed prior to State written approval.
13. This permit shall expire on January 1st, 2016, but may be extended upon request of the Permittee and at the discretion of the Area Manager. If extended, the permit will be subject to such terms, conditions and fees as may be imposed by the Area Manager.

ISSUED this ~~22nd~~ day of ~~March~~, 2012.

~~23rd~~ ~~APRIL~~  
ER



Edward Robinson  
Pend Oreille Lake  
Area Manager



Permittee

Chris D. Police

Title

4/9/12

Date

STATE OF IDAHO  
TEMPORARY PERMIT NUMBER: **TP-20-0436**

Permission is hereby granted to the **CITY OF SANDPOINT** of **1123 Lake Street, Sandpoint, ID 83864**, its contractors and cooperators, for purposes of ingress and egress across an existing road located in portions of the following described lands:

Subdivision	Section	Township	Range
Lots 2,3, and 6, S2NW, W2SW, SESW	4	57N	3W
SENE, NESE	5	57N	3W
Lot 11	6	57N	3W
Lot 1, S2NE, E2NW, NWSE	7		
NE, S2NW, N2SE	8	57N	3W
W2NW, NWSW	9	57N	3W
SWNE, SENW, N2SE, SESE	34	58N	3W
SWNW, N2SW, W2SE, SESE	1	57N	4W
S2N2	2	57N	4W
S2N2	3	57N	4W
Lots 6, 7, and 8	4	57N	4W

This permit is made subject to the following terms, provisions, and conditions:

1. This permit is subject to all valid rights existing on this date.
2. This authorization is effective upon signature by the Area Supervisor, Pend Oreille Lake Area, Department of Lands, and upon payment of the required fee by the Permittee.
3. This permit is granted in consideration of the receipt of Three Hundred (\$300.00) DOLLARS.
4. The Permittee, in exercising the privileges granted by this permit, shall comply with all applicable State laws, Executive Orders, and State rules and regulations.
5. The Permittee shall cut only such timber as necessary in clearing for road construction, reconstruction, and maintenance. Timber so cut shall, unless otherwise agreed to, be cut into logs of lengths specified by the State and decked along the road for disposal by the State.
6. The Permittee will be required to keep ditches and culvert inlets and outlets clean and functional at all times. Existing cross-ditches shall remain functional. Some minor improvements to the road surface may be permitted as designated by the State. Grading of portions of the road surface may be required as designated by the State. Side casting of surface material shall be minimized by spreading the material on the road surface.

7. Brush and submerchantable trees may be removed from the road running surface with a dozer blade. All brush and submerchantable trees removed from cut and fill slopes shall be severed using a chainsaw or brushcutter, leaving the root system intact.
8. The Permittee shall do everything reasonably within its power to prevent forest fires and shall not dispose of material by burning in open fires during the closed season established by law or regulation without a written permit from the State.
9. The Permittee shall repair fully all damage to State roads and trails caused by the Permittee in exercise of the privileges granted by this permit.
10. The Permittee shall provide maintenance so that the road will be in a condition equal to that normally prevailing on roads of like standard, and unless otherwise agreed to, shall construct leadoff drainage and water barriers to prevent erosion on the road as directed by the State.
11. The Permittee shall maintain right-of-way clearing by means of chemicals only after the Area Supervisor has given specific written approval. Application for such approval must be in writing and must specify the time, method, chemicals and the exact portion of the right-of-way to be chemically treated.
12. This permit may be terminated or suspended upon breach of any of the conditions herein or at the discretion of the Area Supervisor or Director, Department of Lands.
13. This permit shall expire on or before December 31, 2009 but may be extended for an additional period of up to one (5) years upon request of the Permittee and at the discretion of the area supervisor. The permit will be subject to such terms and conditions as may be imposed by the area supervisor.

The exercise of any of the privileges granted hereby constitutes acceptance of all conditions of this permit.

8/21/06  
(Date)

Edward Robinson  
EDWARD ROBINSON

Area Supervisor

8-21-06  
(Date)

Raymond Miller  
PERMITTEE

MAYOR  
Title